



## **Town Council Meeting**

**January 22, 2024 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.  
Mayor MacFarlane asked for a moment of silence.

#### **ROLL CALL**

Acknowledgement of Quorum

#### **MEMBERS PRESENT:**

Councilor Reneé Lannamañ (via Zoom) | Councilor David Miles (via Zoom) | Councilor George Lehning | Mayor Pro Tem Marie V. Gallelli | Mayor Martha MacFarlane

#### **STAFF PRESENT:**

Sean O'Keefe, Town Manager | Tom Harowski, Town Planner | Tom Wilkes, Town Attorney | Tara Hall, Library Director | John Brock, Town Clerk

**Motion made by Mayor Pro Tem Gallelli to allow Councilor Miles and Councilor Lannamañ to participate and vote in the meeting remotely via Zoom; seconded by Councilor Lehning. Motion passed unanimously by voice-vote.**

#### **Voting**

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

**Nay:** None

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

**Motion made by Councilor Lehning to approve the meeting's agenda; seconded by Mayor Pro Tem Gallelli. Motion passed unanimously by voice-cote.**

#### **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 08, 2024, Town Council Meeting.
2. Consideration and Approval: **Water Treatment Plant Design Proposal - Halff Contract**

**Motion made by Councilor Lehning to approve 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**

3. Discussion: (first reading) **Ordinance 2024-001 Mission Rise PUD Rezoning**

Mayor MacFarlane read Ordinance 2024-001 out loud by title only:

**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; REZONING FOUR PARCELS OF LAND LOCATED GENERALLY IN THE SOUTHWEST PART OF THE TOWN AND COMPRISING THE PROPOSED PLANNED UNIT DEVELOPMENT TO BE KNOWN AS “MISSION RISE” ON AN L-SHAPED AGGREGATE OF ABOUT 243.3 ACRES WEST AND SOUTH OF THE DEVELOPMENT KNOWN AS “THE RESERVE AT HOWEY-IN-THE-HILLS” (NOW ALSO KNOWN AS “HILLSIDE GROVES”), WITH PART OF THE LANDS BEING SOUTH OF NUMBER TWO ROAD AND EAST OF SILVERWOOD LANE AND OTHER PARTS OF THE LAND BEING WEST OF STATE ROAD 19 AND SOUTH OF REVELS ROAD, THE FOUR PARCELS BEING IDENTIFIED WITH LAKE COUNTY PROPERTY APPRAISER ALTERNATE KEY NUMBERS 1780616, 1780811, 1030421, AND 3835991; AMENDING THE TOWN’S ZONING MAP TO APPROVE PLANNED-UNIT-DEVELOPMENT (PUD) ZONING FOR THE PARCELS; PROVIDING FINDINGS OF THE TOWN COUNCIL; APPROVING PUD ZONING FOR THE PARCELS, WITH DEVELOPMENT TO BE GOVERNED BY A DEVELOPMENT AGREEMENT AND A REVISED CONCEPTUAL LAND USE PLAN AND BY THE TOWN’S LAND DEVELOPMENT CODE AND OTHER TOWN ORDINANCES GOVERNING THE DEVELOPMENT OF LAND; REPEALING PRIOR ORDINANCES AND SUPERSEDING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

Mayor MacFarlane asked Town Planner, Tom Harowski, to introduce and explain this item. Mr. Harowski reviewed his staff report that was included in the meeting’s packet.

Mr. Harowski reviewed the Planning and Zoning Board’s recommendations for this proposed Development. The Planning and Zoning Board’s recommendation included approval of Ordinance 2024-001 and the Village Mixed Use PUD for Mission Rise only if the proposed Development Agreement was modified to include:

- 1) 80% of the residential lots can be no smaller than 1/4 acre in size (10,890 sq feet) – the remainder of the lots can be 75’ lots as proposed by the applicant.
- 2) Access to Number Two Rd can be constructed but cannot be open to access until Phases 1 and 2 have been completed and access to Number Two Rd shall be constructed and ready to open before a certificate of occupancy is issued for 50% of the lots in Phase 3.

3) The open space area between Phase 2 and Phase 3 shall be redesigned to eliminate the drainage ponds (as recommended in the Town Planner's staff report).

