

Minutes of the Howey-in-the-Hills Town Council Meeting July 13, 2009

Mayor Sears called the Town Council Meeting of July 13, 2009 to Order at 6:00 P.M.

Mayor Sears led the Pledge of Allegiance to the Flag.

Councilor Nebel led the invocation.

Present: Mayor Sears, Councilor Ernest, Councilor Green, Councilor Nebel and Town Clerk Brasher.

Absent: Councilor Ormsbee (excused)

CONSENT AGENDA

Minutes of the February 9, 2009 Town Council Meeting, April 13, 2009 Town Council Meeting, April 27, 2009 Town Council Meeting and May 11, 2009 Town Council Meeting

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

NEW BUSINESS

Nominations for Mayor Pro-Tem

Councilor Ernest, seconded by **Councilor Green**, moved to continue this item until the August 10, 2009 Town Council Meeting. Motion carried 3-1 with Councilor Nebel voting no.

Discussion: Water Plant Expansion Design

Town Engineer Shira was present to answer questions and introduced Stephen Bailey with PEC.

Councilor Nebel asked if the tower could be saved as an icon. **Town Engineer Shira** encouraged the Town not to use the water but said the tank could remain. He further explained the process with the water tower and the design of the plant expansion.

Councilor Green said the water tower is a revenue generator with the cell tower companies attached. He asked for further clarification with regards to retaining the water tower. **Councilor Nebel** said she does not have a problem with the water tower not being a part of the water system; however, she does want to retain the water tower as it has historic value.

It was the consensus of the Town Council to take the water tower off line.

Bob Olsen mentioned using the water tower for re-use water. **Town Engineer Shira** said the time differential is a point due to the weight. **Mayor Sears** said Town Engineer Shira will be present at the August 10th Town Council Meeting to discuss the CUP.

Unknown person asked if this is a "shovel ready" project. **Town Engineer Shira** said it is not.

Discussion and Action: Juvenile Curfew Law Proposal

Police Chief Robbins and **Corporal Miller** were present to answer questions.

Corporal Miller said the State Statutes with regard to juvenile curfew has been challenged and failed. He further stated he was advised to continue the same enforcement procedures with the juveniles and to change Town policies. **Police Chief Robbins** said other municipalities are going through the same juvenile curfew problems. **Councilor Green** said the City of Bushnell is enforcing a type of juvenile curfew. Discussion ensued.

Sharon Couture asked if anyone has spoken with the school to open the gym for ball. The juveniles need something in Town to do.

Glennys Barber asked what the age is to be called a teenager. **Corporal Miller** said the juveniles in Town are in the 10-17 age range.

Unknown person said juveniles use to come to court before Judge Miller.

Appointment of Jane O'Conner to the Library Board

Councilor Ernest said he was present at the Library Board meeting for this appointment.

Councilor Green, seconded by **Councilor Nebel**, moved to appoint Jane O'Conner to the Library Board. Motion carried 4-0 with a roll call vote.

PUBLIC HEARINGS

Second Reading and Adoption of Ordinance No. 2009-011, Relating to Building Permits; Amending Article VI of the Town of Howey-in-the-Hills Land Development Regulations to Provide that the Town's Building Official rather than the Planning and Zoning Commission can issue Permits for Accessory Buildings, Walls and Fences, Swimming Pools and Pools Enclosures, and Docks, Piers and Wharves; Amending Article XIX of the Land Development Regulations to Provide that the Town's Building Official Rather than the Planning and Zoning Commission can Issue Permits for Signs; Providing for Updates to the Land Development Regulations and Ratifying Unamended Provisions of the Land Development Regulations; Providing for Conflicts and Severability and Providing for an Effective Date

Mayor Sears read by title only, Ordinance No. 2009-011.

The Public Hearing was opened.

Glennys Barber asked if there would be additional costs associated with the item. **Mayor Sears** said there were none.

Ron Bishop stated the Town should look into the licensing and the qualifications of the Building Official. **Councilor Ernest** reassured Mr. Bishop that Building Official Frank von Frankenstein is qualified and licensed with the State of Florida.

The Public Hearing was closed.

***Councilor Ernest**, seconded by **Councilor Nebel**, moved to adopt Ordinance No. 2009-011. Motion carried 4-0 with a roll call vote.*

First Reading of Ordinance No. 2009-012, Amending Chapter 13 of the Town's Code of Ordinances Pertaining to "Elections"; Amending the Powers and Duties Conferred by the State Election Law Upon the Chief of Police; Amending the Deadline to File the Qualifying Petition and Qualification Papers with the Town Clerk; Amending the Town Clerk's Duties Regarding Election Results; Providing for Codification; Providing for Severability; Providing an Effective Date

***Mayor Sears** read by title only, Ordinance No. 2009-012.*

The Public Hearing was opened.

Patty Sullivan asked what was being amended. **Councilor Nebel** said the Town is amending the Code of Ordinances to be in compliance with the election laws.

The Public Hearing was closed.

***Councilor Green**, seconded by **Councilor Nebel**, moved to adopt the first reading of Ordinance No. 2009-012. Motion carried 4-0 with a roll call vote.*

OLD BUSINESS- None

MAYOR / TOWN COUNCIL REPORT

Mayor Sears said he would like to send a post card for notification of the road widening project. He further stated if the information does not come within the next couple of weeks, the item would not come forward on the agenda.

Councilor Green said he does not have a problem with the item being on the September agenda.

It was the consensus of the Town Council to have the S. Lakeshore Blvd. /E. Revels Road Widening Project on the September Town Council agenda and for a decision to be made at that meeting.

Councilor Ernest said the Public Works Department would begin blowing off water in Town. The Christmas Parade meeting was held last week and volunteers are needed.

Councilor Green- None

Councilor Nebel- None

PUBLIC COMMENTS

Steve Kondo asked when the Lakeshore and Revels Road widening Project will be on the agenda. **Mayor Sears** said note cards will be sent out to all residents and it will be held at an open meeting. **Mr. Kondo** complemented the Town on the website.

Ron Bishop said he is in favor of the 21 foot with Miami curb with regards to the Lakeshore Blvd. /Revels Road widening project. He further stated he does not want to see the Town get into trouble with regards to the subdivision that is sitting empty.

Glennys Barber said she was disappointed with the results of the Planning and Zoning Commission Meeting.

Janice McClain voiced her opinion on the Lakeshore Blvd. /Revels Road Widening Project.

Letty Busscher voiced her opinion on the Lakeshore Blvd/Revels Road Widening Project.

Sharon Couture voiced her opinion about the various issues of the Lakeshore Blvd. /Revels Road Widening Project and said there are no minutes from the Traffic Safety Committee Meetings.

Kay Stachowski voiced her opinion on the Lakeshore Blvd/Revels Road Widening Road Project.

Nancy Triplett voiced her opinion on the Lakeshore Blvd/Revels Road Widening Project.

ADJOURNMENT AT 7:05 P.M.



Chris Sears, Mayor

ATTEST:



Brenda Brasher, CMC
Town Clerk