



Town Council Meeting

July 22, 2024 at 6:00 PM

Howey-in-the-Hills Town Hall

101 N. Palm Ave.,

Howey-in-the-Hills, FL 34737

MINUTES

Mayor MacFarlane called the Town Council Meeting to order at 6:00 p.m.
Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag.

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT:

Councilor Reneé Lannamañ (via Zoom, arrived at 6:05 PM) | Councilor David Miles | Councilor George Lehning
Mayor Pro Tem Marie V. Gallelli | Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Manager | Tom Wilkes, Town Attorney | Tom Harowski (via Zoom) | Rick Thomas, Police
Chief | John Brock, Deputy Town Manager / Town Clerk

AGENDA APPROVAL/REVIEW

**Motion made by Councilor Miles to approve the meeting's agenda; seconded by Councilor Lehning.
Motion approved unanimously by voice vote.**

Voting

Yea: Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

CONSENT AGENDA

Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.

Motion made by Councilor Miles, Seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by voice vote.

Voting

Yea: Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

1. The approval of the minutes and ratification and confirmation of all Town Council actions at the July 12, 2024 Town Council Budget Workshop.

2. Consideration and Approval: **Lake County Library Services Interlocal Agreement, Third Amendment**

Motion made by Councilor Miles to approve all the items in the meeting's Consent Agenda; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by voice vote.

Voting

Yea: Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

PUBLIC HEARING

3. Consideration and Approval: (Second Reading) **Ordinance 2024-007 Esch Parcel Comprehensive Plan Amendment**

Town Attorney, Tom Wilkes, explained that the Town Council would combine the discussion of Agenda Items #3, #4, #5, and #6. Mr. Wilkes stated that discussion for all four agenda items and the Public Comment for all four agenda items would be combined. Mr. Wilkes explained that only the votes for each agenda item would be separate.

Mr. Wilkes read Ordinance 2024-007 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING THE FUTURE LAND USE MAP OF THE TOWN'S COMPREHENSIVE PLAN FOR A 4.45-ACRE PARCEL LOCATED ON THE WEST SIDE OF STATE ROAD 19, SOUTH OF REVELS ROAD, AS LEGALLY DESCRIBED IN THE ORDINANCE, FROM ITS CURRENT DESIGNATION OF "VILLAGE MIXED USE" TO THE DESIGNATION OF "NEIGHBORHOOD COMMERCIAL"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Mr. Wilkes read Ordinance 2024-008 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; REZONING A 4.45-ACRE PARCEL OF LAND LOCATED ON THE WEST SIDE OF STATE ROAD 19 AND SOUTH OF REVELS ROAD AND IDENTIFIED WITH LAKE COUNTY PROPERTY APPRAISER PARCEL NUMBER 02-21-25-0002-000-00500 AND ALTERNATE KEY NUMBER 1704171; AMENDING THE TOWN'S ZONING MAP TO ZONE THE PROPERTY FROM "VILLAGE MIXED USE PLANNED USE DEVELOPMENT" TO "NEIGHBORHOOD COMMERCIAL"; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Councilor Lannamañ arrived at the meeting via Zoom at 6:05 PM.

Town Planner, Tom Harowski, reviewed his staff report with the Town Council.

Mayor MacFarlane asked that a representative for the applicant come forward and speak on their behalf. Bob Ziegenfuss, owner/Professional Engineer for Z Development Service, came forward, introduced himself, and offered to answer questions about the 4 agenda items that were being reviewed.

Mayor MacFarlane opened Public Comment for Agenda Items #3, #4, #5, and #6. There were no comments from the public. Mayor MacFarlane closed Public Comment for Agenda Items #3, #4, #5, and #6.

Motion made by Councilor Miles to approve Ordinance 2024-007; seconded by Councilor Lehning. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

4. Consideration and Approval: (Second Reading) **Ordinance 2024-008 - Esch Parcel Rezoning to Neighborhood Commercial**

Motion made by Councilor Miles to approve Ordinance 2024-008; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

5. Consideration and Recommendation: **Esch Parcel Conditional Use Application**

Motion made by Councilor Lehning to approve the Esch Parcel Conditional Use Application; seconded by Councilor Miles. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

6. Consideration and Recommendation: **Esch Parcel Variance Application**

Motion made by Councilor Miles to approve the Esch Parcel Variance Application; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

OLD BUSINESS

None

NEW BUSINESS

7. Discussion: **Review of FY2022-2023 Audit**

Mayor MacFarlane asked Curt Binney with Binney Account and Assurance Services to come forward and present the Town's audit for Fiscal Year 2023. Mr. Binney stated that the audit report was timely filed with the State of Florida as required by Florida Statute.

