



Town Council Meeting

February 13, 2023 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 | Councilor David Miles | Councilor George Lehning | Mayor Pro Tem Marie V Gallelli | Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Administrator | John Brock, Town Clerk | Morgan Cates, Public Works Director | Rick Thomas, Police Chief | Tara Hall, Library Director | Abigail Herrera, Finance Supervisor | Tom Wilkes, Town Attorney | Tom Harowski, Town Planner (via Zoom) | Azure Botts, Code Enforcement Officer

AGENDA APPROVAL/REVIEW

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

Voting

Yea: Councilor Lannamañ, 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.

1. The approval of the minutes and ratification and confirmation of all Town Council actions at the January 23, 2023 Town Council Meeting.

Motion made by Councilor Miles to approve the items on the Consent Agenda; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by voice vote.

Voting

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

Nay: None

PUBLIC HEARING

None

OLD BUSINESS

2. Consideration and Approval: Town Council Goals for Calendar Year 2023

Mayor MacFarlane introduced this item and stated that each Councilor would get five minutes to explain the goals that they had submitted for the Town and then the Council would vote on approving each goal. Each Town Councilor then explained the goals that they had submitted.

Mayor MacFarlane opened Public Comment for this item. Seeing no public comment, Mayor MacFarlane closed Public Comment.

Councilor Miles voiced his opposition for Mayor MacFarlane's first goal, *"Create a Community Redevelopment Area for the Town City Center"*.

Separate votes were taken for all 25 proposed SMART goals. There was a vote of unanimous approval for all the submitted goals, with the exception of Mayor MacFarlane's first goal, *"Create a Community Redevelopment Area for the Town City Center"*. There was a vote of 4 Yea's and 1 Nay for Mayor MacFarlane's first goal, with Councilor Miles voting Nay. All 25 submitted goals were approved.

NEW BUSINESS

3. Consideration and Approval: Talichet Phase 2 - Final Plat Submission

Mayor MacFarlane asked Town Planner, Tom Harowski, to introduce and explain this item. Mr. Harowski explained there were still a few items that were outstanding for the approval of the Final Plat for Talichet Subdivision – Phase 2. Mr. Harowski explained that the Maintenance Bond that had been submitted would need some corrections that had been identified by Tom Wilkes, the Town Attorney. Mr. Harowski also explained that the submitted Title Opinion was over 6 months old and a new Title Opinion that was less than 30 days old would need to be submitted. Mr. Harowski stated that there were three other items that the Town was waiting for: stormwater certification from St. John's River Water Management District, a certification from FDEP for water and sewer systems, and a physical and digital copy of the As-Builts for the Phase 2 of the development.

Christopher Germana, Engineer for the project, spoke on behalf of the developer. Mr. Germana explained that the Title Opinion and changes to the Maintenance Bond were being addressed by the developer, Ron Roberts. Mr. Germana explained that the FDEP certification had been issued and the St. John's River Water Management Certification was a self-certification that would be completed shortly. Mr. Germana also explained that the physical and digital copies of the project's As-Builts would be presented to the Town shortly.

Councilor Miles stated that the Talichet development was the most "butt-ugly" development that he had ever seen. Councilor Miles stated that there was no ornamentation on the sides or backs of the homes in Talichet and that those homes reminded him of army barracks. Councilor Miles also stated that he took issue with the fact that there were no recreational areas within the subdivision. Councilor Miles stated that he would like lot 114, 94, or 104 to be turned into a park for the subdivision.

Councilor Lehning made a motion to defer this item to the next meeting and to request the Developer to attend that meeting. Councilor Lehning then withdrew his motion.

Mayor MacFarlane opened Public Comment for this item only.

Joshua Husemann, 671 Avila Pl – Mr. Husemann stated that he thought Councilor Miles’ behavior at the meeting was reprehensible for his insulting words towards the Talichet subdivision. Mr. Husemann also stated he was concerned that there was a visible water pipe near lot 94 and there had been a wet stormwater retention area that was now dry.

Alberto Hoyos, 100 S Palm Ave – Mr. Hoyos identified that he was the owner of Life Dance Mastery. Mr. Hoyos stated that kids need a place to play.

