



Town Council Meeting

October 09, 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.
Councilor Reneé Lannamañ delivered an invocation.

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 Manager | John Brock, Town Clerk | Rick Thomas, Police Chief | Tom Wilkes, Town Attorney | Tom Harowski, Town Planner | Morgan Cates, Public Works Director | Matt McDonald, Code Enforcement Officer | Fred DeVito, Finance Supervisor

AGENDA APPROVAL/REVIEW

Motion made by Councilor Lannamañ to approve the meeting's 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

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 September 25, 2023 Town Council Meeting.
2. The approval of the minutes and ratification and confirmation of all Town Council actions at the September 25, 2023 Town Council Public Hearing on Final Budget and Millage Rate.

3. The approval of the minutes and ratification and confirmation of all Town Council actions at the September 26, 2023 Town Council Workshop. (*Minutes were not ready for this meeting and were not voted on during the Consent Agenda*)

Motion made by Councilor Miles to approve only Item #1 and Item #2 (not Item #3); seconded by Councilor Lannamañ. 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

4. Discussion: **Scope of October 30th Town Hall Meeting**

Councilor Lannamañ introduced this item and presented her proposed scope for the October 30th Town Hall Meeting. Councilor Lannamañ proposed four topics for discussion, which were:

- 1) What would they like to see accomplished moving into fiscal year 2024-2025?
- 2) Development to a Town or City is key in its sustainability, what is their definition of “sustainability”?
- 3) Do you think the Town should move forward with building a water plant to be maintained and ran by Howey in the Hills?
- 4) Name two (2) concerns you have regarding the well-being and sustainability of Howey in the Hills.

Councilor Miles asked if Topic Item #3 was supposed to be “Wastewater Plant” not “Water Plant”. It was confirmed by Councilor Lannamañ that wastewater was the focus of Topic Item #3.

Mayor Pro Tem Gallelli asked if there would be back-and-forth between the residents and the Town Councilors. It was confirmed that there would be (so that questions could be answered) as long as it was still confined to the 5-minute speaking limit proposed for this meeting.

Councilor Lannamañ proposed that Police Chief Thomas be made the moderator for the meeting. Councilor Miles preferred that the moderator be Mayor MacFarlane or the Town Manager, Sean O’Keefe. There was a consensus that Mayor MacFarlane would be the moderator for the meeting. It was also decided that Mr. O’Keefe would be the Timekeeper for the meeting.

Residents wishing to speak will need to fill out a comment card ahead of time and submit it to the Town Clerk. These comment cards will then be sorted by the topic that the resident would like to speak on. If a resident wanted to speak about multiple topics, they could, but they were still only allowed to speak once during the meeting for a total time of five minutes.

There was a consensus to remove the “two concerns” requirement in Topic item #4 and allow residents to speak about just one concern if they choose so. Also, it was decided that a fifth Topic Item would be created that covers miscellaneous topics.

Mayor MacFarlane opened Public Comment for this item.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline suggested that, instead of talking about all topics together, topics should be discussed separately in five sections.

5. Discussion: **LDC/Comprehensive Plan - Status of Proposed Amendments**

Tom Wilkes, Town Attorney, introduced this item. Mr. Wilkes stated that a starting point for the proposed changes that the Town Council wanted to make in reference to development within the Town should start by amending the Town's Future Land Use Element of its Comprehensive Plan. Some of the proposed changes included changing the allowable density of house units from 4 units an acre to 3 units an acre and changing how the Town determines "open space" for a neighborhood.

Mr. Wilkes explained the process to change the Town's Comprehensive Plan included have a Public Hearing during a Planning and Zoning Board meeting and then two Public Hearings during Town Council Meetings (in which the Town Council would function as the Land Planning Agency). The first Public Hearing before the Town Council would be called a Transmittal Hearing, after which the proposed amendments to the Comprehensive Plan would be sent to the State of Florida's Department of Commerce for review. The second Public Hearing before the Town Council would be the final Adoption Hearing.

Both Mr. Wilkes and Town Planner, Tom Harowski, suggested, prior to starting the formal process of amending the Comprehensive Plan, that the Town Council should hold a Workshop to discuss the ramifications of the proposed changes.

