

**MINUTES OF THE HOWEY IN THE HILLS TOWN COUNCIL MEETING
HELD June 26, 2017**

Mayor Sears called the Town Council Work Session to order at 5:45 p.m.

Present: Mayor Sears, Mayor Pro-Tem David Nebel, Councilor Scott, Councilor Mabry and Councilor Conroy (via Phone).

Also Present: Director of Public Services Ernest, Library Director Hall, Interim Town Clerk Burke and Chief Thomas.

Mayor Sears said that T.J. Fish signed a separation agreement with the Lake Sumter Metropolitan Planning Organization (Lake Sumter MPO). He said he did not want to see the MPO disband. Sumter County Board of County Commissioners sent a letter to everyone stating that they didn't like the current make-up of the Board and in doing so they have talked about joining the Orlando MPO as opposed to staying with Lake-Sumter. His question tonight is does the Town Council want to write up a Resolution supporting the current make-up of the MPO.

Mayor Pro-Tem David Nebel said he was on the MPO Board for Howey in the Hills for four (4) years and that Councilor Conroy now sits on the Board for the Town. Everything he saw T.J. Fish doing was an excellent job. If Sumter Counties leaves the Lake-Sumter MPO and joins the Orlando MPO it will make a big difference. His four (4) years spent on the MPO showed him how lack adaisical the Lake-Sumter MPO representative from Sumter County were. He said he would recommend joining Clermont and others to oppose the split.

Mayor Sears called Town Attorney Ramos and asked what she recommend the Town do regarding the situation. Her reply was for Mayor Sears to discuss it at the Town Council Meeting.

Mayor Pro-Tem David Nebel said that the Town Council could vote tonight to allow Mayor Sears to draft a letter of support.

Councilor Conroy said that he agrees with what everyone is saying tonight. He doesn't agree with joining the Orlando MPO.

Mayor Pro-Tem David Nebel said that Mayor Sears could talk to Town Attorney Ramos in regard to the Town drafting a letter of support or a Resolution.

Mayor Pro-Tem David Nebel asked for clarification on the sewer project. He asked if the \$400,000 was for the sewer to go all the way up to the plant or just half way. **Mayor Sears** replied that the \$400,000 hooks into Florida Avenue, so they go from the alley and hook into Florida Avenue. So, the current set up is gravity fed from that side of State Road 19 down to the Lake and then force mained up the alleys back up Florida Avenue and tied into that force

main. **Mayor Pro-Tem David Nebel** stated that it was a full sewer line that will tie into the plant. **Mayor Sears** replied no, it will tie into the force main on Florida Avenue.

Mayor Pro-Tem David Nebel said that the reason he asked the question is due to the other Agenda items pertaining to money. He thinks the Town should prioritize what is being spent and when.

Mayor Sears said that he received the individual Department Director and Boards Budgets. He said that the Town is about \$130,000 in the negative as of this moment. He said that he will have a balanced Budget for the Town Council to review at the July 10, 2017 Town Council Meeting. He said the final ad valorem numbers came in today and it is about \$20,000 more than last year's Budget.

Mayor Sears adjourned the Town Council Work session at 5:59 p.m.

Mayor Sears called the June 26, 2017 Town Council meeting to order at 6:00 p.m.

Present: Mayor Sears, Mayor Pro-Tem David Nebel, Councilor Scott, Councilor Mabry and Councilor Conroy (via Phone).

Also Present: Director of Public Services Ernest, Library Director Hall, Interim Town Clerk Burke and Chief Thomas.

Mayor Sears led the Pledge of Allegiance to the Flag

Public Services Director Ernest led the Invocation.

CONSENT AGENDA

Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.

Minutes of the June 12, 2017 Town Council Meeting

Mayor Pro-Tem David Nebel, seconded by Councilor Mabry, moved to approve the Consent Agenda as presented. Motion carried 4-0 with a roll call vote.

NEW BUSINESS

Consideration and Approval to allow the Friends of the Cemetery and the Parks and Recreation Advisory Board to donate a burial plot to Woody and Leah Blevins.

Mayor Sears said that a support letter from the Friends of the Cemetery and the Parks and Recreation Advisory Board is included.

Joyce Herrington, 107 Island Drive, asked that the Town Council clarify that the burial plot is to be donated to the Blevins by the Town and not to come from the Parks and Recreation Advisory Board or the Friends of the Cemetery Budget. **Mayor Sears** replied yes.

