

**Minutes of the Howey-in-the-Hills Town Council Meeting
Held August 9, 2010 at 6:00 p.m.**

Mayor Sears called the Town Council Meeting of August 9, 2010 to order at 6:00 p.m.

Mayor Sears led the Pledge of Allegiance to the Flag

Mayor Pro-Tem Nebel led the Invocation.

Present: Mayor Sears, Mayor Pro-Tem Nebel, Councilor Ernest, Councilor Crowder, Councilor Green, Town Attorney Blom-Ramos, Administrator of Financial Services Bolte-Monday and Town Clerk Brasher.

Absent: None

CONSENT AGENDA

Minutes of Work Session held July 26, 2010, regular Town Council Meeting held July 12, 2010, Work Session held June 29, 2010, Land Planning Agency and Town Council Meeting held June 14, 2010 and Department Director Meeting held July 7, 2010.

Councilor Green, seconded by Mayor Pro-Tem Nebel, moved to approve the Consent Agenda as presented. Motion carried unanimously.

NEW BUSINESS

Consideration of Interlocal Agreement with Lake County Regarding the Library Expansion

Library Director Merchant gave background on this item.

Councilor Crowder noted the section of the agreement that locks the Town into the agreement. **Mayor Pro-Tem Nebel** said she is uncomfortable with the agreement. Discussion ensued.

Councilor Green, seconded by Councilor Crowder, moved to approve the Interlocal Agreement with Lake County Regarding the Library Expansion. Motion carried 3-1 with Mayor Pro-Tem Nebel voting no.

Resolution No. 2010-013, Revise Meter Tampering Fees

Town Attorney Blom-Ramos read by title, Resolution 2010-013.

Mayor Sears gave detailed background on this item. Discussion ensued.

Mayor Pro-Tem Nebel, seconded by Councilor Ernest, moved to table Resolution 2010-013. Motion carried 4-0 with a roll call vote.

Discussion: Cancel or Reschedule August 23, 2010 Town Council Work Session

Mayor Sears said he would not be available to attend the 23rd but he would like to reschedule to August 26th.

It was the consensus of the Town Council to reschedule the meeting to August 26th.

Discussion: Creation of New Town Hall Hours to Facilitate the Reduction of Time a Town Hall Employee Will Be Alone in Town Hall

Councilor Crowder gave detailed background on this item. Discussion ensued.

It was the consensus of the Town Council to keep the Town Hall hours.

Discussion: Assistant Public Works Director: Failure to Meet Employment Letter Requirements

Mayor Pro-Tem Nebel said Mr. Smith was before Town Council and was questioned about his licenses, which he guaranteed the Town Council he would have his licenses by September.

Councilor Ernest asked for clarification if the licenses were a condition of employment or required for a salary increase. **Mayor Pro-Tem Nebel** read into the record the following motion from minutes dated June 9, 2008: *Councilor Johnson, seconded by Councilor Olsen, moved to authorize Mayor Green to interview and hire a Deputy Public Works Director who must obtain their water and wastewater collection license within 18 months of hire date. Motion carried 4-0 with a roll call vote."*

Councilor Crowder said he does not remember a September deadline. He further stated his appraisal report identifies that he has not obtained the licenses. **Mayor Sears** said the former Deputy Public Works Director had their water license and it was expected of Mr. Smith to obtain the licenses, which is being paid for a position with a water license. He further stated the Town needs a second person with a water license. **Councilor Green** said the Town Council gave him direction as how to proceed with the hiring of the vacant position. **Councilor Crowder** said he has a problem spending \$30,000 on a position that has not fulfilled the requirements. **Councilor Ernest** said the Town has not assisted Mr. Smith in obtaining the licenses. **Councilor Crowder** said that Mr. Smith had a responsibility to obtain the licenses. **Councilor Green** said the Town needs to adopt a manual that addresses these deficiencies. **Mayor Pro-Tem Nebel** said Mr. Smith should have been running to catch up to obtain his licenses.

Public Works Director Padgett said he offered to assist Mr. Smith and Mr. Smith turned his assistance down. He clarified that is it not necessary to go to school to take the test. **Mayor Sears** asked Public Works Director Padgett his recommendation.

Public Works Director Padgett said to give Mr. Smith until September to obtain his license and if he doesn't have it by September, he should be terminated.

Mayor Sears said he has spoken with Mr. Smith on several occasions and this should not come as a surprise to him. **Mayor Sears** said he will give Mr. Smith until October 1 to obtain his license.