Councilor Miles stated that he believed that proposed amendments to the Town's Comprehensive Plan should be enough to satisfy the State-required Evaluation and Appraisal Review (EAR) of the Comprehensive Plan (which is due for the Town by 10/1/2024). Mr. Wilkes and Mr. Harowski disagreed with Councilor Miles in that this amendment itself would not be enough to satisfy the EAR requirements.

Councilor Lehning wants a detailed timeline and schedule which would include all necessary components through completion of amendment process to be submitted to the Town Council at the proposed Workshop meeting. It was decided that the Workshop meeting would be scheduled for Wednesday, November 1, 2023.

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

NEW BUSINESS

6. Discussion: **Planning Board Omnibus Recommendations Package**

Councilor Miles stated that he would like to discuss the points that he disagreed with. Councilor Miles stated that he thought the current Town code relating to flagpoles was good enough and did not need to be changed. Councilor Miles disagreed with property owners needing to have to get a permit for installing flagpoles. Mayor MacFarlane stated that the only thing she saw from the proposed standards that should stay would be the required 5-foot setback from the property line. It was decided that the Ordinance would be written with the old regulation relating to flagpoles, but with the addition of "flagpoles shall have a minimum five (5) foot setback from all property lines".

Councilor Miles stated that, in section 2.03.03 **Townhomes**, he would like to see the minimum proposed requirement for the square footage of garages extended from 400 square feet to 441 square feet.

Councilor Miles stated, in section 7.10.00 **Approved Tree and Plant List**, that he did not want to see Laurel Oaks added to the list, and that Red Maple (which was already on the list) was a good alternative for it. Councilor Lannamañ stated that she would like to see Japanese Blueberry Trees added to the list.

Councilor Miles asked why there was a proposed change to 7.08.01 **Required Landscaping**, which changed the amount of required landscaping area from 50% to 60%. Town Planner, Tom Harowski, stated that, some years back, the Town had changed its Water Conservation rules to come more in alignment with the Water Management District's recommendations and that this is one of the changes that was adopted in the Town's Water Conservation Policy. Mayor MacFarlane stated, that the Town absolutely needed to make this change, otherwise it would be detrimental to the Town's renewal of its Consumptive Use Permit (CUP).

The next section that Councilor Miles wanted to discuss was 7.12.01 **Permit Required** (to remove a tree). Councilor Miles wanted to know if the proposed changes would require the Town to get a permit from itself to remove a tree in the right-of-way. Mayor MacFarlane stated the Town would not require itself to get a permit. Councilor Miles wanted to know if there would be a cost to get a permit to remove a tree. Mayor MacFarlane stated that she did not think there was a cost for that.

Mr. Harowski stated that he would make the changes that were discussed and submit them to the Town Attorney and Town Clerk so that they could begin writing the necessary ordinance.

7. Discussion: **Howey Police Department Management**

Councilor Lannamañ explained that she asked for this item to be added to the meeting's agenda. Councilor Lannamañ stated that she had been concerned about the Police Chief reporting to someone who does not have a law enforcement background, as opposed to them reporting to a Mayor or Commissioner. Councilor Lannamañ stated that, to change the reporting structure for the Police Chief, it would require a charter change for the Town, so this might be a topic for the Town to look at next year.

Mayor MacFarlane stated that she had been concerned about when the Town Manager had told the Police Chief to hold off on hiring an additional officer during the last year and that she thought that act was a safety concern. Mayor MacFarlane stated that she did not want to see this happen again in the future.

Town Attorney, Tom Wilkes, summarized an email that he had sent all the Town Councilors about changing the reporting structure of the Police Chief. Mr. Wilkes stated that it was a widespread practice within the State for municipalities with a Council/Manager form of government to have the Police Chief report to the Town Manager (as in the case of the current reporting structure in the Town's current charter). Mr. Wilkes stated that it was common practice to have all departments in the Town report to the Town Manager, with the expectation that, typically, the Town Attorney reports directly to the Town Council.

Councilor Miles stated that, in his years of experience, he has never seen a municipality with a Council/Manager or Strong Mayor form of government in which the Police Chief did not report directly to the Town Manager or Mayor. Councilor Miles stated that, if the Town Council was not happy with the way the Town Manager was running things, rather than change the Town's charter, the Town Council should fire the Town Manager, although he was not suggesting that they should. Councilor Miles reminded the other Town Councilors that, just a week and a half prior, all the Town Councilors had given the Town Manager a satisfactory rating on his annual review. Councilor Miles stated that there were just two employees that the Town Council directly controls, the Town Manager and the Town Attorney; all other Town employees report to the Town Manager.