Tim Everline, 1012 N Lakeshore Blvd – Mr. Everline thinks that Councilor Miles is trying to improve the Town. Mr. Everline urged the Town Councilors to vote No on this issue.

Seeing no further public comment, Mayor MacFarlane closed Public Comment for this item.

Mayor Pro Tem Gallelli asked the Town Attorney, Tom Wilkes, if the Town could require the developer to create a park at this point. Mr. Wilkes stated that it was not appropriate at this time. Mr. Wilkes stated the choice for the Town Council that night was to approve or not approve the Plat, however, a vote to not approve the Plat would be a temporary one, as when all required items were submitted, the Town Council would have an obligation to approve the Plat.

Motion made by Councilor Lannamañ to approve the Plat for Talichet Subdivision – Phase 2, contingent on the approved submission of the Title Opinion, Maintenance Bond, FDEP certification, St. John’s River Water Management District, and the physical and digitally copies of the As-Builts (with approval of the Town Attorney and Town Manager); seconded by Mayor MacFarlane. Motion passed with a roll-call vote.

Voting

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

Nay: Councilor Miles, Councilor Lehning

4. Consideration and Approval: (First Reading) Ordinance 2023-002 - Capital Improvement Plan (CIP)

Martha MacFarlane, Mayor, read Ordinance 2023-002 by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE CAPITAL IMPROVEMENTS ELEMENT IN CHAPTER 8 OF THE TOWN’S COMPREHENSIVE PLAN BY UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS TO INCLUDE ESTIMATED CAPITAL IMPROVEMENTS FOR FISCAL YEAR 2022-2023 THROUGH FISCAL YEAR 2026-2027 PURSUANT TO THE REQUIREMENTS OF CHAPTER 163 OF THE FLORIDA STATUTES; PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Mayor MacFarlane asked Town Planner, Tom Harowski, to introduce and explain this item. Mr. Harowski explained the process of approving the Town’s CIP.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N Lakeshore Blvd – Mr. Everline stated that he was upset about the \$400,000 that had been identified for the Venezia Park Project, as he felt the developer should have borne the cost of the park’s development.

Seeing no further public comment, Mayor MacFarlane closed Public Comment for this item.

Motion made by Councilor Miles to approve the first reading of Ordinance 2023-002; seconded by Councilor Lannamañ. Motion approved unanimously by roll-call vote.

Voting

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

Nay: None

DEPARTMENT REPORTS

5. Town Hall

Town Clerk, John Brock, explained that the Town Hall report had been submitted to the Town Councilors in their packet for the Meeting and that he was available to the Town Councilors for questions. Councilor Miles stated that the Town Council should block the builder of 400 E Croton Way from getting an approval to work on any other homes in the Town until he pays the unpaid water bill that he left from that project.

6. Police Department

Police Chief, Rick Thomas, had been recently working with a grant auditor.

7. Code Enforcement

Code Enforcement Officer, Azure Botts, gave an update on the FEMA status of the Town’s hurricane damage and the status of mitigation for the Sara Maude Mason Nature Preserve Boardwalk Project. Code Enforcement Officer Botts also stated that the Town Attorney had explained to her that, if reflectors were placed within the Town’s Right-of-Way on Town roads, the Town had the right to remove the reflectors.

Town Attorney, Tom Wilkes, spoke about the Town’s Special Magistrate and about Code Enforcement.

8. Public Works

Morgan Cates, Public Works Director, thanked Officer Botts for all the work she did for the Town in reference to the FEMA process. Mr. Cates stated that the Sara Maude Mason Nature Preserve’s Nature Walk was reopened even though the boardwalk remained closed.

Councilor Miles stated that the streetlight between E Central Ave and Hwy 19 needed to be repaired and wanted to know when that would occur. Councilor Miles wanted the status on the grant for the generators for Talichet’s wastewater lift stations. Councilor Miles wants the Public Works Department to supply him with a list of the prioritized road repair projects.

Councilor Miles also spoke about the Talichet house with sewage backup issues and wanted to know the status of that house. Sean O’Keefe, Town Manager, explained that the builder had bought the house back from the owners that were having sewage problems. Mr. Wilkes, Town Attorney, recommended

that the Town should not allow any water hookups for the builder, until the homebuilder satisfies the Town that this issue was rectified properly.

