

**MINUTES OF THE HOWEY-IN-THE-HILLS TOWN COUNCIL MEETING  
HELD SEPTEMBER 28, 2015**

**Mayor Sears** called the Town Council Meeting of September 28, 2015 to order at 5:07 p.m.

**Mayor Sears** led the Pledge of Allegiance to the Flag.

**Mayor Pro-Tem Ernest** led the Invocation.

Present: Mayor Sears, Mayor Pro-Tem Ernest, Councilor Nebel, Councilor Conroy and Councilor Mabry.

Also Present: Town Planner Harowski, Police Chief Thomas, Library Director Hall, Administrative Assistant Rhoden and Town Clerk Brasher.

**Mayor Sears** opened the Budget Public Hearing

**MAYOR SEARS TO PUBLICLY ANNOUNCE:**  
**TOWN OF HOWEY-IN-THE-HILLS**  
**FINAL BUDGET PUBLIC HEARING**  
**FISCAL YEAR 2015 - 2016 FINAL MILLAGE RATE AND FINAL BUDGET**

**Procedures for Millage and Budget Public Hearing per TRIM:**

**Mayor Sears** stated the following:

The final millage rate:	9.5177 mills
The current year rolled-back rate:	9.0242 mills
The percent of increase of rolled-back rate over final millage rate is:	5.47%

**Town Clerk Brasher** read by title only, Resolution No. 2015-005 – Final Millage Rate

**Mayor Sears** said he was in favor of lowering the millage rate for FY 2015-2016.

**Mayor Sears** entertained public comments and questions.

*As there were no Public Comments or questions, the Public Hearing was closed.*

**Mayor Pro-Tem Ernest, seconded by Councilor Nebel, moved to adopt Resolution No. 2015-005, Final Millage Rate. Motion carried 4-1 with Mayor Sears voting no.**

**Mayor Sears** restated:

The Taxing Authority is: The Town of Howey-in-the-Hills  
The Final Millage Rate is: 9.5177 mills  
The Rolled Back Rate is: 9.0242 mills  
The Percentage of increase over the Rolled Back Rate is: 5.47%  
The Millage Rate To Be Levied Is: 9.5177 mills

**Town Clerk Brasher** read by title only, Resolution No. 2015-006 – Final Budget

**Mayor Sears** entertained public comments and questions.

*As there were no public comments or questions, the Public Hearing was closed.*

**Councilor Conroy**, seconded by **Councilor Nebel**, moved to adopt Resolution No. 2015-006, Final Budget for Fiscal Year 2015-2016. Motion carried 4-1 with Mayor Sears voting no.

**Mayor Sears** announced the following: The Public Hearing for the adoption of the Final Millage Rate and Final Budget for Fiscal Year 2015 - 2016 is now complete.

**Mayor Sears** closed the Budget Public Hearing at 5:16 p.m.

**Recess from 5:16 p.m. to 5:35 p.m.**

**Mayor Sears** brought the Town Council Meeting to order at 5:36 p.m.

## **TOWN COUNCIL MEETING**

### **TOWN BUSINESS**

#### **Adoption of Town Communication Policy**

**Mayor Sears** gave detailed background on this item and said every board member should have a copy of the Communication Policy. He said all communication should be forwarded to the Town Clerk for dissemination.

**Mayor Pro-Tem Ernest** asked for clarification on the process. A lengthy discussion ensued. He said he will not vote for this as he does not believe in it.

**Town Clerk Brasher** explained the lengthy, expensive process and procedure should anyone associated with the Town violate the Sunshine Law.

**Mayor Pro-Tem Ernest** said he does not agree with the Town Attorney Blom-Ramos and Town Clerk said she is the professional on this matter. A lengthy discussion ensued.

**Mayor Sears** said Town Clerk Brasher sees emailing going back and forth and wants the Town and the board members to be protected.

