



Town Council Meeting

August 12, 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.
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 | Morgan Cates, Public Works Director | Tom Wilkes, Town Attorney | Tom Harowski, Town Planner | John Brock, Town Clerk

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 May 28, 2024, Town Council Meeting.
2. The approval of the minutes and ratification and confirmation of all Town Council actions at the June 10, 2024, Town Council Meeting.
3. The approval of the minutes and ratification and confirmation of all Town Council actions at the July 26, 2024, Town Council Budget Workshop.

4. The approval of the minutes and ratification and confirmation of all Town Council actions at the August 05, 2024, Town Council Special Meeting.
5. Consideration and Approval: **Groveland MOU Agreement**
6. Consideration and Approval: **Approval of (piggybacking off of) the Lake County Contract with George Gideon Auctioneers, Inc.**
7. Consideration and Approval: **Police Department JAG-C 2023 Grant Request Letter**

Motion made by Councilor Miles to approve the Consent Agenda, utilizing the revised version of agenda item #1 (May 28, 2024, Town Council Meeting Minutes); 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

8. Consideration and Approval: (adoption/2nd 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 introduced and explained this Ordinance.

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 300 E Croton Way – Mr. Tuite had questions about the High-Density areas referenced in the proposed Comprehensive Plan. Mr. Tuite wanted those sections removed from the Ordinance.

Mayor MacFarlane closed Public Comment for this item.

Councilor Miles pointed out that on page I-6 of the current Comprehensive Plan, it requires all wastewater lift stations to be owned by the Town.

Motion made by Councilor Miles to Approve Ordinance 2024-009, amending the word “ration” on page I-41 to say “ratio” and also amending page I-18 changing the sentence “Includes townhouse development up to eight dwelling units per acre and other multi-family development up to 12 units per acre” to state “Includes townhouse development up to six dwelling units per acre and other multi-family development up to 10 units per acre”; 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

OLD BUSINESS

NEW BUSINESS

9. Consideration and Approval: (first reading) **Ordinance 2024-010 - Compensation for Mayor and Town Council Members**

Town Attorney, Tom Wilkes, read Ordinance 2024-001 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO TOWN COUNCIL; REVISING THE COMPENSATION TO BE PAID TO THE MAYOR, MAYOR PRO TEMPORE AND COUNCILORS UNDER SECTION 42-10 OF THE TOWN’S CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mr. O’Keefe stated that this Ordinance was brought before the Town Council at the request of Councilor Lehning who had suggested that the Town Councilors cut their pay in half.

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that he was in favor of the Town Councilors getting a raise.

Mayor MacFarlane closed Public Comment for this item.

Motion made by Councilor Miles to deny Ordinance 2024-003; seconded by Councilor Lannamañ. Motion approved by roll call vote.

Voting

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

Nay: Councilor Lehning

10. Consideration and Approval: **Resolution 2024-005 - Solid Waste Rates**

Town Manager, Sean O’Keefe, read Resolution 2024-005 out loud by title only:

A RESOLUTION OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, SETTING THE FEES FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE AND RECYCLING PER HOME OR BUSINESS FOR A NEW MONTHLY RATE OF \$31.86 AND \$35.67 RESPECTIVELY; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mr. O’Keefe explained that the Town Council had already approved the GFL’s rate increase during the June 10, 2024, Town Council Meeting. Mr. O’Keefe stated that this resolution would allow the Town to raise the Town’s charges to the residents by the same percentage that GFL has raised the price on the Town.

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that he was concerned with the fact that GFL raised the rates to the Town.

Graham Wells, 718 Calabria Way – Mr. Wells stated that, by state statute, a municipality cannot profit from solid waste charges that it imposes on residents when the municipality contracts out the work.

Councilor Miles disagreed with Mr. Wells’ comment. Mayor MacFarlane stated that she did not believe that the Town was profiting from the \$4.46 a month, per resident markup. Mayor MacFarlane stated that the markup amount pays for a portion of the utility billing software and bills, as well as pays for the time Town Hall staff has to deal with solid waste issues.

Councilor Lehning suggested that the Town try to go back to GFL and re-negotiate new rates based off of removing one of the two-days a week trash pick-up service.

Motion made by Councilor Lannamañ to approve Resolution 2024-005; seconded by Mayor Pro Tem Gallelli. Motion approved by roll call vote.

Voting

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

Nay: Councilor Lehning

11. Consideration and Approval: **Water Rate Increase**

Town Manager, Sean O’Keefe, introduced and explained this agenda item. Mr. O’Keefe stated that the Town could increase the water rate by a percentage not to exceed the Municipal Cost Index (MCI) of the preceding calendar year. The percentage increase of the MCI for calendar year 2023 was 1.6802345%. Mr. O’Keefe stated that the Town Council needed to determine whether there would be an increase to water customers based on this inflationary change. As an example, if this rate were to be implemented, the base rate for monthly residential potable usage of 5,000 gallons or less would change from \$33.46 to \$34.02.

Mr. O’Keefe stated that the staff’s recommendation was to raise the water rates by the allowable 1.6802345%.