Mr. Binney stated that he was issuing a report of "Unmodified", which means he found in the Town's report that materially would affect the user, the Town's citizens, or the state of Florida. Mr. Binney also stated that he was issuing a report on Internal Control, in that report Mr. Binney found no significant

weaknesses or deficiencies. Mr. Binney stated that there had been some personnel changes within the Town's Financial Department but given that the Town utilizes Milestone for financial assistance and other staff that has been consistent, Mr. Binney found no weaknesses in the Town's Internal Control.

Mr. Binney stated that he issued a report or Management Letter that found nothing of significant issue that he needed to bring before the Council.

Mr. Binney stated that there was an Accountant's Report that was required by Florida statute and, in that report, Mr. Binney issued a "Clean Opinion".

Mr. Binney stated that the Town's financials are "Well Written" or "Fairly Stated".

Councilor Miles stated that he had problems with the audit report. Councilor Miles stated that he would like to see the labels on the table on page 7 of the report changed. Mr. Binney stated that could be done for next year.

Councilor Miles stated that he was concerned about Building Services being listed in the report under Public Safety. Mr. Binney stated that it was general practice for Building Services to be listed under Public Safety.

Councilor Miles stated that the Town's total expenditure exceeded its budget by \$3,920, and Councilor Miles wanted to know if Mr. Binney should have made a bigger note of this in the Town's audit. Mr. Binney stated that he did not find this unusual; many municipalities in Florida will go over budget and will use other fund sources to cover those.

Councilor Miles stated that the most important thing that he observed in the Town Audit that needed to be changed was in footnote #1, under paragraph A (on page 23), the form of government was listed incorrectly as "an elected mayor and a 4-member council". Councilor Miles pointed out that the form of government was incorrect: the Town has a Council/Manager form of government, with the mayor being selected from the 5 member Town Council. Councilor Miles stated that the mayor was a ceremonial position. Councilor Miles would like to see this fixed on the report.

Councilor Miles wants to propose that the Audited Financial be completed no later than March 31st of the next year.

Councilor Miles stated that he believed the Finance Supervisor leaving was a real problem.

Mayor MacFarlane opened Public Comment, but seeing no comments, Mayor MacFarlane closed the Public Comment.

8. Consideration and Approval: **Resolution 2024-002 - Proposed Maximum Millage Rate**

Town Attorney, Tom Wilkes, read Resolution 2024-002 out loud.

Town Manager, Sean O'Keefe, stated that the Town was required to state the maximum millage that it would be seeking for the upcoming fiscal year and the date, time and location of the Tentative Millage and Budget Public Hearing. Mr. O'Keefe stated that the millage rate that the Town Council should propose as its maximum millage rate was 7.5, the same rate as the previous year. Mr. O'Keefe also stated that the proposed date, time and location for the Tentative Millage and Budget Public Hearing was Wednesday, September 4, 2024, at 5:05 PM, and would be held in Town Hall.

Councilor Miles stated that, in the previous year, he had sought to have the Town Council lower the Town's millage rate and his motion to do that last year was out-voted. Councilor Miles stated that he

would attempt to lower the millage rate again and hoped that some of his fellow Town Councilors would assist him.

Mayor MacFarlane stated that she did not want to make a decision during the current Town Council meeting on lowering the millage rate but might support that after the scheduled Budget Workshop (which was scheduled for Friday, July 26, 2024). Mayor Pro Tem Gallelli agreed with Mayor MacFarlane.

Councilor Lehning stated that, with the economy being what it was, and with the lack of upcoming development scheduled within the Town, now was not the time to lower the millage rate.

Councilor Lannamañ agreed with Mayor MacFarlane and Mayor Pro Tem Gallelli, in that she might support lowering the millage after the upcoming Budget Workshop, but not during the current meeting.

Councilor Miles stated that he wanted the Town Manager to prepare 3 budgets for the upcoming workshop, one with a millage rate of 7.5, another with a millage rate of 7.45, and another with the millage rate set to 7.4.

Mayor MacFarlane opened Public Comment, but seeing no comments, Mayor MacFarlane closed the Public Comment.

Motion made by Councilor Lehning to approve Resolution 2024-002; seconded by Councilor Miles. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

9. **Consideration and Approval: (first reading) Ordinance 2024-009 Readoption of Comprehensive Plan Amendment - Future Land Use Element**

