



## **Town Council Meeting**

**November 28, 2022 at 6:00 PM**

**Howey-in-the-Hills Town Hall**

**101 N. Palm Ave.,**

**Howey-in-the-Hills, FL 34737**

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### **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.  
Mr. Jim Steele, Lake County Poet Laurette, read an untitled poem.

#### **ROLL CALL**

Acknowledgement of Quorum

#### **MEMBERS PRESENT:**

Councilor David Miles | Councilor Reneé Lannamañ | 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 | Don Griffey, Town Engineer | Rick Thomas, Police Chief | Azure Botts, Code Enforcement Officer | Abigail Herrera, Finance Supervisor | Tom Wilkes, Town Attorney

#### **AGENDA APPROVAL/REVIEW**

**Motion made by Mayor Pro Tem Gallelli to approve the meeting's agenda; seconded by Councilor Lannamañ.**

#### **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.*

Councilor Miles asked to pull items #1 and #2.

1. The approval of the minutes and ratification and confirmation of all Town Council actions at the November 14, 2022 Town Council Meeting.

Councilor Miles stated that he would like four amendments to the minutes as he felt his comments were watered down.

**Motion made by Councilor Miles to approve the 11/14/2022 Town Council Minutes with four edits; 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

2. Consideration and Approval: **Resolution 2022-011 Budget Amendment Fiscal Year 2022**

**A RESOLUTION AMENDING THE GENERAL FUND, POLICE RETIREMENT FUND, POLICE ADVANCED TRAINING FUND, IMPACT FEE FUND, WATER/SANITATION FUND, BUILDING FUND, AND INFRASTRUCTURE FUND FOR THE BUDGET YEAR 2021-2022.**

Councilor Miles opined that this type of budget amendment was not necessary to complete.

Abigail Herrera, Finance Supervisor, proposed an amendment to the budget in the resolution. Mrs. Herrera stated that a change should be made in Revenues under Fund 001, General Operation, in 340000 Charges for Services, changing the FY 21-22 Actual Year End and FY 21-22 Amended Budget to \$142,135 from \$141,906. This change is an addition of \$229. The proposed change would change the Overall Total Revenue for Fund 001 General Operation, FY 21-22 Actual Year end and FY 21-22 Amended budget from \$2,097,943 to \$2,098,172.

**Motion made by Councilor Lannamañ to approve Resolution 2022-011 with an amendment to the budget that Finance Supervisor, Abigail Herrera, had proposed; seconded by Mayor Pro Tem Gallelli. Motion approved by voice vote.**

**Voting**

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

**Voting**

**Nay:** Councilor Miles

**PUBLIC HEARING**

3. Consideration and Approval: (Second Reading) **Ordinance 2022-019 - Reserve/Hillside Groves Development - PUD Amendment**

Martha MacFarlane, Mayor, read Ordinance 2022-019 by title only:

**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING ORDINANCE 2021-010 PERTAINING TO THE USE OF LAND WITHIN THE PROPERTY KNOWN AS THE RESERVE AT HOWEY-IN-THE-HILLS; PROVIDING FINDINGS OF THE TOWN COUNCIL; AMENDING THE AMENDED AND RESTATED DEVELOPER'S AGREEMENT FOR THE RESERVE AT HOWEY-IN-THE-HILLS TO ALLOW A CHANGE IN THE REQUIREMENTS FOR CONSTRUCTION OF A NORTH-SOUTH ROAD; RATIFYING AND CONFIRMING THE PROVISIONS OF ORDINANCE 2021-010, AS AMENDED; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Mayor MacFarlane asked Town Manager, Sean O’Keefe, to introduce and explain this item. Mr. O’Keefe summarized the history of the Reserve / Hillside Groves project. Mr. O’Keefe explained a set of comments that the Florida Department of Transportation (FDOT) had given the project in reference to the size of the spine road that can connect to State Road 19. Don Griffey, Town Engineer, explained the FDOT comments and how they are utilized.