Mayor MacFarlane asked the representatives for the applicant to introduce themselves and give their presentation to the Town Council. Jonathan Huel, applicant's Land Use Attorney, introduced the applicant's project team, which included: Rhea Lopes (Project Planner), Jason Humm (owner representative), Mike Ripley (from Land Advisors), Jacque St. Juste (from Atwell), Charlotte Davidson (Traffic Mobility Consultants), and Mark Ausley (Bio-Tech Consulting).

Ms. Lopes gave a PowerPoint presentation to Councilors in support of the proposed Mission Rise development. Ms. Lopes stated that the submitted development agreement and concept plans for Mission Rise were the Town's current Comprehensive Plan. Ms. Lopes stated that certain conditions that the Planning and Zoning Board had made on their recommendation were not feasible, that the stormwater area was required as it was and that requested larger lots would not be feasible due to the additional cost.

Mayor MacFarlane opened Public Comment for this item only.

**Eric Gunesch, 448 Avila Pl.** – Mr. Gunesch stated that the developer obviously did not listen to the Planning and Zoning Board, and he wanted fifteen-foot side setbacks between homes.

**Tim Everline, 1012 N Lakeshore Blvd.** – Mr. Everline stated that he was frustrated with developers that said that developments would “fit in” within the Town's current homes. He did not agree and wanted the owners of the Mission Rise land to drive around the town and see what the town was really like. Mr. Everline stated that he did not believe the Mission Rise traffic study included Venezia Townhomes trips in its study.

**Frances O'Keefe Wagler, 409 W. Central Ave.** – Mrs. Wagler identified herself as a Planning and Zoning Board member and reminded everyone that the Mission Rise development was recommended only with certain conditions, which the developer was not implementing.

**Ken Dunsmoor, 9950 Orange Blossom Rd (unincorporated Lake County)** – Mr. Dunsmoor wanted to know how the developer would discourage people from driving down Orange Blossom Rd.

Mayor MacFarlane closed Public Comment for this item.

Mayor Pro Tem Gallelli asked why there were changes in proposed lots from what the developer had shown her during the previous week. Mr. Huel apologized for the confusion but explained that this was what had been proposed to the Planning and Zoning Board and what had previously been shown to her was showing a willingness for the plan to evolve and a willingness to negotiate with the Town. Mr. Huel stated that the applicants' message to the Town was that they are willing to work with the Town and wanted to find conditions that could be met that would work for the Town and the developer.

Mayor Pro Tem Gallelli stated that, in the current proposal from the developer, 83% of the lots were small 55' width lots and that was much too large of a percentage for small width lots. Mayor Pro Tem Gallelli stated that the developer needed to get rid of the 55' width lots.

Councilor Lannamañ stated that she thought 55' width lots were too small for the Town.

Councilor Miles stated that he had been muted during the last 10 minutes of the previous workshop. Councilor Miles stated that the Councilors had received a 300-page packet for the Town Council meeting, the Friday evening before the meeting and he did not think that was enough time to review the items in the packet.

Councilor Miles asked Mr. Harowski about the Hillside Groves Road upgrade area of Number Two Rd. and those road upgrades, along with the upgrades that Mission Rise would have to do, and if those upgrades would make the portion of Number Two Rd, which was within the Town's borders, up to standard. Mr. Harowski explained what would be required of the developer and that it was his expectation that the area that the developers would be required to upgrade would be within standards. Mr. Harowski stated that Hillside Groves and Mission Rise were only upgrading the portion of Number Two Road adjacent to their property, if there were other areas of Number Two Road (such as in front of the Town's 9 acres of land), they would need other funding sources to be upgraded.

Councilor Miles stated that he could not hear or understand Ms. Rhea Lopes' presentation, nor could he see it since he was on the phone and not attending in-person.

Councilor Miles corrected Ms. Lopes' presentation in which Ms. Lopes stated that Hillside Groves was approved for 740 units, when she should have stated that they were approved for 728 units and that the initial approval for this was made in 2005, not recently.

Councilor Miles stated he was concerned about the size of the two proposed parks in Mission Rise. Mr. Huel stated that two parks would be approximately 16.9 acres and that future plans could be specific for the two sizes. Councilor Miles stated that he would need to know the specific proposed size for each park.

