

**MINUTES OF THE HOWEY-IN-THE-HILLS SPECIAL SESSION
HELD MARCH 16, 2016**

Mayor Sears called the Town Council Special Session of March 16, 2016 to order at 5:00 p.m.

Mayor Sears led the Pledge of Allegiance to the Flag.

Public Services Supervisor Ernest led the Invocation.

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

Also Present: Police Chief Thomas, Public Services Supervisor Ernest and Town Clerk Brasher.

CONSENT AGENDA

Minutes of the January 11, 2016 Town Council Meeting, January 25, 2016 Work Session, January 25, 2016 Town Council Meeting, and February 8, 2016 Town Council Meeting.

Mayor Pro-Tem David Nebel, seconded by Councilor Kearney, moved to approve the Consent Agenda as corrected. Motion carried 5-0 with a roll call vote.

NEW BUSINESS

2015 Annual Audit Presentation

Stephen Scheele presented the FY 2015 Annual Audit Report and gave detailed background. Discussion ensued regarding allowing retired employees to pay for health insurance through the Town. **Mr. Scheele** further discussed the findings of the audit process.

Councilor Conroy asked since the Town Utility Fund is in a better financial position and wondered how the Town didn't need the SRF requirements. A lengthy discussion ensued. **Councilor Conroy** said an option could be to pay down some of the loan balance with the Reserve balance. **Mr. Scheele** said the prepayment would not present the 1.5% margin.

Mayor Sears thanked Stephen for his years of service working with the Town. He wished him the best on his move to D.C. and on his new position.

Mayor Sears thanked Town Clerk Brasher, Police Chief Thomas and Accounting Technician Casson for their hard work on the audit.

Paving Proposal from CW Roberts

Mayor Sears gave detailed background on this item. He further said Senator Hays submitted the Town wastewater project. The budget has not been approved yet but \$400,000 has been added into the appropriation budget with no match. **Mayor Sears** said Rob Ern with BESH has suggested that the Town run a wastewater line from Dixie

Ave to SR 19 as well as a lift station and generator. He suggested taking the alley project out of the budget and get the wastewater line installed, while bring the alley back at budget time.

Mayor Pro-Tem David Nebel asked if the Town buildings would be added and **Mayor Sears** said yes. **Mayor Sears** said there is a capacity fee of \$2,000 per ERU to CDD. He said one building will be more than one ERU. He said he spoke with Bud Beucher to see if spreading the payments over time would be acceptable and this is being considered.

Mayor Sears said the angled parking will cause problems with the wastewater takes priority over the alley. A lengthy discussion ensued. **Mayor Sears** said there is \$75,000 budgeted for paving and to use \$75,000 in next years' budget but not use the funds in FY 2017. He said the Town will be short but to take \$24,000 out of the General Fund Reserves would be the best use of money.

Councilor Conroy said he supports what Mayor Sears suggested. He further said the Town will never get cheaper labor or material costs as low as they are now. He said the Town should use General Fund Reserves to do as much as the Town can now.

Mayor Pro-Tem Nebel and **Councilor Kearney** agreed with Councilor Conroy. **Mayor Sears** said N. Lakeshore is down to the base in some areas and the Town needs to go ahead of pave N. Lakeshore Blvd. He further said all contractors are swamped with work and if the Town approved this tonight, it will be June 1st until the project can begin.

Councilor Conroy said the residents support the paving project.

Councilor Conroy, seconded by Mayor Pro-Tem David Nebel, moved to approve the proposal from CW Roberts for the overlay of Lakeshore from Central Ave to the Y at Croton Way, right fork of Lakeshore from Croton Way to the end of the red pavement, overlay Lakeview from SR 19 to Lakeshore Blvds, and reconstruct Town Hall parking areas. Motion carried 5-0 with a roll call vote.

Tree Removal Process Memo from Town Planner Harowski
Mayor Sears gave background on this item.

Mayor Pro-Tem David Nebel gave detailed background on said no one knows who is doing what with regards to tree removal. **Mayor Sears** said the memo gives details on the tree removal process. **Public Services Supervisor Ernest** suggested that he and **Mayor Pro-Tem David Nebel** to work on the tree removal process.

