

REVISED

MINUTES OF THE HOWEY IN THE HILLS TOWN COUNCIL MEETING HELD JANUARY 22, 2018

Mayor Sears called the pre-work Session to order at 5:45 p.m.

Present: Mayor Sears, Mayor Pro-Tem David Nebel, Councilor Mabry and Councilor Scott.

Absent: Councilor Conroy, Excused

Also Present: Town Planner Harowski, Town Clerk Burke, Chief Thomas, Lieutenant Roman, Public Services Director Ernest and Library Director Hall.

Public Services Director Ernest said that Public Services was working on a Standard Utility Policy. They were reaching out to other cities and asking what they had in place.

Councilor Scott asked if the standard would be for all new construction. **Public Services Director Ernest** said that it would be more for new developments.

Mayor Pro-Tem David Nebel said that it makes sense to have a standard policy.

Mayor Sears asked Public Services Director Ernest to work with Booth, Ern, Straughan and Hiott Engineering. (BESH).

Councilor Scott asked if the Town Council could go ahead and vote on it now. **Mayor Sears** said that the policy was still a work in progress.

Mayor Sears asked if there was anything else to discuss.

Councilor Scott said that two or three meetings back Mayor Sears said that he and Public Services Director Ernest were working on bringing a proposal to the Town Council. How is the progress on that project? **Mayor Sears** said the project is regarding sewer but that they are still working on it.

Mayor Sears adjourned the pre-work session at 5:59 p.m.

Mayor Sears called the Town Council Meeting of January 22, 2018 to order at 6: 00 p.m.

Mayor Sears led the Pledge of Allegiance to the Flag.

Lieutenant Roman led the Invocation.

Present: Mayor Sears, Mayor Pro-Tem David Nebel, Councilor Mabry and Councilor Scott.

Absent: Councilor Conroy, Excused

Also Present: Town Planner Harowski, Town Clerk Burke, Chief Thomas, Lieutenant Roman, Public Services Director Ernest and Library Director Hall.

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

Consideration and Approval to move funds from Parks and Recreation Impact Fees to Library capital outlay-building.

Councilor Scott, seconded by, Mayor Pro-Tem David Nebel moved to approve the transfer of funds from Parks and Recreation Impact Fees to Library capital outlay-building. Motion carried 4-0 with a roll call vote.

Consideration and Approval of Budget Amendment 2017-2018-001 for the purchase of property located on Number Two Road. (Alt Key # 1036208, Potential Police/Fire Station).

Mayor Sears said that he had met with the Assistant City Manager over Public Safety this past week and that they were still interested in a joint Police/Fire Station.

Mayor Pro-Tem David Nebel said that if down the road it doesn't work out that the piece of land would be a great location for a park.

Town Planner Harowski said that the zoning classification needs to be changed and that he would start working on doing that.

Councilor Scott, seconded by, Mayor Pro-Tem David Nebel moved to approve Budget Amendment 2017-2018-001 for the purchase of property located on Number Two Road. (Alt Key # 1036208, Potential Police/Fire Station).

Consideration and Approval to increase Town Council Compensation.

Councilor Scott said that he still feels that the Town Councils monthly compensation should be what is currently proposed. \$1,000.00 for The Mayor, \$800.00 for Mayor Pro-Tem but would like an increase of \$500.00 for the Council Members.

Mayor Pro-Tem David Nebel said that he thinks The Mayor should get \$1,000.00, Mayor Pro-Tem \$600.00 and use the rest of the \$200.00 proposed to increase Council Members' salaries to \$425.00 or \$450.00. **Councilor Mabry** agreed. **Mayor Pro-Tem David Nebel** said that the Town Council hasn't received a cost of living increase since he has been on Council.

Councilor Mabry, seconded by, Councilor Scott moved to approve the amended motion as follows The Mayor would receive a \$500.00 increase. (Mayor from \$500.00 -\$1,000.00), Mayor Pro-Tem would receive a \$200.00 increase. (Mayor Pro-Tem from \$400.00-600.00) and The Council Members would receive a \$100.00 increase. (Council Members from \$350.00-\$450.00). Motion carried 3-1 with a roll call vote. Mayor Sears voting no.

Annual Reviews (Councilor Scott)

Mayor Sears said that he gives staff a review every six months.

Public Services Director Ernest said that he did his reviews for staff this week. He wanted to add that the new employee Matthew Carter is a breath of fresh air.

Councilor Scott asked Councilor Mabry how often the school district gave reviews. **Councilor Mabry** replied that it all depends on the employee's status.

Cola & Merit Raises (Councilor Scott)

Councilor Scott said that he is just wanting to help the Town keep employees.

Mayor Sears said that cola and merit raises are normally given around budget time.

Discussion: The Magistrate System (Mayor Pro-Tem David Nebel)

Mayor Pro-Tem David Nebel said that the Special Magistrate fee alone was \$600.00 and only found the violations to be \$500.00. He would recommend the Town abandon the Special Magistrate system and moving forward throw a lien on the violator's property.

Town Planner Harowski said that other cities normally have two fines, one for the violation and one for the court cost.

Mayor Pro-Tem David Nebel said that the Special Magistrate who came said that the Town couldn't recover money for the court cost.

Councilor Scott said that not everyone feel the same way about trees and the schedule of fees.