**Councilor Nebel** said he understands why Town Clerk Brasher is requesting this policy.

**Councilor Conroy** said the Boards need to make sure they understand the rules.

**Councilor Mabry** said would be more comfortable if the board members understood the rules and follow them. He said the boards should be held accountable for following the Sunshine Rules.

**Town Clerk Brasher** said she does not take potential Sunshine violations lightly and she has experienced the process; it is long and expensive.

**Councilor Nebel**, seconded by **Councilor Conroy**, moved to table this item. Motion carried 5-0 with a roll call vote. Motion carried 5-0 with a roll call vote.



*It was the consensus of the Town Council to have Town Attorney Blom-Ramos as well as the Chairman's of the Advisory Boards to attend a Town Council Meeting with discussion of the Communication Policy.*

**Appointment of One (1) Elected Official to serve as the Director to the Lake County League of Cities. (LCLC meets the 2<sup>nd</sup> Friday of each month unless otherwise noted)**

*Council Nebel, seconded by Mayor Pro-Tem Ernest, moved to appoint Councilor Conroy as the Director. Motion carried 5-0 with a roll call vote.*

**Appointment of One (1) Elected Official or Staff Member to serve as the Alternate Director to the Lake County League of Cities. (LCLC meets the 2<sup>nd</sup> Friday of each month unless otherwise noted)**

*Councilor Mabry, seconded by Councilor Conroy, moved to appoint Councilor Nebel as the Alternate Director. Motion carried 5-0 with a roll call vote.*

## **PRESENTATION**

Red Ribbon Week Proclamation

**Mayor Sears** read the proclamation out loud and presented the proclamation.

## **BOARD REPORTS**

**MPO BPAC Report – Pam Hunt** presented a detailed MPO BPAC Report and asked the Town to consider lowering the speed limit on SR 19. Discussion ensued.

**Library Board –** No comments

**Parks & Recreation Advisory Board Report and Minutes –** Parks & Recreation Advisory Board Chairman Ernest said the Sub-Committee is planning a Halloween Party from 5:00 p.m. – 7:00 p.m. at the Plaza.

## **PUBLIC HEARING**

**First Reading of Ordinance No. 2015-005, AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY FLORIDA, ADOPTING AMENDMENTS TO THE CONCEPTUAL LAND USE PLAN FOR THE LAKE HILLS MIXED PLANNED UNIT DEVELOPMENT ADOPTED BY ORDINANCE 2011-008; PROVIDING CONDITIONS OF APPROVAL; PROVIDING FOR SEVERABILITY; REPEALING ALL CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE**

**Mayor Sears** read by title only, Ordinance No. 2015-005.

***The Public Hearing was opened.***

**Town Planner Harowski** gave detailed background on this item. He said the density is staying the same the use is just allocated differently.

**Councilor Conroy** said the parcel being discussed is being sold so that will change the density. **Town Planner Harowski** said the density of the overall project will remain the same. He said gave detailed background on the other items in his report and said this is approving a full development plan and this overall project is 780 units of residential which may be allocated in a variety of ways. This is not a change of the overall project.

Councilor Nebel said if the builder wants to build 100 units, then the remainder to build is 680 units. **Councilor Conroy** said he does not like the math, now they are going to jam in 780 units into less acres. A lengthy discussion ensued. **Town Planner Harowski** said the LDR has changed since this project was first approved and now they must comply with the new LDC.

He discussed the following:

- This is a Major Amendment and the developer feels this is a Minor Amendment and he gave details on why this.

**Jonathon Huels**, attorney representing the developer said this has to be approved by Ordinance, with this being the introduction to the Ordinance. He said it has been a pleasure working with the Town Consultants and Town Clerk Brasher. He said the following:

- They will follow the LDC
- The Institutional use is not under contract and may never leave under title
- The conversion of land uses has been a tradeoff, acre per acre

**Ted Williams**, 9914 Santa Barbara Court (unincorporated Lake County) voiced his concerns asking if the developer has offered incentives for the Police Department as they do have crime in Mission Inn. **Mayor Sears** advised Mr. Williams of the Town's impact fees and said the Mission Inn doesn't pay impact fees to the Town. **Mr. Williams** asked about the ingress/egress and voiced his concerns. **Mayor Sears** said FDOT approves the ingress/egress, not the Town. Discussion ensued.