Mayor Pro-Tem David Nebel, seconded by **Councilor Mabry**, moved to approve the Friends of the Cemetery and the Parks and Recreation Advisory Board to donate a burial plot to Woody and Leah Blevins.

Consideration and Approval for a Tree Permit Application Located at 401 N Palm Avenue.

Mayor Pro-Tem David Nebel asked why the Tree Permit Application was on the Town Council Agenda.

Mayor Sears asked Public Services Director Ernest to explain.

Public Services Director Ernest said that he got a request for a tree removal permit and he denied it due to it being a healthy specimen tree. He told the resident that they may come before the Planning and Zoning Board to try and get approval.

Mayor Sears asked Town Planner Harowski to clarify the appropriate steps for a tree permit denial. **Town Planner Harowski** replied that a resident could appeal the denial before the Town Council. They have an opportunity to provide additional information which would suggest why the tree permit be permitted. **Mayor Pro-Tem David Nebel** said that when he read the final letter from Mr. Baxter the letter stated every reason why you should NOT grant a tree permit removal. He added that he drove by the location and that the tree was healthy and according to its trunk it would be a specimen tree. The Resident can plant other trees or pay the mitigation fees. **Mayor Sears** asked Public Services Director Ernest if he had explained to the resident that they could pay mitigation fees. **Public Services Director Ernest** replied yes.

Councilor Scott asked if it was denied could the resident come back before the Town Council. **Mayor Pro-Tem David Nebel** said that in the past a resident could apply for a variance and in doing so could come before the Town Council. The current code doesn't include that option. **Town Planner Harowski** said that the resident made his appeal and that whatever is decided is what he is allowed to do.

Mayor Sears asked if the resident is allowed to mitigate. **Town Planner Harowski** replied no, the motion is to deny the Tree Permit Application.

Mayor Pro-Tem David Nebel asked if the ruling stayed with the property. **Town Planner Harowski** replied yes.

Mayor Pro-Tem David Nebel, seconded by **Councilor Mabry**, moved to deny a Tree Permit Application Located at 401 N Palm Avenue. Motion carried 4-0 with a roll call vote.

Chief Thomas asked if the Town Council could give the resident thirty (30) days to come back with additional information since he is not attending the meeting due to a family

emergency. **Mayor Sears** said that Mayor Pro-Tem David Nebel would have to amend his motion. **Mayor Pro-Tem David Nebel** said he stands by his motion.

Consideration and Approval to allow Mayor Sears to purchase 9 acres on Number Two Road for Future Town Development not to exceed \$80,000 from the Reserves.
(Alt Key 1036208) (Councilor Scott)

Mayor Pro-Tem David Nebel said that he wouldn't put a price on it until the owner said this is the price I want for it. He then added that the Town should look at the bigger picture when it comes to spending money.

Councilor Scott said that he talked to the gentlemen who is selling the property on behalf of Coldwell Bank and his recommendation is to offer \$75,000.

Mayor Pro-Tem David Nebel said that he would empower Mayor Sears to investigate and negotiate on behalf of the Town.

Councilor Scott said hopefully the Town could apply for an Emergency Operation Center (EOC) grant to include a Police Department, Town Hall and possible a Fire Department. He is trying to gear the Town towards future development.

Mayor Sears said that the Town still has the opportunity to use the two and a half acres that was donated by Venezia. **Councilor Scott** said he didn't think two and a half acres was a big enough piece of property. He then added that moving Town Hall and the Police Department would open up some commercial property and that the Town could make some of the money back.

Councilor Mabry said he believes the Town should actively pursue the property.

Councilor Conroy also agrees that it is a good idea, but he also agrees with Mayor Pro-Tem David Nebel on the fact that other projects aren't getting fully completed and the Town is spending money elsewhere.

David Kilmartin, 128 E Laurel Avenue, said that he didn't agree with the Town purchasing the property.

Councilor Mabry, seconded by Mayor Pro-Tem David Nebel, moved to approve Mayor Sears to negotiate on behalf of the Town to possibly purchase 9 acres on Number Two Road for Future Town Development but not to exceed \$80,000.