Mayor Pro-Tem David Nebel said that it was ok not to all feel the same way about trees but that we hired this Special Magistrate to follow our Land Development Code and he didn't.

Mayor Sears said that the Town used to have a code board but it was disbanded due to inconsistency. Which is the reason why the Town started using a Special Magistrate. He then said that the Town could use a different Special Magistrate. He also said that he would talk to Town Attorney Ramos to see if she had any recommendations or other processes that the Town could use.

Discussion: Proposed amendments to Section 5.01.03 of the Land Development Code. (Sheds)

Town Planner Harowski said in the proposed Section 5.01.04, sub-paragraph A. links sheds to the general rules applicable to all accessory structures. Sub-paragraphs B and C specify the placements of sheds and will be supported with a sketch to clearly show the allowable placement areas. (Should the Council agree to the proposal, the draft graphic will be upgraded for inclusion in the Land Development Code.) Sub-section D is a continuation of the current rule and requires a larger setback from the rear property line for very large sheds. Sub-section E provides the permit waiver and specifications for storage cabinets; and Sub-section F provides some flexibility for the Planning Board to approve shed locations when particular conditions exist without requiring the applicant to go through the formal variance process.

Mayor Pro-Tem David Nebel said that the Planning and Zoning Board did a good job on the amendments. He likes the proposed setbacks and that there will be another process besides a variance. He said that the only question not answered is what if the property fronts three streets.

Councilor Mabry said that he also likes the proposed setbacks. He still didn't agree with Sub Section D. (Storage sheds that exceed 144 square feet shall have the same building finishes as the primary structure, including exterior materials (i.e., stucco, siding, brick) and color. Sheds over 144 square feet shall comply with the setback requirements for accessory structures as set forth in Section 5.01.03F.) **Councilor Scott** agreed.

Mayor Sears said that the issue for sheds over the last ten years has been about the look of the shed. He thinks the shed should have the same color shingles as the house and the color of the shed should be complementary to the house. He would also like to include a diagram as to what is allowed to better show the residents when applying for a shed permit. **Councilor Mabry** said that he would be adding more requirements to sub section D. He added that another issue is the current setbacks for a shed but that issue has been addressed in the proposed amendments.

Councilor Mabry asked Town Planner Harowski if sub section D was a part of the original code. **Town Planner Harowski** replied yes. **Councilor Mabry** then asked if finishes included the roof. **Town Planner Harowski** replied that it's not mentioned.

Mayor Sears said that the Town could provide a list of options to residents when having to match the finishes of the primary structure. For example if your home is brick it would show a list of complementary colors for the shed.

Councilor Mabry said that he still doesn't agree with sub section D.

Councilor Scott said that he agrees with sub section D if the shed is being built but doesn't think it's fair to a resident who is buying a readymade shed.

Councilor Mabry said that he was going to have to ride around Town looking for sheds. He then said that sub section D needs to be reviewed again and also nowhere does it talk about a maximum height. **Town Planner Harowski** said that the Planning and Zoning Board talked about a maximum height limit and that he would look at what height readymade sheds came in.

Mayor Sears said to bring the proposed amendments back to the Planning & Zoning Board.

Discussion: To change the Howey logo from a Heron to an Anhinga.

Mayor Pro-Tem David Nebel said that at a prior meeting he jokingly said to bring forth the change of logo.

Councilor Mabry said that it would be very expensive to change the logo.

All Council Members agreed to keep the logo as the Heron.

BOARD REPORTS

Library Board Minutes

Mayor Sears said that there was a chess championship over the weekend at the Library.

Parks & Recreation Advisory Board Report & Minutes

Martha Macfarlane, Member, said The Parks and Recreation advisory Board is requesting that the Town Council approve building a golf cart/bike path connecting the back of Venezia to Revels Road and to work with the Florida Department of Transportation (FDOT) to connect the Venezia sidewalk to S. Florida Avenue or other options.

Councilor Scott said that he talked to Wendy at the Florida Department of Transportation (FDOT) and she said someone would look into it.

Planning & Zoning Board Minutes-No Comment

DEPARTMENT REPORTS

Code Enforcement/Police Department Report-No Comment

Finance Report- No Comment

Impact Fee Balance-No Comment

Library Director Report- No Comment

Public Services Report

Public Services Director Ernest said that Sara Maude Nature Preserve is open and they are making weekly inspections regarding the old section of the boardwalk.

Town Hall Report- No Comment

MAYOR AND COUNCIL COMMENTS-No Comment

PUBLIC COMMENTS

Ed Smith, 308 N Palm Ave, asked how you put shingles on a metal roof or finishes on metal sided shed. **Mayor Sears** said that they were just ideas to fix a steady problem.

Elwis Benson, 406 S. Florida Ave, came before the Town Council to express his concerns about a potential development. He wanted to know what the process was as the Development Review Committee. **Town Planner Harowski** explained in detail.

Audree Reid and Jayne Spangler came before the Town Council to express their concern with the Native Plant Garden being moved to the back of the Library.

Simon Ambrose, 307 W. Dupont Circle, came before the Town Council to express his concerns with the shed amendments.

The meeting adjourned at 7:46 p.m.

ATTEST:

Chris Sears, Mayor

Dairian Burke, Town Clerk