



Town Council Meeting
September 26, 2022 at 6:00 PM
Howey-in the-Hills Town Hall 101
N. Palm Ave., Howey-in-the-Hills,
FL 34737

AGENDA

Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag.

Mayor MacFarlane called the Town Council Meeting to order at 6:00 p.m.

Mayor MacFarlane explained that Councilor Lehning was home sick and that he would have to attend the meeting virtually via Zoom, so as not to expose anyone to his illness.

Motion made by Councilor Klein to allow Councilor Lehning to participate and vote via Zoom; seconded by Mayor Pro Tem Gallelli. Motion was approved unanimously with a voice vote.

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT

Councilor David Miles | Councilor Rick Klein | Councilor George Lehning (via Zoom) | Mayor Pro Tem Marie V Gallelli | Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Administrator | John Brock, Town Clerk | Abigail Herrera, Finance Supervisor | Tara Hall, Library Director | Morgan Cates, Public Works Director | Rick Thomas, Police Chief

AGENDA APPROVAL/REVIEW

Motion made by Councilor Klein to include Proclamation/Resolution 2022-010 State of Emergency and Emergency Event Response Policy under new business; seconded by Councilor Miles. Motion passed unanimously by voice vote.

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 12, 2022 Town Council Meeting.

Councilor Miles stated that he had a concern with the minutes from the September 12, 2022 Town Council Meeting. Councilor Miles stated that, in agenda item #19, sentence #4 should be changed from "Councilor Miles would also like incorporated in the Town Manager's report, the acquisition cost of backup generators for the two Venezia lift station, so that they could be added to the budget within the next two years." to "Councilor Miles

would also like incorporated in the Town Manager’s report, the acquisition cost of backup generators for the two Venezia lift stations, so that they could be added to the FY2023 or FY2024 budgets.”

Motion made by Councilor Miles approve of the Consent Agenda with the addition of his edits to the minutes; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by roll-call vote.

Voting

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

Nay: None

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

- 1a. (This item added during Agenda Approval/Review) Consideration and Approval: **Proclamation and Resolution No. 2022-010 Declaration of Emergency for Hurricane Ian and an Emergency Event Response Policy.**

Mayor MacFarlane read out loud the entire Proclamation and Resolution No. 2022-010 Declaration of Emergency. Mayor MacFarlane also explained that, in addition to the Resolution, there was also a proposed new policy on Emergency Event Response that would be considered.

Mayor MacFarlane opened the Public Comment for this item only. Seeing as there was no public comment, Mayor MacFarlane closed Public Comment.

Motion made by Councilor Miles to approve Proclamation and Resolution No. 2022-010; seconded by Councilor Klein. Motion passed unanimously by roll call vote.

Voting

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

Nay: None

Mayor MacFarlane opened the Public Comment for this item only. Seeing as there was no public comment, Mayor MacFarlane closed Public Comment.

Motion made by Mayor Pro Tem Gallelli to approve Emergency Event Response Policy; seconded by Mayor Pro Tem Gallelli. Motion passed unanimously by roll call vote.

Voting

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

Nay: None

2. Proclamation: **National Code Compliance Month**

Mayor MacFarlane read out loud the Proclamation supporting National Code Compliance Month.

Motion made by Councilor Miles to approve the Proclamation of support for National Code Compliance Month; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by voice vote.

Voting

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

Nay: None

Councilor Miles complimented Code Enforcement Officer Botts' staff report that she had written for the next agenda item. The crowd erupted in applause.

3. Discussion of tree requirements in PUDs.

Mayor MacFarlane asked Code Enforcement Officer, Azure Botts, to introduce and explain this agenda item. Officer Botts said that residents primarily in the Venezia development had expressed concern over the requirement to have a street canopy tree in their front yards. Officer Botts spoke about the amount of space oak trees and magnolia trees require to have open around them and what is needed for their root structure.

Officer Botts spoke about the size of lots in the Venezia neighborhood, and how that effects what type of tree can be planted in these yards. Out of the 196 lots within Venezia, nine lots have been identified as large lots, defined as having 30 feet from front plane wall to the sidewalk: these are mainly corner lots or lots with large side yards. Six lots have been identified as having less than 20 feet from front plane wall to the sidewalk. These lots were approved to have a 15.5-foot setback from the sidewalk. 48 lots have been identified as having between 20 to 25 feet from front plane wall to the sidewalk.