Councilor Miles stated that developers were using the old, approved density of 4 units per acre, but the Town was in the process of lowering the amount that would be approved to 3 units per acre. Councilor Miles stated that they would need to lower their density to a max of 3 units per acre.

Councilor Miles stated that the development only had 129.3 acres of residential area, but in the developer's density calculation they included 153 acres (this included non-residential areas). Councilor Miles stated that he disagreed with the method of calculating and that 129.3 acres should be used to calculate the density.

Councilor Miles stated that the original approval (which was no longer in effect) for Mission Rise was for only 400 units. Currently the developer was asking for 499 units, and Councilor Miles stated that he would only allow the original number of units.

Councilor Miles stated that his vote for this Ordinance and proposed development, as it stands, would be for denial. Councilor Miles asked the Town Attorney if he could make a motion for denial during the current meeting, or to table the first reading to a time when he could attend in person.

Town Attorney, Tom Wilkes, stated that State law allowed for the developer to have two readings for their proposed development, so there was no cutting it off during this meeting.

Councilor Miles asked Mr. O'Keefe to read out loud text comments into the meeting's record. Mr. O'Keefe read out:

*"Sean,*

*I have provided John and you my four comments on the minutes from Jan 8 and also two messages with three comments on the ordinance on the comp plan for the workshop. I will attend by Zoom.*

*I am going through the very length info for the Monday night meeting. Just got this long agenda yesterday. I am limited in reading it as only have iPhone here.*

*I am going to ask to table the Mission Rise item until first meeting in Feb. to give us more adequate time to review and adequately comment on their proposal. I will say the idea of having 80% of their lots being 55x120 is a non-starter with me. Even the remaining 20% at 75x120 are too small. I am not happy with set backs either. Minimum front needs to be 25 feet, minimum rear needs to be 30 feet, minimum side needs to be 12.5 feet. Minimum side street needs to be 15 feet. Maximum house size under air sb 3,500 sq ft and minimum s/b 1,600 sq ft. Minimum garage size is 21x21= 441 sq ft, 2 car. Require all garages to be side entrance. I would support 90x120 lots (10,800 sq ft) and 80 x 135 lots (also 10,800 sq ft). Maximum number of lots for 129.3 acres of residences is 388, the max Number of single-family houses I would support. If they move 4 acres from the nonresidential category to residential category, I would support that, which would allow a max of 400 lots. That by the way, I believe, was the max that was approved in their expired PUD previously in place. 400 lots is my maximum and all lots must be 10,800 sq ft or larger. That gives them 90 square feet per lot or 36,000 square feet of benefit for a 400-lot development. Their 499 units is a non-starter for me.*

*Also I don't want any 22' width alleys. All streets should be 24' widths on 50' width ROW's.*

*I have more, but that is enough for now.*

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*Sean,*

*Also all streets, all water and all wastewater lines, pumps and lift stations to be dedicated to Town. All storm water drainage facilities can be dedicated to HOA. Electric facilities dedicated to Duke. Natural Gas to Teco. Would like community to offer natural gas to all lots.*

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*Sean,*

*One more issue with the Mission Rise proposal. They state they are reducing their density request from 592 lot units to 499 lot units, as if this is a decrease. In fact their previous PUD approval that expired in 2017 was for only 400 lot units! Thus this new proposal actually is asking to increase density over their previous proposal by 99 lot units to 499, that's almost a 25% increase in density for this property. I will not vote for any proposal on this property unless it is 400 lot units or less."*

Councilor Miles stated that a developer should not look at Hillside Groves as a precedent that the Town will allow in other new developments.

Mayor MacFarlane stated that she would like to see natural gas added to the community. Mayor MacFarlane noted that all the parks were listed as passive parks (such as trails and trailheads); she would like to see more active parks (such as Pickle Ball courts) in the development.

Mayor MacFarlane said that, while she loved seeing alleys in communities (with garages not facing the main road), they needed to be careful that they did not make them too small, due to emergency needs and bottlenecks. Mayor MacFarlane was concerned about a lack of off-street parking.

Mayor MacFarlane stated that 55' lots would be a non-starter for the community.