Councilor Miles stated that Talichet had only one wastewater lift station and management of it would be contracted out. Councilor Miles wanted a cost estimate of what it would cost the Town to bring the lift station into Town ownership and management.

9. Library

Tara Hall, Library Director, invited the meeting's audience to attend future library events.

10. Parks & Recreation Advisory Board / Special Events

None

11. Town Attorney

None

12. Finance

Abigail Herrera, Finance Supervisor, stated that the January Financial reports had been submitted to the Town Councilors in their packet for the Meeting.

13. Town Manager

Town Manager, Sean O'Keefe, explained that the proposed developer for Thompson Grove has taken a step back due to general financial concerns. Mr. O'Keefe gave an overview of the Lake County proposed Joint Planning Agreement and the Town would be reviewing and making recommendations to the County and other municipalities.

COUNCIL MEMBER REPORTS

14. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli stated she doesn't want the Town to make another mistake like what had been made with the Talichet wastewater lift station. Mayor Pro Tem Gallelli had questions about the dry retention area at the back of the Talichet neighborhood. Mayor Pro Tem Gallelli also had questions about what could be done about investors buying groups of homes and then renting them out.

15. Councilor Lehning

Councilor Lehning asked if any Town Councilors had questions or issues that they would like him to bring to the February 23rd, 2023, MPO meeting. Mayor MacFarlane said that she would like to know about the four-lane plans for SR 19 on the bridge across Lake Harris. Councilor Miles would like to know the status of SR 19 being made a four-lane road from Tavares to the Turnpike. Mayor Pro Tem Gallelli wanted to know if there were still any plans to put a roundabout in the intersection of CR 48 and SR 19. Councilor Miles wanted to know if there were any plans to make CR 48 four lanes.

16. Councilor Miles

Nothing more.

17. Councilor Lannamañ

Councilor Lannamañ stated that the Venezia HOA does not allow short-term rentals in their subdivision. Councilor Lannamañ thanked the audience for attending.

18. Mayor MacFarlane

Mayor MacFarlane asked for a status update on the Venezia Townhomes development project and the sale of the two-acres to the County Fire Department. Mayor MacFarlane gave an update on the State appropriations requests that were made on behalf of the Town. Mayor MacFarlane wanted Public Works Director, Morgan Cates, to meet with her about FDEP grants that might help the Sara Maude Mason Nature Preserve boardwalk mitigation.

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.

Alberto Hoyos, 100 S Palm Ave – Mr. Hoyos stated that he was the owner of the Life Dance Mastery and that he was interested in using the Town-owned electronic sign to advertise his business.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline stated that Councilor Lehning had asked about having a workshop on minimum standard for new developers coming into Town and that he has seen nothing about that since then. Mayor MacFarlane stated that Town Manager O’Keefe would respond to Mr. Everline about this issue. Mr. Everline suggested that new residents should be given a handout about Town codes when they move in.

Fran Wagler, 409 W Central Ave. – Mrs. Wagler was concerned about a builder that had not paid their water bill in full and was not sure if builders had to give a deposit to hook up water.

Mayor MacFarlane stated that builders do have to give a deposit to set up a new account. Mayor MacFarlane recommended that audience members and Town Councilors review bills that were currently being brought up in the state legislature that would limit the Town’s Home Rule. Mayor MacFarlane stated that she would like the Town Manager to write a letter in opposition to HB 439 and another bill that would increase the legal liability that municipalities could face.

ADJOURNMENT

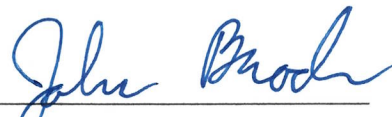
There being no further business to discuss, a motion was made by Mayor Pro Tem Gallelli to adjourn the meeting; Councilor Lannamañ seconded the motion. Motion was approved unanimously by voice vote.

The Meeting adjourned at 8:15 p.m. | **Attendees: 27**



Mayor Martha MacFarlane

ATTEST:



John Brock, Town Clerk