

**MINUTES OF THE HOWEY-IN-THE-HILLS TOWN COUNCIL MEETING
HELD DECEMBER 12, 2011**

Mayor Sears called the Town Council Meeting of December 12, 2011 to order at 6:00 p.m.

Cub Scout Troop and Boy Scout Troop No. 254 led the Pledge of Allegiance to the Flag.

Councilor Ernest led the Invocation.

Present: Mayor Sears, Mayor Pro-Tem Nebel, Councilor Ernest, Councilor Richardson, Councilor Hall (arrived 6:17 p.m.), Police Chief Robbins, Public Works Director Padgett, Town Attorney Blom-Ramos and Town Clerk Brasher.

CONSENT AGENDA – Only one motion needed to approve the Consent Agenda
Minutes of October 24, 2011 Town Council Meeting with Lake County Regarding Roads, Town Council Special Session of October 24, 2011, Town Council Meeting of November 14, 2011, and Town Council Work Session held November 28, 2011.

Councilor Ernest, seconded by Councilor Richardson, moved to approve the Consent Agenda as presented. Motion carried 4-0 with a roll call vote.

NEW BUSINESS

Consideration and Approval of Work Authorization No. 14 - Neel-Schaffer, Inc. Traffic Engineering Services for 2012 MPO Meeting in the Amount of \$1,960.00

Traffic Engineer Watanabe gave a detailed background on this item. Discussion ensued regarding SR 19 road widening. **Traffic Engineer Watanabe** thanked Mayor Pro-Tem Nebel for her due diligence with working with the MPO

Councilor Ernest, seconded by Councilor Richardson, moved to approve Work Authorization No. 14 with Neel-Schaffer, Inc. for 2012 MPO Meetings in the amount of \$1,960.00. Motion carried 4-0 with a roll call vote.

Consideration and Approval of Architectural Drawings for Library Expansion

Mayor Sears gave background on this item. **Councilor Ernest** said there is extensive mold in the addition and the cleanup of the mold needs to be included in the price of this project. Discussion ensued. **Mayor Sears** said if this is approved, the specs will be drawn up and be advertised for bids. **Councilor Ernest** asked what the extra monies can be used for. **Mayor Sears** said he will check with Lake County. Discussion ensued with regards to what the money will be used for. **Mayor Pro-Tem Nebel** asked how drawings are accepted if the Town does not know the costs of the project. **Councilor Ernest** said architects only draw the plans and they can only give an estimate of the project costs. Discussion ensued.

Library Board Chairman Hall said it is her understating that everything is being paid for out of the grant. She further stated the Library Director Merchant wants to apply for additional funding to include extra items.

Mayor Pro-Tem Nebel, seconded by Councilor Richardson, moved to approve the Library architectural drawings for the library expansion. Motion carried 5-0 with a roll call vote.

PUBLIC HEARING

Staff Report for Bouis/Coleman-Cline PUD Zoning Conceptual Plans

First Reading of Ordinance No. 2011-008, Pertaining to Zoning; Rezoning Six Parcels of Property with Alt Key Numbers 1226171, 1780438, 1801770, 2923946, 2923954, AND 3815447 Totaling Approximately 263 Acres, Located on the North Side of County Road 48 Up to and Fronting Little Lake Harris and West of the Intersection of State Road 19 and County Road, From Lake County Agriculture and SF-2 to Village Mixed Use Planned Unit Development; Amending the Town's Zoning Map; Providing for Conditions of Approval; Providing for Severability; Repealing All Conflicting Ordinances; Providing an Effective Date.

Town Attorney Blom-Ramos read by title only, Ordinance No. 2011-008.

The Public Hearing was opened.

Town Planner Shira said Staff and the Planning and Zoning Commission have recommending the plan for approval for Option 1. She said the wastewater agreement with CDD will need to be in place prior to the 1st Town Council Meeting in January. **Mayor Sears** said he hopes to have the "draft" back by January due to the holidays. **Mayor Pro-Tem Nebel** said she is not in favor of approving 3a. **Town Attorney Blom-Ramos** said No. 3 is the Staff Report and 3a is the ordinance and tonight is a first reading. **Town Planner Shira** said this is the 1st reading and the second reading and adoption will not occur until the agreement with the CDD is in place.

Greg Beliveau, planner for the applicant said he does not have a problem with Option 1. He further stated they are opposed to the round about as it will destroy the commercial development in the corner and asked to be notified if the roundabout reappears.

Mayor Pro-Tem Nebel advised Mr. Beliveau to speak with T.J. Fish, Executive Director with the MPO. **Councilor Hall** and **Councilor Ernest** said they have serious concerns with a roundabout at that intersection.