Officer Botts explained the staff recommendations as outlined in her report. The recommendations were allowing the selected list of alternate trees to be planted within the front yard of lots with inadequate room for a street tree. Lots with inadequate room are determined by the footage from the front plane wall of the structure to the sidewalk. Below are the recommendations for the lot sizes:

- Lots greater than 26 ft from the front plane wall to the sidewalk are required to plant one street tree per the LDC.
- Corner lots or lots greater than 100 ft wide at the sidewalk are required to plant 2 street trees.
- Lots with 20 to 26 ft are required to plant one of the following selected trees
 - Natchez Crape myrtle (need to be added to LDC)
 - Purple-leaf plum (need to be added to LDC)
 - Flowering dogwood
 - Sweet bay magnolia
 - Weeping bottlebrush
- Lots with less than 20 ft are recommended for a variance to alleviate the requirement to plant a street tree if the two required understory trees are in place, per LDC. Existing, well-established trees in addition to the required understory trees may be counted as an alternative tree. This will be addressed on a case-by-case basis.

Town Planner, Tom Harowski, explained the Land Development Code (LDC) tree requirements and that heavy tree cover helps define Howey neighborhoods. Mr. Harowski recommended using a sweet bay magnolia for a preference for a street tree in lots with a smaller amount of space.

Motion made by Councilor Miles to approve the staff recommendation, which requires lots greater than 26 feet from the front plane wall to the sidewalk to plant one street tree per the LDC,

corner lots or lots greater than 100 feet wide at the sidewalk being required to plant 2 street trees, lots with 20 to 26 feet being required to plant one of the following selected trees (Natchez Crepe Myrtle, Purple-leaf plum, sweet bay magnolia, or weeping bottlebrush), and lots with less than 20 feet being approved for a variance to alleviate the requirement to plant a street tree if the two required understory trees are in place per the LDC; existing, well-established trees in addition to the required understory trees may be counted as an alternative tree (this would be addressed on a case-by-case basis); seconded by Mayor Pro Tem Gallelli.

Mayor MacFarlane opened the Public Comment for this item only.

Renee Lannaman, 710 Calabria Way – Mrs. Lannaman thanked the Town Council for their motion on this item. Mrs. Lannaman said that she thought this motion would help the entire Town.

Diane Ballou, 1005 N Tangerine Ave – Mrs. Ballou questioned if this motion would affect all properties within the Town or just Venezia.

Joe Saladino, 500 Mission Lane – Mr. Saladino stated that he thought the small lots will have problems with building swimming pools and felt the Town should address this as well.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline stated that he felt that future developments should be required to have lot sizes to be able to require the trees in the LDC and have room for pools.

Donald Peterson – 1016 N Lakeshore Blvd. – Mr. Peterson spoke about Planned Unit Developments (PUDs). Mr. Peterson wants the Town to say “no” to PUDs. Mr. Peterson said that he believed that Florida Statutes required PUD agreements having an end date of not more than 30 years in length.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated he was previously in favor of higher taxes because he thought it would keep people out of the Town. Mr. Tuite stated that he thought the lot sizes that have been approved for PUDs in Town are much too small. Mr. Tuite also stated that he wants the requirement which is in the LDC to only allow 50% impervious space on lots to be enforced.

Frances Wagler, 409 W Central Ave – Mrs. Wagler stated she felt that builders should be fined if they build a house that violates setback requirements.

Joshua Husemann, 671 Avila Place – Mr. Husemann said that he appreciates the Town looking into this issue. Mr. Husemann stated that there were two different version of Natchez Crepe Myrtle, the multi-trunk version, and the single-trunk version. He did not believe that the Town wanted to allow the multi-trunk version, as he believed it would not work well as an understory or canopy tree.

Marcia Meiring, 300 E Croton Way – Mrs. Meiring asked for more information about the Central Lake CDD. Mrs. Meiring also believes that the Town needs more commercial properties.

Mayor MacFarlane closed Public Comment for this item.

Councilor Miles made two amendments to his motion, in the portion of his motion that references what tree would be required to be planted on lots with 20 to 26 feet, that the Natchez Crepe Myrtle version that was allow will be the single-trunk version and that Chickasaw Plum(which replaces the Flowering dogwood on the staff recommendation) also be added to the list; amendment to the motion was seconded by Mayor Pro Tem Gallelli. Amendment to the motion was allowed. Motion was approved unanimously by roll-call vote.

