

MINUTES OF HOWEY-IN-THE-HILLS TOWN COUNCIL MEETING MARCH 23, 2009

Mayor Sears called the Town Council Meeting of March 23, 2009 to order at 6:00 p.m.

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

Councilor Ernest led the invocation.

Present: Mayor Sears, Mayor Pro-Tem Johnson, Councilor Nebel, Councilor Ernest, Councilor Green and Town Clerk Brasher. Also present: Police Chief Robbins, Public Works Director Padgett, and Deputy Public Works Director Smith

NEW BUSINESS

Interview GrayRobinson for Town Legal Services

Tom Wilkes and **Heather Blom-Ramos** were present for the interview. **Tom Wilkes** said they enjoyed working with the Town and feel they have served the Town well during the past three years and would be pleased to continue serving the Town.

Mayor Pro-Tem Johnson asked about the billing process. **Mr. Wilkes** explained the billing process. **Mayor Pro-Tem Johnson** asked if the current rates would remain in effect. **Mr. Wilkes** said there will be a rate increase. **Councilor Green** said he has been working with GrayRobinson and all calls have always been returned. **Councilor Ernest** asked how the travel time is billed. **Mr. Wilkes** said it is 45 minutes each way.

Interview Richey & Cooney for Town Legal Services

Gary Cooney was present to answer questions. **Mr. Cooney** gave the Town Council information on his background. He further stated he is familiar with Town history as he was formally the Town attorney.

Councilor Green asked who would fill in, in his absence. **Mr. Cooney** said there are attorneys in Lake County who fill in for each other. **Mayor Pro-Tem Johnson** asked about the billing process. **Mr. Cooney** said they bill monthly and bills in ¼ hour increments. He further stated he does not charge for phone calls and gave an example, as communication is important. He further stated he starts charging when the meeting starts. **Councilor Ernest** asked the rate. **Mr. Cooney** said he submitted \$250 an hour but he works within the budget constraints of the Town unless an unusual situation arises.

Councilor Green gave his opinion regarding the legal representation with the C.D.D. **Councilor Ernest** voiced similar concerns. **Councilor Nebel** voiced her concerns with Gary Cooney. **Mayor Pro-Tem Johnson** voiced his concerns with GrayRobinson travel time and billings. Discussion ensued.

Police Chief Robbins voiced his concerns with a billing incident with Gray Robinson. He further stated he is a tax payer in the Town and as a Department Director he does not feel he should be billed for something he had to explain to the attorney.

Mayor Sears informed the Town Council that the Town is over budget with regards to legal fees.

Janice McClain said the Town should negotiate rates and to look towards the smaller firms and hire out for major litigations.

Bob Olsen said he was happy with the services Gray Robinson provided.

Councilor Green, seconded by **Councilor Nebel**, moved to retain Gray Robinson as the Town legal council. Motion passed 4-1 with a roll call vote.

Councilor Nebel left the meeting at 6:55 p.m.

Minneola Mayor Yeager spoke with regards to a Para Mutual and asked for the Town's support.

PUBLIC HEARINGS

Second Reading and Adoption of Ordinance No. 2009-003, Relating to Public Concurrence; Amending Article VIII of the Land Development Regulations Entitled Concurrence Management; Providing for Conflicts; Providing for Severability; Providing for Codification; Providing for an Effective Date

Ordinance No. 2009-003 was read by title only.

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

Mayor Pro-Tem Johnson, seconded by **Councilor Green**, moved to adopt Ordinance No. 2009-003. Motion carried 4-0 with a roll call vote.

Second Reading and Adoption of Ordinance No. 2009-005, Relating to the Meeting, Voting and Officers of the Planning and Zoning Commission; Amending Section 48-3 of Chapter 48 of the Town's Code of Ordinances; Providing for Codification; Ratifying Unamended Code Section; Providing for Severability; Providing for an Effective Date

Ordinance No. 2009-005 was read by title only

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

Councilor Ernest, seconded by **Mayor Pro-Tem Johnson**, moved to adopt Ordinance No. 2009-005. Motion carried 4-0 with a roll call vote.

Second Reading and Adoption of Ordinance No. 2009-006, An Ordinance of the Town Council of the Town of Howey-in-the-Hills, Lake County, Florida Relating to Planned Unit Development District Regulations; Revising Article IV of the Land Development Regulations to Include Requirements Regarding Construction Plan Approval and to Provide A Time Limit to Commence Construction of Required Improvements; Providing for Applicability to Existing Planned Unit Developments; Repealing Conflicting Ordinances; Providing for Updates to the Land Development Regulations and Ratifying Unamended Provisions of the Land Development Regulations; Providing for Severability and Providing for an Effective Date

Ordinance No. 2009-006 was ready by title only

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

Councilor Ernest, seconded by Councilor Green, moved to adopt Ordinance No. 2009-006. Motion carried 4-0 with a roll call vote.

Second Reading and Adoption of Ordinance No. 2009-007, Vacating the Platted Street Known as Fifth Avenue To Now Be Owned, Repaired and Maintained by the Homeowners living on Fifth Avenue; Providing for An Effective Date

Ordinance No. 2009-007 was read by title only

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

Mayor Pro-Tem Johnson, seconded by Councilor Ernest, moved to adopt the first reading of Ordinance No. 2009-007. Motion was withdrawn.

Mayor Pro-Tem Johnson, seconded by Councilor Ernest, moved to continue Ordinance No. 2009-007 to the April 13, 2009 Town Council Meeting. Motion carried 4-0 with a roll call vote.

ADJOURNMENT AT 7:15 P.M.

ATTEST:



Brenda Brasher, CMC
Town Clerk



Chris Sears, Mayor