Councilor Miles made a motion to table the 1<sup>st</sup> reading of this item to the first meeting in February, so that there would be an additional 1<sup>st</sup> reading on this item. There was no second for this motion. This concluded the first reading of this item.

## **OLD BUSINESS**

### **4. Discussion: Wastewater Options**

Sean O'Keefe, Town Manager, stated that Woodard and Curran had notified the Town about a grant opportunity that would allow the Town to get funding for a Wastewater Study. Mr. O'Keefe stated that, with the assistance of Woodard and Curran, the Town had submitted a grant for the Clean Water Facility Planning study. Mr. O'Keefe stated that Justin deMello, Project Manager for Woodard and Curran, was at the meeting to answer questions. Mr. O'Keefe then reviewed the PowerPoint presentation that had previously been presented to the Town Council during the December 12, 2023, Town Council Workshop.

Mr. O'Keefe explained that a gap in the previous presentation had been the estimated Operating Cost of a Town-owned wastewater treatment facility. Mr. O'Keefe stated that, based off of the cost of other municipalities' costs, the estimated operating cost would be roughly \$2.33 million (this was created by prorating the cost of a wastewater treatment plant in the city of Tavares).

Councilor Lehning did not agree with the estimated cost that the Town Manager had come up with and believed there were better ways to come up with an estimated cost.

Councilor Miles stated that there were three things that would go into the operating cost of a treatment facility. They were electricity, chemicals, and labor costs. Councilor Miles believes that the staffing for a Town-run plant would be one person for 8 hours a day for only 5 days a week. Councilor Miles stated that, given additional time, he can come up with a better estimated operating cost.

Mr. O'Keefe stated that, based off of the Mayor's feedback in the last meeting, he had removed the proposed Wastewater Improvement fee from the Talichet and Venezia neighborhoods.

Mayor MacFarlane stated that, if the Town goes through with the proposed changes to the Land Development Code and the Comprehensive Plan, it will create a situation with even less proposed new homes utilizing a Town-owned wastewater treatment facility. This would increase the cost per person to operate the treatment plant.

Mr. O'Keefe stated that the next step for the Town would be to contract out for a study that would create a Clean Water Facility Planning document. Mr. O'Keefe stated that the Town should get the results from the Florida Department of Environmental Protection (FDEP) on whether the Town was selected to get a grant to pay for the necessary study.

Justin deMello from Woodard and Curran was asked how long it would take to conduct the Clean Water Facility Planning document. Mr. deMello stated that it would take at least 6 to 9 months to conduct the study. Mr. deMello stated that, if the State were going to assist with the funding of the proposed Wastewater Treatment Plant, they would require that the Town submit the Clean Water Treatment Planning document with the request for assistance.

Councilor Miles asked Mr. deMello to describe what services Woodard and Curran provides for the City of Tavares and the City of Groveland and how much Woodward and Curran charges each municipality. Mr. deMello stated that Woodard and Curran has a general engineering contract for the City of Tavares and is paid roughly \$200,000 to \$300,000 annually. Mr. deMello stated that Woodard and Curran

operates the wastewater plants for the City of Groveland and that the contract would be worth roughly \$3 to \$5 million a year.

Councilor Miles noted that the rate that the City of Groveland is currently charging the City of Mascotte for wastewater treatment services was \$18.18 per 1,000 gallons. Councilor Miles also noted that the Central Lake CDD was currently charging the Town of Howey-in-the-Hills \$24.00 per 1,000 gallons for the treatment of wastewater and that rate had been in place since 2006.

Mr. O'Keefe stated that he recommended that the Town Council hold off till March (when it will find out from FDEP if its grant submission was approved) before making any further decisions on the Wastewater options. Mayor MacFarlane agreed with Mr. O'Keefe.

Councilor Miles asked Mr. deMello if it would really take 6 to 9 months to complete the study. Mr. deMello stated that it would, and sometimes it takes up to 12 months.

Mayor MacFarlane suggested that, while the Town was waiting to see if it was selected to receive the grant from FDEP, that the Town Manager should research getting an SRF loan to pay for the study if the Town is not selected for the grant.

Mayor MacFarlane opened Public Comment for this item only.