It was the consensus of the Town Council for Public Services Supervisor Ernest and Mayor Pro-Tem David Nebel to work together on the changes in the LDC regarding trees and bring back the recommended changes.

Councilor Conroy said the Tree Permit Application should include that anyone who damages any water lines, etc is responsible for all damages and costs incurred. A lengthy discussion ensued with regards to a tree ordinance.

Discussion: Tree Ordinance and Permitting Authority – Discussed above

FY 2015 Police Pension Report

Police Chief Thomas presented the FY 2015 Police Pension Report which is a State Mandate.

Planning Board Report

Mayor Sears gave detailed background on this item.

It was the consensus of the Town Council for the training and mandatory attendance is required for the Planning & Zoning Board.

Consideration and Approval of the Emergency Management Policy and Plan

Police Chief Thomas said there are a few changes that need to be made to the Plan so he asked for this item to be continued. He suggested that Mayor Sears take the training classes.

He further said he and Councilor Kearney cleaned up the plan and policy. He said the Town Council needs to appoint a Town Councilor to the Emergency Management.

Councilor Kearney said he attended training today and gave detailed background and the person needs to be certified.

MAYOR AND COUNCIL COMMENTS

Mayor Sears said the following:

- Boondocks: Bea was out of the Country. The insurance claim was denied and they are appealing to the insurance co. They have retained an engineer and an attorney. He said he has been in touch with Code Enforcement and Town Attorney Bloom-Ramos regarding the wall. He said they are a business in Town and he will give Bea a deadline to wrap up the wall problem or it will be turned over to Code Enforcement. **Mayor Pro-Tem David Nebel** said they should fence the area.
- Water Plant: Data Flow proposal for approx. \$6,000. BESH has a specialist that will review the scope of work to see if the scope of work is what the Town needs to get the plant running. Lengthy discussion ensued re: improvements. **Councilor Conroy** asked if everything has been given to the Public Services Supervisor Ernest as he is responsible for the project. **Mayor Sears** said he is trying to put this on Public Services Supervisor Ernest's plate and the Town is still waiting on proposals; which will be handed over to him. **Public Services Supervisor Ernest** said Mission Rise has asked for a flow test and gave background. **Mayor Sears** said this will be addressed and he is frustrated because he has not received the electrical proposal. **Public Services Supervisor Ernest** said Steven Bailey is waiting on a budget from the Town. **Mayor Sears** said there is no budget and that conservation was based on eliminating the Data Flow system; which the Town is not eliminating Data Flow. He said these are the first people who know what they are doing to run the plant

and he does not want to change.

Mayor Pro-Tem David Nebel said the Town Council was elected to make decisions on behalf of the Town for planning and coordination purposes. He said the Town Council was not elected to interfere with the Town employees. He said the Mayor is the only person who can interfere. He said the Elected Officials are to refrain from telling Staff what to do or how to run their department.

Mayor Sears asked the Elected Officials to email their requests, questions or comments to Town Clerk Brasher instead of going to Staff.

Councilor Conroy said he disagrees. **Mayor Sears** and **Mayor Pro-Tem David Nebel** said they disagree with Councilor Conroy. **Councilor Conroy** said the Town Council should be allowed to have open dialogue with the employees.

Mayor Sears said these are the day to day items that are delegated to the Mayor. If there are problems, the employee should not discuss these items with the Town Council. He said he believes in open dialogue but the open dialogue should occur during the Town Council Meetings. He said there is "one voice" and the elected officials do not always hear both sides of the story.

Public Services Supervisor Ernest voiced his concern that Staff is not allowed to discuss items with the Town Council as that is putting a muzzle on the employees. **Mayor Pro-Tem David Nebel** gave background on something that happened to him in the past and provided background.

Mayor Sears said the discussions cause confusion to the employee(s); which has happened in the past. He said there is a chain of command that is required to be followed.

Councilor Mabry – No comments

Councilor Kearney – No comments

PUBLIC COMMENTS – None

The meeting adjourned at 6:28 p.m.

ATTEST:



Brenda Brasher, MMC
Town Clerk



Chris Sears, Mayor