Voting

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

Nay: None

4. **Consideration and Approval: Lake County League of Cities Annual Selection to the League's Board of Directors**

Mayor MacFarlane asked Town Administrator, Sean O'Keefe, to introduce and explain this topic. Mr. O'Keefe explained the purpose of the Lake County League of Cities. He also explained that the previous primary representative was Mayor MacFarlane, and the secondary representative was Sean O'Keefe.

Councilor Miles asked if Mayor MacFarlane and Mr. O'Keefe were willing to remain in their representative roles for the Town. Mayor MacFarlane and Mr. O'Keefe stated that they were.

Mayor MacFarlane opened the Public Comment for this item only. Seeing as there was no public comment, Mayor MacFarlane closed Public Comment.

Motion made by Councilor Miles to reappoint Mayor MacFarlane as the primary representative and Town Manager, Sean O'Keefe, as the secondary representative to the Lake County League of Cities; seconded by Councilor Lehning. Motion passed unanimously by roll-call vote.

Voting

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

Nay: None

DEPARTMENT REPORTS

5. **Town Administrator / Finance Manager Reports**

Town Administrator, Sean O'Keefe, gave a brief description of the Town's relationship with the Central Lake CDD. The Central Lake CDD sells wastewater treatment capacity to the Town and the Town becomes a retailer for wastewater services. Mr. O'Keefe stated that the Town has contracted the FGUA to complete a feasibility study on water and wastewater needs of the Town.

Mr. O'Keefe stated that there has been a continuance on the Simpson Parcel Project and there would be an information meeting about the Simpson Parcel Project at the Marianne Beck Memorial Library on Monday, October 3rd at 6:00 pm.

Mr. O'Keefe stated that Captain Larry Chester would be retiring from the Howey-in-the-Hills Police Department on Friday September 30th. Captain Chester was retiring after 18 years of service to the Town.

Mr. O'Keefe stated that the Town was working with the Florida Department of Emergency Management to acquire funding for two generators that would service the two Venezia wastewater lift stations. Each generator would cost approximately \$100,000. Public Works Director, Morgan Cates, will be soliciting quotes for erecting fences around the Central Park and Griffin Park lift stations. Councilor Miles wanted to make a motion to require the Town to erect fences around the two lift stations, with the cost not to exceed \$2,500. Mayor MacFarlane stated that this was the report section of the meeting, and it was not appropriate for the Town Council to make this decision without allowing the public to comment on the item, and that this motion would need to wait for a future meeting.

COUNCIL MEMBER REPORTS

6. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli stated that the public needed to be prepared for the approaching hurricane. She also applauded the public for attending the meeting

7. Councilor Lehning

Councilor Lehning also thanked the public for attending the Town Council meeting.

8. Councilor Miles

Councilor Miles had nothing further to report.

9. Councilor Klein

Councilor Klein questioned how the portable generator that the Town has will work for the two Venezia lift stations if the Town loses power.

10. Mayor MacFarlane

Mayor MacFarlane explained that PUDs have a benefit that they require land to be put aside for greenspace, Institutional zoning, or Commercial zoning. Mayor MacFarlane also stated that the Town does have a walkable downtown plan. Mayor MacFarlane stated that the Town needs a professional assessment of the Town that would give the Town marketing promotional materials to help promote what is wonderful about Howey.

Code Enforcement Officer Botts asked for clarification on agenda item #3. Councilor Miles and Mayor MacFarlane stated that the motion pertained to primarily Venezia and Talichet developments. It was noted that there was a consensus from the Town Council for the Town Manager to start the process of amending the Land Development Code into compliance with the motion that was approved by agenda item #3. Azure stated that she will prepare an Ordinance that will make the LDC comply with the motion made in agenda item #3 and that she will hold off on enforcement until the Town has that Ordinance in place.

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.

Rene Lannaman, 710 Calabria Way – Mrs. Lannaman suggested that what was discussed tonight be put into writing.

Janet Pratt, 1102 E Mission Lane – Mrs. Pratt asked if agenda item #3 affects all properties or just Venezia and Talichet. Councilor Miles stated that, if the tree items are placed in the LDC, it will affect everyone within Town. Mayor MacFarlane stated that future development agreement will adhere to the Town's LDC.

ADJOURNMENT


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

The Meeting adjourned at 8:00 p.m. | **Attendees: 44**



Mayor Martha MacFarlane

ATTEST:



John Brock, Town Clerk