***The Public Hearing was closed***

***It was the consensus of the Town Council to hold a Work Session prior to the Town Council Meeting for discussion of the Developer Agreement and the proposed amendments.***

**Councilor Nebel, seconded by Councilor Nebel, moved to continue this item until the November 9, 2015 Town Council Meeting. Motion carried 5-0 with a roll call vote.**

**First Reading of Ordinance No. 2015-007, AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA PERTAINING TO HEALTH, SAFETY AND WELFARE; AMENDING SECTION 127-3 OF THE TOWN'S CODE OF ORDINANCES TO PROVIDE THAT EXCESSIVE OR UNTENDED GROWTH OF**



VEGETATION IS A NUISANCE AND IS PROHIBITED IF THE VEGETATION HEIGHT EXCEEDS 12 INCHES; AMENDING SECTION 92-8 TO ALLOW FOR RECREATIONAL FIRES IN A FIRE-PIT STYLE CONTAINER NOT TO EXCEED 36 INCHES IN DIAMETER FOR RESIDENTIAL USE AND 48 INCHES IN DIAMETER FOR COMMERCIAL USE AS LONG AS EXCESSIVE SMOKE AND A NUISANCE ARE NOT CREATED; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE

**Mayor Sears** gave background on this item.

**Mayor Sears** read by title only, Ordinance No. 2015-007.

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

*Councilor Conroy, seconded by Councilor Mabry, moved to approve Ordinance No. 2015-007. Motion carried 5-0 with a roll call vote.*

#### **DEPARTMENT REPORTS**

Code Enforcement/Police Department Report – No comments

Finance Report – **Mayor Sears** thanked Accounting Technician Casson for providing the monthly reports on time.

Library Director Report – No comments

Public Services Report / Service Order Report – No comments

Utility Report/ Water Valve Maintenance Report – No comments

Town Hall Report – *(Inaudible due to cross conservation)*

Safety Committee Minutes – No comments

#### **MAYOR AND COUNCIL COMMENTS**

**Mayor Sears** said he has brought BESH on board to look at the water plant and its functions.

**Mayor Pro-Tem Ernest** – No comments

**Councilor Nebel** said people are parking along Lakeshore Blvd. and the Town needs double faced no parking signs along Lakeshore Blvd. He asked if the lights are burnt out on the boat ramp? **Mayor Sears** said he will check into both items.

**Councilor Conroy** complemented Mayor Pro-Tem Ernest on the job he is doing. He asked/said the following:

- Is the Town done fixing pot holes? **Mayor Sears** said he was authorized to use

one ton of product and most areas on Lakeview are not patchable. He said Mayor Sears needs to proactive with the new Public Services position.

- The Personnel Policy has been sitting around and it is needed and it would have prevented things from happening that have happened in the past with the former employees. **Mayor Sears** gave details on the Personnel Policy.

**Town Clerk Brasher** said the Budget has been the priority and the Personnel Policy is being worked on. She also said at least four (4) or five (5) Personnel Policies have been brought before the Town Council and none have been adopted.

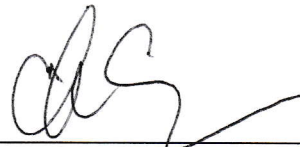
**Police Chief Thomas** said there have been numerous Personnel Policies that were started and brought before the Town Council before Town Clerk Brasher was even employed with the Town and not one was adopted.

**Councilor Mabry** – No comments

**PUBLIC COMMENTS**

There were no Public Comments

The meeting adjourned at 7:00 p.m.



Chris Sears, Mayor

**ATTEST:**



Brenda Brasher, MMC  
Town Clerk