Discussion: Hiring of Additional Person with Water License

Mayor Sears said the Town needs redundancy and the Town needs to employees with water licenses come October 1, 2010.

Discussion: Resolution No. 2010-014, Pertaining to the Town's Retirement Plan for General Employees

Mayor Sears gave background on this item. Discussion ensued.

Police Chief Robbins said when his officer began contributing to I.C.M.A. the officer was under the impression the Town did not match and it has since then brought to everyone's attention that the Town must match according to the Resolution.

OLD BUSINESS

Update on Bank Interest Rates and Bank Fees

Administrator of Financial Services Monday-Bolte gave background on this item. Discussion ensued.

Councilor Green, seconded by **Councilor Ernest**, moved to approve The First Green Bank for Town banking. Motion carried 4-0 with a roll call vote.

Discussion: Library Expansion-This item will be continued to a later date.

Discussion: Town Council Pay

Councilor Green suggested lowering the Council pay in order to keep the Code Enforcement Officer. **Councilor Crowder** said his suggestion was to cut the Town Council pay and give the employees a 2% COLA. **Councilor Ernest** and **Mayor Pro-Tem Nebel** said they have a problem bringing this item forward due to the election in November. **Councilor Crowder** said there would not be enough money in the budget to retain the Code Enforcement Officer with only the Council pay cuts. **Councilor Green** said he will bring documentation to the next meeting to discuss keeping the Code Enforcement Officer.

Mayor Sears said the unemployment that was previously budgeted has been lowered and those funds went to the Library, street lighting and part to contingency.

Councilor Green, seconded by **Mayor Pro-Tem Nebel**, moved to deny the proposed Town Council Pay. Motion carried 4-0 with a roll call vote.

Update on Oktoberfest

Mayor Sears gave an update on the Oktoberfest and the Town Council clarified that they were not sponsoring this event.

Discussion: FY Year Budget 2010-2011

Mayor Sears asked for direction with the budget.

Councilor Green said he hates to lose the Code Enforcement position and suggested the Code Enforcement position assist Public Works in the office or offer a reduced salary. **Mayor Sears** said the Town could reduce paving, Council salaries, Library and the Town will be in the same position next year. **Councilor Green** asked Police Chief Robbins his opinion on keeping the Code Enforcement position. **Police Chief Robbins** said the position could assist the Library, assist Town Hall and services have been offered to Public Works. **Mayor Sears** said he can find the money to save the position, however these are hard choices to make. Paving, Council pay, employee COLA, police and public works vehicles would need to be cut. He further stated property values will continue to go down and if the Town chooses not to pave the streets will continue to deteriorate. **Councilor Crowder** said the Town should not set precedence to offer benefits to a part-time employee. **Police Chief Robbins** thanked the Council for trying to save the position, however it is obvious that the position needs to be cut. Discussion ensued regarding budget and property values.

MAYOR/COUNCIL COMMENTS

Mayor Sears asked for direction for the demolition of the Town owned building located on W. Central Avenue.

Councilor Crowder, seconded by Mayor Pro-Tem Nebel, moved to authorize Mayor Sears to advertise for bids for demolition of the Town owned building located on W. Central Ave. Motion carried 4-0 with a roll call vote.

Mayor Pro-Tem Nebel mentioned that crime in Lake County is up 30%. **Police Chief Robbins** said the crime in Town is down. **Mayor Pro-Tem Nebel** said she contacted Lake County Supervisor of Elections regarding the Charter Amendment regarding "seats" and she was told that the Town has no provision for "primary election" and asked for clarification with regards to election by "seats". **Town Attorney Blom-Ramos** said there are two ways the Town can proceed with the election. **Councilor Green** said the Town has used the "seat" method since 2006. **Mayor Sears** said he was under the impression that the Council would run in seats since the Charter Amendment. Discussion ensued.

It was the consensus of the Town Council that the Town would use "seats" for elections as that is how it has been done since 2006.

Councilor Ernest asked about the call-back schedule. **Mayor Sears** said the schedule is in place and the Police Department has a copy of the schedule.

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Councilor Green-None

Councilor Crowder-None


PUBLIC COMMENTS

Bob Morse said the reason the Charter Committee was created was to create districts, however that never occurred because the Mayor scraped the districts. He further stated the Charter Amendment did not make any sense to the Charter Committee.

ADJOURNMENT AT 7:48 P.M.


Chris Sears, Mayor

ATTEST:


Brenda Brasher, CMC
Town Clerk