Mayor MacFarlane invited the applicant to speak. Lane Register, Land Development Manager with Lennar Homes, Rick Welch, Civil Engineer with Connelly and Wicker, and Ayman As-Saidi, the applicant’s traffic engineer consultant, spoke on behalf of the applicant. Mr. Register made a presentation on behalf of the applicant.

Mayor MacFarlane opened Public Comment for this item only.

**Tim Everline, 1012 N Lakeshore Blvd** – Mr. Everline stated that he believed the 4-lane road was necessary.

**Peter Tuite, 300 E Croton Way** – Mr. Tuite stated he was in favor of the spine road being a 2-lane road, due to safety issues.

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

There was a lengthy discussion regarding the merits of a 4-lane road versus a 2-lane road.

**Councilor Miles made a motion to close debate and call the question; seconded by Councilor Lehning. Motion to call the question carried with a roll-call vote.**

**Voting**

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

**Nay:** Mayor MacFarlane

**Motion made by Councilor Lannamañ to approve Ordinance 2022-019 with an amendment that would add speed tables and speed calming devices to the spine road; seconded by Mayor MacFarlane. Motion passed by roll-call vote.**

**Voting**

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

**Nay:** Councilor Miles, Councilor Lehning

4. Consideration and Approval: (Second Reading) **Ordinance 2022-021 Animal Control**

Martha MacFarlane, Mayor, read Ordinance 2022-021 by title only:

**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, CREATING CHAPTER 54 IN THE TOWN OF HOWEY-IN-THE-HILLS’ CODE OF ORDINANCES TITLED “ANIMAL CONTROL”; PROVIDING REGULATIONS FOR RESTRAINT OF ANIMALS, NUISANCE ANIMALS, THE POSSESSION, OWNERSHIP, CARE, AND CUSTODY OF ANIMALS; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

Mayor MacFarlane opened Public Comment for this item only.

**Peter Tuite, 300 E Croton Way** – Mr. Tuite stated he believed that dogs should be on leashes when outside.

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

**Motion made by Councilor Lehning to approve Ordinance 2022-021; 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. Discussion: (Second Reading) **Ordinance 2022-016 - Simpson Parcels - Rezoning from MDR 1 and MDR 2 to Planned Unit Development (PUD)**

Martha MacFarlane, Mayor, read Ordinance 2022-016 by title only:

**AN ORDINANCE OF THE TOWN OF HOWEY IN THE HILLS, FLORIDA, PERTAINING TO LAND USE; PROVIDING FINDINGS OF THE TOWN COUNCIL; AMENDING THE TOWN'S OFFICIAL ZONING MAP TO REZONE FROM MDR-1 AND MDR-2 TO PLANNED UNIT DEVELOPMENT CERTAIN LANDS LOCATED IN THE SOUTHEAST QUADRANT OF THE INTERSECTION OF STATE ROAD 19 AND REVELS ROAD, AS MORE PARTICULARLY DESCRIBED IN ATTACHMENT A TO THIS ORDINANCE; INCORPORATING CONDITIONS, REQUIREMENTS, RESTRICTIONS, AND OTHER TERMS GOVERNING THE USE AND DEVELOPMENT OF THE PROPERTY; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, AND AN EFFECTIVE DATE.**

Mayor MacFarlane asked Town Manager, Sean O'Keefe, to introduce and explain this item. Mr. O'Keefe summarized the background of the Simpson/Watermark project and the proposed Ordinance / Developer's Agreement.

Mayor MacFarlane invited the applicant to speak. Timothy Green, President of Green Consulting Group, and Craig Harris, from JTD Land Company, spoke on behalf of the applicant and project. Mr. Green gave a presentation in favor of the applicant.

Mayor MacFarlane opened Public Comment for this item only.