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

Councilor Lannamañ asked if the proposed rate increase would affect wastewater (sewer) rates. Mr. O’Keefe said that it would not. Councilor Miles stated that he wanted to see a proposed rate increase for wastewater services at the next Town Council meeting.

Motion made by Mayor Pro Tem Gallelli to raise all water rates by the allowable 1.6802345%, beginning with the October 2024 water bills; 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

12. Consideration and Approval: **Sara Maude Mason Nature Preserve Loan Agreement**

Town Manager, Sean O’Keefe, gave an update on the Town’s project of acquiring a \$300,000 loan to complete the Sara Maude Mason Nature Preserve Boardwalk Project. Mr. O’Keefe stated that the Town had received two quotes from banks, one was for 6.50% interest and the second was for 5.42% interest. Mr. O’Keefe stated that there will be paperwork to approve at the next Town Council meeting.

Councilor Lannamañ stated that she did not believe that the Town should be taking out this loan and that she would vote “No” on the loan approval.

Mayor MacFarlane opened Public Comment for this item only.

Graham Wells, 718 Calabria Way – Mr. Wells had questions about the Town’s Infrastructure and Transportation Funds as well as the Town’s Discretionary Surtax fund.

Mayor MacFarlane suggested that Mr. Wells reach out to Town Manager, Sean O’Keefe, directly for answers.

13. Consideration and Approval: (first reading) **Ordinance 2024-002 - Land Development Code (LDC) Amendments**

Town Attorney, Tom Wilkes, read Ordinance 2024-002 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND DEVELOPMENT; PROVIDING FINDINGS AND DETERMINATIONS OF THE TOWN COUNCIL; AMENDING THE TOWN’S LAND DEVELOPMENT CODE (LDC) TO REVISE PROVISIONS GOVERNING “MEDIUM DENSITY RESIDENTIAL-1” (MDR-1), “MEDIUM DENSITY RESIDENTIAL-2” (MDR-2), AND PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICTS, EMPHASIZING LOT-SIZE AND OPEN-SPACE REQUIREMENTS; ADDING NEW “HIGH DENSITY RESIDENTIAL-1” (HDR-1) AND “HIGH DENSITY RESIDENTIAL- 2” (HDR-2) ZONING DISTRICTS AND THE RESTRICTIONS AND REQUIREMENTS THAT GOVERN LAND USE WITHIN THOSE DISTRICTS; AMENDING MISCELLANEOUS PROVISIONS OF OTHER ZONING DISTRICTS; CHANGING ALL REFERENCES TO “MAYOR” TO READ “TOWN MANAGER”; AMENDING SECTION 10.00 TO LIMIT PUD ZONING DISTRICTS TO LAND OF 100 ACRES OR MORE; AMENDING SUBSECTION 4.10.1 TO SPECIFY THE FORM AND MANNER IN WHICH CONDITIONS OF APPROVAL FOR PUD ZONING WILL BE MEMORIALIZED; ENACTING SUBSECTION 4.13.05 TO SPECIFY REQUIREMENTS FOR APPROVING VARIANCES; DELETING SUBSECTION 4.15.00 REGARDING LANDOWNER APPLICATIONS FOR AMENDMENTS TO THE LDC; AMENDING NUMEROUS REQUIREMENTS IN CHAPTER 7 OF THE LDC GOVERNING SIDEWALKS, CANOPY TREES, LANDSCAPE BUFFERS, ROOT BARRIERS, AND RELATED SEPARATION DISTANCES; ENACTING NEW SUBSECTION 7.10.02 TO CLARIFY TREE REQUIREMENTS IN RESIDENTIAL DEVELOPMENT; AMENDING TABLE 8.03.02 REGARDING REQUIREMENTS FOR LOCAL ROADS; AMENDING PARAGRAPH 8.05.01.3 TO SPECIFY REQUIREMENTS OF OWNERSHIP, OPERATION, AND MAINTENANCE OF WASTEWATER AND RECLAIMED-WATER SYSTEMS IN NEW DEVELOPMENTS; ENACTING PARAGRAPH 8.06.01D TO SPECIFY LIMITATIONS ON EXTERIOR LIGHTING NEAR RESIDENTIAL PROPERTIES; ENACTING SUBSECTION 8.08.02 TO SPECIFY REQUIREMENTS FOR APPROVALS OF RECREATIONAL

AMENITIES IN NEW DEVELOPMENTS; TRANSFERRING SUBSECTION 8.10.0 TO NEW SUBSECTION 1.06.07 WITHOUT CHANGE; AMENDING SUBSECTION 10.02.03 TO SPECIFY THAT ROAD IMPROVEMENTS FOR NEW DEVELOPMENT TO MEET CONCURRENCY REQUIREMENTS MUST BE CONSTRUCTED AT NO COST TO THE TOWN; ADDING AND AMENDING NUMEROUS DEFINITIONS IN SUBSECTION 1.12.00 TO CONFORM AND COMPLEMENT SUBSTANTIVE AMENDMENTS IN OTHER SECTIONS OF THE LDC; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Town Planner, Tom Harowski, stated that the process in which the Town was evaluating this Ordinance was out of order. Typically, the Planning and Zoning Board would make a recommendation on this Ordinance prior to coming to a first reading before Town Council. Mr. Harowski stated that it would go before the Planning and Zoning Board for recommendation during the August 22, 2024, Planning and Zoning Board Meeting. Mr. Harowski stated that he would make recommendations of modifications that should be made to the proposed Ordinance, and he was going to present those modifications to the Planning and Zoning Board. Mr. Harowski stated that it would then come back before the Town Council for a second reading during the August 26, 2024, Town Council Meeting.