**Tim Everline, 1012 N. Lakeshore Blvd.** – Mr. Everline stated that he had seen this analysis a few times already and would like the Central Lake CDD to be invited to come make a wastewater presentation before the Town Council.

Mayor MacFarlane closed Public Comment for this item.

## **NEW BUSINESS**

### 5. Discussion: **Potential Library Expansion**

Tara Hall, Library Director, explained that the last expansion of the Town's library was four years ago and it added the Library Education Center (LEC) space that was used for library programming. Mrs. Hall stated that the next expansion of the Town Library should be for study rooms, quiet rooms, and additional stack space for children's literature and fiction. The first step of this expansion would be planning and drawing out designs for the space. The last time that the library was expanded, it took five years of creating impact fee submissions to the County prior to getting funding.

Councilor Miles stated that he wanted to see this in writing on a CIP form, so that it would explain what the library was attempting to do. Councilor Miles wanted Mrs. Hall to come back during the CIP to explain what her request was. Councilor Miles stated that the world was evolving and that a lot of books could be attained through electronic media and Councilor Miles wondered if more electronic format books would reduce the need for space in the library.

Mayor MacFarlane opened Public Comment for this item only.

**Tim Everline, 1012 N. Lakeshore Blvd.** – Mr. Everline wanted to know how specifically the LEC was used and for what age groups the programming in the LEC was created for. Mr. Everline wanted people to be quieter in the main library.

**Hannah VanWagner, Town Library Assistant** - Ms. VanWagner stated that the programming in the LEC was typically for all ages and that study rooms were a common addition to libraries.

## **DEPARTMENT REPORTS**

6. Town Manager

Sean O'Keefe, Town Manager, reminded all that were attending the meeting that there would be a CIP workshop at 4pm on Monday February 12, 2024, directly before the 6pm regular Town Council meeting.

**COUNCIL MEMBER REPORTS**

7. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli stated that she was working on the Town's fire truck restoration project but did not currently have an update. Mayor Pro Tem Gallelli thanked the residents for coming to the Town Council meetings.

8. Councilor Lehning

Councilor Lehning wanted to know the status of the well drilling project. Mr. O'Keefe stated that he didn't know the current depth of the second well.

Councilor Lehning wanted the non-emergency phone number for the Town's Police Department placed on the Town's electronic sign board.

Councilor Lehning also wanted a Development Status document added to the Town's reports each month.

9. Councilor Miles

Councilor Miles stated that he thought Councilor Lannamañ's idea of fixing up and painting the Town retired water tower for the Town's 100<sup>th</sup> anniversary was a good idea and he volunteered to create the CIP form for this project.

10. Councilor Lannamañ

Councilor Lannamañ stated that she would want to see all the required information before she would be comfortable making a decision about the Town's wastewater future.

11. Mayor MacFarlane

Mayor MacFarlane mentioned a House Bill that was going through the State Legislature this session, that, if passed, would have the effect of reducing the Town's Ad Valorem tax base.

Mayor MacFarlane told everyone that there was a Fish and Wildlife meeting set for January 24, 2024, from 3pm to 8pm in the Leesburg Venetian Garden building that would let the public know how the State was going to be chemically treating the Harris Chain of Lakes to reduce weed growth. Mayor MacFarlane asked interested or concerned individuals to attend that meeting.

Mayor MacFarlane stated that all of the proposed changes to the Town's Land Development Code and Comprehensive Plan would slow down or stop certain development, and that the State and County would still be making rules and demands on the Town that would be increasing costs. The Town would still need to pay for the cost increases by some means and, if the Town was not growing, it would still need to cover these costs by whatever means was necessary.

Mayor MacFarlane asked the Town Manager again to please have the empty cabinets at the back of the meeting room removed.



Councilor Lehning stated the Mayor was correct about costs going up and that Town's taxes would have to go up to cover these costs.

**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.*

**Tom Ballou, 1105 N. Tangerine Ave.** – Mr. Ballou stated that he would like to see the Town Hall meeting room's speaker system fixed.

**Banks Helfrich, 9100 Sams Lake Rd., Clermont** – Mr. Helfrich spoke about the purpose of groups.

**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 8:57 p.m. | **Attendees: 42**



ATTEST:

John Brock, Town Clerk

  
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Mayor Martha MacFarlane