Mayor MacFarlane stated that she did not want any personnel being called out or reprimanded for talking to the Town Councilors individually.

Councilor Lannamañ asked how 911 calls get communicated to the Police Department. Chief Thomas stated that the Town get dispatched through the Lake County Sheriff's Office. Chief Thomas stated that this would be a problem in the future. This was because the Sheriff was planning on instituting a fee for the dispatch service and the Town Manager had removed it from the Town's budget, stating that the Town was disputing the fee. Chief Thomas stated that the dispute with the dispatch fee was between Mr. O'Keefe, Mr. Wilkes, and the Sheriff.

Mr. O'Keefe explained that the dispute with the dispatch fee stemmed from a question of double taxation. Currently, the dispatch fee is paid by everyone in Lake County out of their county property taxes. Going forward, all county residents will not be charged anything in addition to the current costs already in the county taxes. The Sheriff is proposing that all residents in municipalities would have to pay an additional fee out of their municipal property taxes for the same service that the county residents receive. Mr. O'Keefe explained that the Sheriff proposed very late in the budget process to institute this charge on municipalities and, as such, they have given municipalities six months to start paying before the service would be terminated. The Town's discounted cost for the current fiscal year would be approximately \$10,000. Mayor MacFarlane stated that she believes that the Town Council should have been better notified that the budget for the fee had been removed.

Mayor MacFarlane opened Public Comment for this item.

Joshua Husemann, 671 Avila Pl. – Mr. Husemann believed that both the Police Chief and the Town Manager should be trusted.

Glennys Barber, 307 S Lakeshore Blvd. – Ms. Barber stated that she believed that the Police Department should have their own dispatch and that she believed the Howey police were leaving the Town too much and working outside of the Town too much.

DEPARTMENT REPORTS

8. Town Hall

The department report was included in the packet for the meeting.

9. Police Department

Police Chief Thomas noted that the department report was included in the meeting's packet. Chief Thomas stated that Officer Billy Johns had recently resigned from the Police Department and the Department would soon be doing interviews for his replacement. Chief Thomas also noted that the Department would be hiring a new part-time officer. Mayor MacFarlane told Chief Thomas to let the Town Council know if they needed to do anything to assist him with the hiring process.

10. Code Enforcement

Code Enforcement Officer McDonald noted that the department report was in the meeting's packet. Councilor Lehning stated that he would like to see more information in the report. Officer McDonald stated that he would add violators' addresses to next month's report.

11. Public Works

Morgan Cates, Public Works Director, said that he had discovered that it would cost between \$100,000 and \$125,000 to bring the Talichet Wastewater Lift station up to the Town's standards.

Mr. Cates announced that he expected to finish interviewing candidates for the new Public Works Admin. Assistant position within a week after the meeting.

12. Library

Library Director, Tara Hall, announced that new extended hours for the Town's library had started. The library would now be open Monday through Friday, 10am to 6pm, and on Saturdays, 10am to 3pm.

13. Parks & Recreation Advisory Board / Special Events

None

14. Town Attorney

None

15. Finance Supervisor

Mayor MacFarlane introduced the Town's new Finance Supervisor, Fred DeVito, to the Town Council.

16. Town Manager

Town Manager, Sean O'Keefe, announced that drilling had commenced on the new well (Well #5). Mr. O'Keefe announced that the Town would be giving a Tour of the work being done on Water Treatment Plant #3 to Senator Baxley at 10am on Wednesday, 10/25/2023.

COUNCIL MEMBER REPORTS

17. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli asked if the Town Manager had any new information about the potential sale of land to the Lake County Fire Department. Mr. O'Keefe stated there was no new information.

Mayor Pro Tem Gallelli asked for an update on the Citrus Ave. road project.

18. Councilor Lehning

Councilor Lehning stated that he would like to see an agenda item for the next meeting that included the Town Council collectively approving a letter to the Lake-Sumter MPO and Florida Department of Transportation to support a study creating a bypass around the Town.