Motion made by Councilor Lannamañ to table this item to the next Town Council meeting; seconded by Councilor Miles.

Mr. Wilkes recommended against tabling the Ordinance. Mr. Wilkes recommended that the Town Council pass this Ordinance on to its second reading.

Councilor Lannamañ withdrew her previous motion to table agenda item to the next meeting.

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 300 E Croton Way – Mr. Tuite was concerned about high density zoning being in the Ordinance and suggested that it be removed.

Mayor MacFarlane closed Public Comment for this item.

Councilors Lehning and Miles stated that they were satisfied with the item moving on to the next meeting but wanted more than two days to review the draft of recommendations that Mr. Harowski was going to send to the Planning and Zoning Board.

Motion made by Councilor Lannamañ to approve the first reading of Ordinance 2024-002 and move it on to a second reading; 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

14. Discussion: Suggested Training for Incoming Town Councilors

Town Manager, Sean O’Keefe, introduced and explained this agenda item. Mr. O’Keefe stated that Councilor Lehning had suggested this item during a previous Town Council meeting. Councilor Lehning submitted some suggestions at that time. Mr. O’Keefe submitted a more comprehensive/optional training schedule for incoming Town Councilors.

Councilor Miles suggested adding the annual mandatory ethics training and training on how to fill out the Form 1 Annual Financial Disclosure.

Councilor Lehning stated that he believed the most important things to train new Town Councilors on were the Town's Comprehensive Plan, Land Development Code, and government finance.

Mayor MacFarlane opened Public Comment for this item only.

Tom Ballou, 1005 N Tangerine Ave. – Mr. Ballou stated that he thought this was very important.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that he thought Town Councilors should be paid to attend trainings.

Mayor MacFarlane closed Public Comment for this item.

DEPARTMENT REPORTS

15. Town Hall

This report was included in the packet for the meeting.

16. Police Department

This report was included in the packet for the meeting. Chief Thomas also let the Town Council know that the department may be losing an officer soon, as he was applying for a job in another county.

17. Code Enforcement

This report was included in the packet for the meeting.

18. Public Works

This report was included in the packet for the meeting.

19. Library

This report was included in the packet for the meeting.

20. Parks & Recreation Advisory Board / Special Events

None

21. Town Attorney

Town Attorney, Tom Wilkes, gave an update on the Mission Rise development. Mr. Wilkes stated that Mission Rise developers were ready to accept the terms of the Town's Ordinance and proposed Development Agreement. Mr. Wilkes stated that this item would not need to come back before the Town Council until the developer submits an application for the next step in the project. Mr. Wilkes reiterated that there would be no mediation with this developer.

22. Finance Supervisor

This report was included in the packet for the meeting.

23. Town Manager

Town Manager, Sean O'Keefe, stated that the Town had hired Oscar Ojeda as the Town's new Finance Supervisor. Mr. Ojeda had previously been the Finance Manager for the Lake County Supervisor of Elections Office.

Mr. O'Keefe reminded everyone attending the meeting that the Town's Election Qualifying window would be closing on Friday, August 16, 2024, at noon.

COUNCIL MEMBER REPORTS

24. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli stated that she had taken a tour of the Lake County Fire Station in Yalaha and recommended that others take the tour.

25. Councilor Lehning

Councilor Lehning asked about the Central Lake CDD proposed agreement. Town Attorney, Tom Wilkes, stated that he and the Town Manager had met with the Central Lake CDD's attorney 3 weeks ago and was waiting to hear back from them.

Councilor Lehning asked if there were any updates on the Publix project. Mr. O'Keefe stated that there were not.

26. Councilor Miles

Councilor Miles

27. Councilor Lannamañ

None

28. Mayor MacFarlane

Mayor MacFarlane asked about the Asma parcel magistrate hearing. Mr. Wilkes stated that it was still moving forward.

Mayor MacFarlane read out loud a Proclamation announcing that she would be resigning both as Mayor and Town Councilor effective as soon as the October 28, 2024, Town Council meeting was to adjourn. Furthermore, the proclamation stated that it was Mayor MacFarlane's intention to appointment the candidate with the third most votes during the November 5, 2024, election to serve out the remainder of her Town Council term. There was much discussion about this proclamation, and it was decided that Mayor MacFarlane would not sign the proclamation the night of the meeting.

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.

Graham Wells, 718 Calabria Way – Mr. Wells gave a sincere "Thank you" to Mayor MacFarlane for all of her hard work. Mr. Wells said that Mayor MacFarlane has been a fabulous mayor.

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 7:57 p.m. | **Attendees: 22**

ATTEST:

John Brock, Town Clerk


Mayor Martha MacFarlane