Councilor Richardson asked Town Planner Shira if there is language that this development will adhere to the newly adopted LDC. **Town Planner Shira** said there is a note on the plans that the developer will adhere with the new LDC. **Councilor**

Richardson asked if the commercial parcel have restrictions. **Town Planner Shira** said the restrictions in the Comprehensive Plan and the developer agrees to abide with the regulations.

Town Attorney Blom-Ramos asked the Town Council to include the option number in the motion.

Glennys Barber asked how large the roundabout would be and said the roundabout would cause problems with the large trucks. Discussion ensued.

The Public Hearing was closed.

Councilor Ernest, seconded by Councilor Richardson, moved to approve the first reading of Ordinance No. 2011-008 with the deletion of Option 2. Motion carried 5-0 with a roll call vote.

Second Reading and Adoption of Ordinance No. 2011-010, Relating to Pain Management Clinics; Adopting Findings; Providing for Definitions; Imposing a One Year Moratorium on the Issuance of Business Tax Receipts for New Pain Management Clinics; Directing Staff to Study, Analyze and Report to the Town Council on Issues Relating to Pain Management Clinics by a Date Certain; Providing for Penalties; Providing for Inclusion in the Code; Providing an Effective Date.

Town Attorney Blom-Ramos read by title only Ordinance No. 2011-010.

Mayor Sears gave detailed background on this item.

The Public Hearing was opened. As no one wished to speak, the Public Hearing was closed.

Mayor Pro-Tem Nebel, seconded by Councilor Richardson, moved to approve the second reading and adoption of Ordinance No. 2011-011. Motion carried 5-0 with a roll call vote.

Second Reading and Adoption of Ordinance No. 2011-011, Relating to Adult Arcade Amusement Facilities; Imposing a One Year Moratorium on the Issuance of Business Tax Receipts for a New Adult Arcade Amusement Facility Utilizing Slot Machines; Simulated Gaming Devices or Similar Equipment; Including but not Limited to, Arcades, Games Rooms, Internet Cafes and Sweepstakes Redemption Centers; Directing Staff to Study, Analyze and Report to the Town Council on Issues Relating to Adult Arcade Amusement Facilities by A Date Certain; Providing for Penalties; Providing for Inclusion in the Code; Providing an Effective Date.

Town Attorney Blom-Ramos read by title only, Ordinance NO. 2011-0011.

The Public hearing was opened. As no one wished to speak, the Public Hearing was closed.

Mayor Pro-Tem Nebel, seconded by Councilor Richardson, moved to approve the second reading and adoption of Ordinance No. 2011-001. Motion carried 5-0 with a roll call vote.

COUNCIL COMMENTS

Councilor Ernest said the following:

1. The Police Department put safety in place for the Christmas Festival.
2. Thanked the Public Work Department, JJ, Harwood and Ed and JJ's daughter.
3. Thanked Brenda and Cheryll. No one knows what Brenda did behind the scene.
4. The Town has the same problem every year with the Christmas decorations and from now on the Public Works Department will put up, take down, store and protect the decorations so they can be used each year.
5. The Public Works Department is to budget Christmas Decorations for the Town each year, with the exception of the decorations from Clarks Sales.
6. It is time to beautify the benches in Town. People can make donations for benches to be purchased, which will be concrete. He will bring prices back to another meeting.
7. Town Hall will be decorated tomorrow.

Mayor Pro-Tem Nebel said she loved riding in the parade with the Police Department.

Councilor Richardson said the following:

1. A few people in our community go way above and beyond. He thanked Councilor Ernest for the great job, the festival was terrific. **Mayor Sears** said he doesn't think this year can be topped and thanked Councilor Ernst for his leadership.

Councilor Hall said it is important for the Town to have a large parade. People come from other cities to watch our parade.

MAYOR REPORT

Mayor Sears said the following:

1. Announced the employee Christmas luncheon on December 21 at 11:30 at Mission Inn.
2. Asked if the Town Council is interested in holding a work session to discuss the Land Development Code (LDC) prior to the luncheon.
3. Wastewater agreement is being reviewed by our legal counsel and I hope to have it back by January.
4. The Consumptive Use Permit requires the Town to implement a landscape plan which will be done at the end of the month at Town Hall property and on the

Town lot across the street. The Scouts are interested in helping with the project as well.

Councilor Ernest said he wants to get the LDC done and is in favor of meeting at 8:30 a.m. or 9:00 a.m. **Mayor Pro-Tem Nebel** said if she is unable to attend, she will provide her questions in writing.

It was the consensus of the Town Council to hold a work session December 21st at 9:00 a.m. Cookies and coffee will be provided.

Councilor Hall apologized for being late this evening.

PUBLIC COMMENTS

Janice McClain complimented Councilor Ernest and those who were involved in the Christmas Festival. She said the cones were put up to protect her property, which was wonderful.

ADJOURNMENT AT 6:49 P.M.



Chris Sears, Mayor

ATTEST:



Brenda Brasher, CMC
Town Clerk