Consideration and Approval for interior upgrade to Town Hall and Council Chambers not to exceed \$5,000 from the contingency fund. (Councilor Scott) (No Back-up)

Councilor Scott said he would like to rearrange the Council Chambers to where the Town Council Members were facing the audience. He also wanted to repaint and put new carpet down.

Mayor Sears said that five (5) years ago Town Hall has some upgrades done.

Mayor Pro-Tem David Nebel said he would like to see a plan first.

Councilor Conroy said he recommends putting it into next year's Budget. He added that a lot of other items need to be the first priority.

Discussion: To amend the Land Development Code to include a Historic and Archeological Property Overlay District. (Mayor Sears)

Mayor Sears gave detailed background on the Land Development Code to include a Historic and Archeological Property Overlay District.

Town Planner Harowski read **Purpose:** The Historic and Archeological Property Overlay is intended to preserve historic and archeological assets by designating sites which meet the specified criteria; by providing for alternative and adaptive reuse opportunities for designated properties consistent with neighborhood conditions; result in the preservation of the historic or archeological resource. The overlay is intended to preserve the underlying zoning as the base use for the property and the zoning which will be effective on the property should the designated resource be removed for any reason. He then went over the applicability for a Historic Overlay. The overlay designation may be applied to one or more parcels in any zoning district if both of the following conditions are met. The historic or archeological asset is listed on the National Register of Historic Places; designated by the State of Florida as a historic or archeological resource; or as approved by the Town Council as a locally significant site. The original use of the building or site no longer functions in the current environment or would create negative secondary impacts to the surrounding neighborhood if utilized for its original use.

Mayor Pro-Tem David Nebel wants to clarify that the Historic Overlay is offering a process to a resident but doesn't guarantee a resident will qualify. Town Planner Harowski replied yes.

Councilor Conroy said he would like Mayor Sears to check if there is a tax difference for historical rather than residential.

Discussion: Town Overlay (Mayor Sears) (No Back-Up) – No Comment

Discussion: Hiring a part-time custodian (Councilor Scott) (No Back-Up)

Mayor Sears said that this should be a staff decision.

Mayor Pro Tem-David Nebel said he believes that this is micro managing and should not be a Town Council decision.

Mayor Sears said he would work with the Department Directors.

Update: Propose Changing Street Lighting on Central Ave. and Lakeshore Blvd. to Light-Emitting Diode (LED) from Duke Energy. (Councilor Scott) (No Back-Up)

Mayor Sears said he has not yet received a proposal. He said that our franchise agreement is up with Duke Energy and that legal is reviewing it now. He would like the proposal and franchise agreement to all be presented together.

Library Board Minutes – None

Parks & Recreation Advisory Board Report & Minutes – None

Planning & Zoning Board Minutes for May 25, 2017 and June 22, 2017- None

Code Enforcement/Police Department Report-None

Finance Report-None

Impact Fee Balance-None

Library Director Report

Library Director Hall said that this week was the last week for the summer reading program.

Public Services Report

Public Services Director Ernest said that there was a loss in pressure at the Water Plant.

Town Hall Report-None

MAYOR AND COUNCIL COMMENTS

Councilor Mabry-No Comment

Councilor Scott said that he doesn't understand how the Town Council was willing to spend hundreds or thousands of dollars on the Mansion but when it comes to spending money on property or Town Hall it is an issue. **Mayor Sears** said that everyone voted yes to investigate the possibly purchase of the 9 acres on Number Two Road.

Mayor Pro-Tem David Nebel asked if there was a better process to notify Town Residents about water related or other issues. **Mayor Sears** asked if there was an email sent out in regards to the water pressure loss. **Interim Town Clerk Burke** replied yes. **Mayor Sears** said he would be happy to receive any suggestions.

PUBLIC COMMENTS

Martha Macfarlane, 210 E Cypress Ave, Thanked the Town Council for approving the donated deed to the Blevins. She also said that there is a system that would send out blast messages.

Sharon Couture, 412 E Revels Road, Thanked the Town Council for saving the tree. She then talked about the Howey Mansion. She explained that the people in Venezia are using the easement area of East Revels Road and it looks horrible. **Mayor Sears** asked what her feelings were about opening up a second entrance to allow people to use the access off of East Revels Road. She said that she believes the development needs two entrances or exits and she has no problem with that.

The Town Council Meeting adjourned at 7:30 p.m.

Chris Sears, Mayor

ATTEST:

Dairian Burke
Interim Town Clerk