Town Attorney, Tom Wilkes, read Ordinance 2024-009 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; AMENDING THE FUTURE LAND USE ELEMENT (FLUE) OF THE TOWN'S ADOPTED COMPREHENSIVE PLAN PURSUANT TO SECTION 163.3184 OF FLORIDA STATUTES; DESCRIBING THE ANALYSIS AND REEVALUATION UNDERTAKEN BY TOWN COUNCIL REGARDING RESIDENTIAL DENSITIES AND LOT SIZES IN POST-2010 RESIDENTIAL DEVELOPMENT IN THE TOWN; AMENDING CERTAIN FLUE POLICIES AND TABLES (i) TO MODIFY THE REQUIREMENTS IN THE "VILLAGE TOWN CENTER" AND "MEDIUM DENSITY RESIDENTIAL" LAND-USE DESIGNATIONS REGARDING DWELLING UNITS PER ACRE, LOT SIZES, MAXIMUM BUILDING HEIGHTS, OPEN-SPACE REQUIREMENTS, AND PARKS AND RECREATION REQUIREMENTS AND (ii) TO ADD A LAND-USE DESIGNATION FOR HIGH-DENSITY RESIDENTIAL DEVELOPMENT; AMENDING OTHER RELATED REQUIREMENTS FOR THOSE LAND-USE DESIGNATIONS; PROVIDING CONFORMING CHANGES; AMENDING POLICY 1.2.6 OF THE FUTURE LAND USE ELEMENT TO LIMIT THE AREAS WHERE THE TOWN MAY ALLOW RESIDENTIAL DEVELOPMENT ON LOTS SMALLER THAN ONE-FOURTH ACRE (10,890 SQ. FT.); REPEALING AND SUPERCEDING ORDINANCE 2023-013; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Mr. Wilkes explained that the Town needed to readopt Ordinance 2023-013 because the Town had submitted Ordinance 2024-013 to the State for review 3 days outside of the 10-day submittal window.

Mr. Wilkes stated that the Town Council would get to vote on the amendment to the Town's Land Development Code once the Comprehensive Plan amendment was completed.

Councilor Miles stated that he was concerned that there would be issues with the Mission Rise development with the delay of the amendments to the Town's Comprehensive Plan.

Mayor MacFarlane opened Public Comment, but seeing no comments, Mayor MacFarlane closed the Public Comment.

Motion made by Mayor Pro Tem Gallelli to approve Ordinance 2024-009 to a second reading; seconded by Councilor Lehning. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lannamañ, Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: None

10. Presentation: **AlertLake Emergency Notification System**

Town Manager, Sean O'Keefe, explained the process that a resident would have to go through to enroll in the Lake County AlertLake Emergency Notification System.

Mayor MacFarlane opened Public Comment, but seeing no comments, Mayor MacFarlane closed the Public Comment.

11. Consideration and Approval: **Lake Harris Amended and Restated Access Easement Agreement**

Town Manager, Sean O'Keefe, explained that the Lake Harris Amended and Restated Access Easement Agreement was necessary due to changes in the proposed road plan for the service road that connects County Road 48 with the Town Water Treatment Plant #3 and the proposed Publix commercial area in the Lake Hills PUD.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline stated that he did not believe this agreement was a good one for the Town.

Mayor MacFarlane closed Public Comment for this item.

Motion made by Councilor Miles to approve the Lake Harris Amended and Restated Access Easement Agreement with changes from the Town Attorney as long as the Town Attorney and Town Manager agree on the changes; seconded by Mayor Pro Tem Gallelli. Motion approved by roll call vote.

Voting

Yea: Councilor Miles, Councilor Lehning, Mayor Pro Tem Gallelli, Mayor MacFarlane

Nay: Councilor Lannamañ

DEPARTMENT REPORTS

12. Town Manager

Town Manager, Sean O'Keefe, stated that, as requested in the previous Town Council meeting, he had spoken with one of the Town's pavement construction companies, Paquette Company, and if the Town

was ready to sign an agreement the day of the meeting, they would not be scheduled for the construction to commence for at least 90 days.

Mr. O'Keefe stated that interviews for the open Finance Supervisor position were ongoing, and he hoped the position would be filled soon.

COUNCIL MEMBER REPORTS

13. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli congratulated the Town's Public Works staff on the refresh of the fountain outside of Town Hall, and that she believed it looked good.

14. Councilor Lehning

Councilor Lehning suggested that the Town consider sending the Citrus Ave Project out for bids, rather than using the one of the companies that the Town already had under contract.

Councilor Lehning stated that he wanted an Agenda Item placed on the next meeting agenda that would be "Training for Incoming Town Councilors".

15. Councilor Miles

Councilor Miles stated that he believed that the Town's transportation budget should exceed \$400,000 for the next year.

Councilor Miles asked if the Town Engineer had already begun engineering the next two roads that should be repaired during 2025. Mr. O'Keefe stated that he would check on the status of the re-engineering of those roads with the Town Engineer, Don Griffey.

16. Councilor Lannamañ

None

17. Mayor MacFarlane

Mayor MacFarlane suggested that the Town look into ensuring that the Town had appropriate ADA access to the finger piers on the lake.

PUBLIC COMMENTS

Any person wishing to address the Mayor and Town Council and who is not on the agenda is asked to speak their name and address. Three (3) minutes is allocated per speaker.

None

ADJOURNMENT

There being no further business to discuss, a motion was made by Mayor Pro Tem Gallelli to adjourn the meeting; Councilor Miles seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 8:02 p.m. | **Attendees: 28**

ATTEST:



John Brock, Town Clerk



Mayor Martha MacFarlane