**William Sullivan, 26336 State Road 19** – Mr. Sullivan presented an attachment of a Howey-in-the-Hills Proposed Future Development Map that he had created to the Town Council that he wanted added to the records. Mr. Sullivan was not in favor of the project because it had not reserved the appropriate amount of sewer capacity yet.

**Joshua Husemann, 671 Avila Place** – Mr. Husemann compared this proposed development to the Talichet development and stated that the Simpson/Watermark would have more options and amenities than Talichet.

**Chris Durham, 23809 Sunset Drive** – Mr. Durham was not in favor of the proposed PUD and believes that the applicant should be held to the current zoning.

**Tim Everline, 1012 N Lakeshore Blvd** – Mr. Everline was not in favor of this development

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

**Councilor Miles made a motion to waive the standard time limitation of the meeting ending at 9:00 pm and amend the ending time for the meeting to 10:00 pm during this meeting; seconded by Councilor Lehning. The motion passed unanimously by voice vote.**

**Councilor Miles made a motion to approve the Developers Agreement with the following seven amendments to the Developers Agreement: #1: Lot front width size in the agreement to increase from 65' to 70' and from 75' to 80'; #2: Side setback would change from 7.5' to 10'; #3: Front Setback would change from 20' to 25'; #4: The addition of a maximum house size of 3,500 square feet; #5: Instead of 50 units or 125 units to trigger fair share payment, do a pay-as-you-go per unit (verbiage to be added by Town Attorney); #6: Leave pole sign verbiage in the agreement, with definition to be added by Town Attorney; #7: Strike out the proposed addition of "and there is inactivity in the development process within Phase 1," as there is no definition of inactivity; seconded by Councilor Lehning. Motion passed by roll-call vote.**

**Voting**

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

**Nay:** Councilor Lannamañ, Mayor MacFarlane

**Councilor Miles made a motion to approve Ordinance 2022-016 with the amended Developer's Agreement; seconded by Councilor Lehning. Motion carried by roll-call vote.**

**Voting**

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

**Nay:** Councilor Lannamañ, Mayor MacFarlane

**6. Consideration and Approval: Simpson Parcels - Preliminary Subdivision Plan**

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

**Councilor Lehning made a motion to reject the Simpson Parcels' Preliminary Subdivision Plan as it no longer conformed to the current Developers Agreement; seconded by Councilor Miles. Motion passed unanimously by roll-call vote.**

**Voting**

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

**Nay:** None

**7. Discussion: Water Utility Improvements - (Well 5 & 6 / Water Treatment Plant #3)**

Mayor MacFarlane introduced and explained this item. Mayor MacFarlane explained that this item was necessary to educate the public on the importance of the new northern Water Treatment Plant #3 and the new Wells #5 and #6. Mayor MacFarlane informed the public that they could get additional information at the Marianne Beck Memorial Library or on last month's water utility bill. Mayor MacFarlane asked the public to sign a petition in favor of water utility improvements.

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

**OLD BUSINESS**

None

**NEW BUSINESS**

8. Consideration and Approval: **Parks & Recreation Board Member Selection**

Mayor MacFarlane asked Town Manager, Sean O'Keefe, to introduce and explain this item.

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

**Motion made by Mayor MacFarlane to appoint Joshua Husemann to the Parks & Recreation Board; 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

**Mayor MacFarlane made a motion to defer all other items on the meeting's agenda (Item #9 Discussion: Capital Improvement Plan (CIP), Town Manger Report, and Town Councilor Reports) except the final Public Comments of the meeting; seconded by Mayor Pro Tem Gallelli. Motion passed unanimously by voice vote.**

**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 voiced his disapproval of item #3's approval on the meeting's agenda.

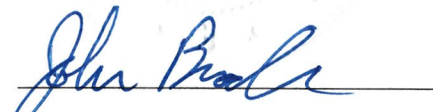
**ADJOURNMENT**

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

The Meeting adjourned at 9:47 p.m. | **Attendees: 54**

ATTEST:

  
Mayor Martha MacFarlane

  
John Brock, Town Clerk