19. Councilor Miles

Councilor Miles spoke about the Citrus Avenue paving project. Councilor Miles stated that he had spoken with representatives from the Howey Mansion, and they would like to see the project happen during the slow time for the Mansion, which would occur after April. Councilor Miles also stated he would like to see Citrus Ave. rebuilt at a width of 24 feet, since it acts as a minor connector road. Councilor Miles stated that the sidewalks that were in front of the Howey Mansion were in terrible condition, and it was said that they should be fixed when the road project happens.

Councilor Miles stated that, for every hardwood tree that was removed when redoing the intersection of Citrus Ave. and Camellia, the Town should replant two 3" caliper oak trees on the right-of-way on Citrus Ave. on the Howey Mansion side of the road. Councilor Miles also stated that any royal palm tree that was in the affected area of the Citrus Ave. and Camellia intersection, those trees should be dug up and replanted somewhere else in the town.

Councilor Miles started a conversation about the status of wastewater projects and sites. During this conversation, Councilor Miles stated that the Town Engineer would be sending people into the Town's

old landfill site to do core drillings to see about the suitability of using that site as a park. Councilor Miles stated that the property owners that were discussing donating the 5-acre wetland parcel off Number Two Road wanted to have a park named after them. Councilor Miles stated that the old landfill parcel would be ideal, but that Pine Park would be the second choice. Councilor Miles stated that he would like to have an agreement with the landowners looking to donate the land brought before the Town Council by December.

Councilor Miles stated that another Town Councilor had sent an email copying the Mayor and that this was a violation of Florida's Sunshine law. Councilor Miles asked the other members of the Town Council to not violate the Florida Sunshine law and, in the future, to refrain from sending emails to other Town Councilors or the Mayor.

20. Councilor Lannamañ

Councilor Lannamañ stated that she had not intentionally violate a Sunshine law by copying the Mayor (who did not respond) in the email pertaining to police management being placed on agenda. Councilor Lannamañ asked for kindness and decorum in the meeting.

21. Mayor MacFarlane

Mayor MacFarlane reminded the Councilors that Senator Baxley would be touring the well drilling site on October 25, 2023, at 10am and asked for the other Town Councilors to attend the tour as well.

Mayor MacFarlane stated the Parks and Recreation Board needed to make the designing and building of Pine Park their top priority. Morgan Cates, Public Works Director, stated that, at the October Parks and Recreation Board meeting, one of the agenda topics was the creation of the RFP for the design of Pine Park. Mayor MacFarlane would like to see the construction of the entrance to the park start soon.

Mayor MacFarlane stated that she would like to see the Parks and Recreation Board discuss a tree plan. She would also like the board to come up with a plan on how to maintain newly planted trees.

Mayor MacFarlane told the Town Manager that representatives from Half and the Town's Engineer needed to be invited to Senator Baxley's well tour.

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.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline asked if the Town Hall Office Supervisor had been hired.

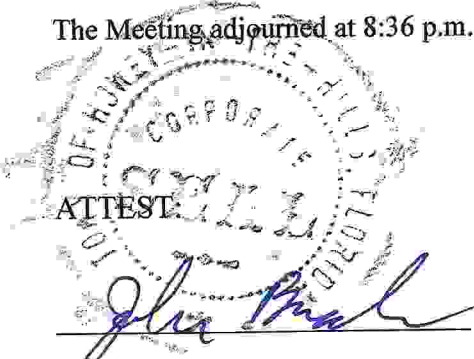
Beth Flack, 607 N. Florida Ave. – Mrs. Flack read a statement that she had composed stating that she wanted a public apology from Councilor Miles in reference to Councilor Miles calling the Friends of the Library a “slush fund” for Library Director, Tara Hall, and for the way Councilor Miles spoke to Mrs. Flack during the September 11, 2023, Town Council Meeting. Mrs. Flack also wanted the Town Council to give a Public Reprimand to Councilor Miles for his behavior during the September 11, 2023, Town Council Meeting. Mrs. Flack also stated that she did not believe that the minutes for the September 11, 2023, Town Council Meeting were descriptive enough about what Councilor Miles had said during the meeting.

Azure Botts, Former Code Enforcement Officer for the Town of Howey-in-the-Hills – Mrs. Botts was upset at what the Town Council had decided in relation to flagpoles during this meeting's discussion on the LDC Omnibus and she wanted the Town Council to reconsider.

ADJOURNMENT

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

The Meeting adjourned at 8:36 p.m. | Attendees: 38





Mayor Martha MacFarlane

John Brock, Town Clerk