



Town Council Meeting

January 10, 2022 at 6:00 PM

In Person and via Zoom

Join Zoom Meeting:

<https://us06web.zoom.us/j/83076645833?pwd=NXQ1ZkxBNDZhWjdsTDJRd1ptTUZBUT09>

Meeting ID: 830 7664 5833 | Passcode: 175219

Due to COVID-19, the Town of Howey-in-the-Hills is limiting the number of public attendees at meetings to 10 individuals. The Town of Howey-in-the-Hills is also requesting all audience members to wear masks when attending the meeting. The Town encourages everyone who is interested in participating in the meeting to join virtually via ZOOM.

AGENDA

Call the Town Council Meeting to order
Pledge of Allegiance to the Flag

ROLL CALL

Acknowledgement of Quorum

AGENDA APPROVAL/REVIEW

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 December 13, 2021 Town Council Meeting.
- 2.** The approval of the minutes and ratification and confirmation of all Town Council actions at the December 30, 2021 Town Council Workshop Meeting.

PUBLIC HEARING

- 3.** Consideration and Approval: (adoption hearing) **Ordinance 2021-011 Property Rights Comprehensive Plan Amendment**

OLD BUSINESS

- 4.** Discussion: **Charter Review Workshop Date Selection**

NEW BUSINESS

- [5.](#) Consideration and Approval: **Appointment of Thomas Silvanic to the Town's Parks & Recreation Board.**
- [6.](#) Consideration and Approval: **Sale of Town-owned parcel**

DEPARTMENT REPORTS

- [7.](#) Town Hall
- [8.](#) Police Department
- [9.](#) Code Enforcement
- [10.](#) Public Services
- [11.](#) Library
- [12.](#) Parks & Recreation Advisory Board / Special Events
- [13.](#) Town Attorney
- [14.](#) Town Administrator / Finance Manager - Finance and Development Reports

COUNCIL MEMBER REPORTS

- [15.](#) Mayor Pro-Tem Conroy
- [16.](#) Councilor Lehning
- [17.](#) Councilor Gallelli
- [18.](#) Councilor Klein
- [19.](#) Councilor MacFarlane

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.

ADJOURNMENT

To Comply with Title II of the Americans with Disabilities Act (ADA):

Qualified individuals may get assistance through the Florida Relay Service by dialing 7-1-1. Florida Relay is a service provided to residents in the State of Florida who are Deaf, Hard of Hearing, Deaf/Blind, or Speech Disabled that connects them to standard (voice) telephone users. They utilize a wide array of technologies, such as Text Telephone (TTYs) and ASCII, Voice Carry-Over (VCO), Speech to Speech (STS), Relay Conference Captioning (RCC), CapTel, Voice, Hearing Carry-Over (HCO), Video Assisted Speech to Speech (VA-STs) and Enhanced Speech to Speech.

Howey Town Hall is inviting you to a scheduled Zoom meeting.

Topic: **Town Council Meeting**

Time: **Jan 10, 2022 06:00 PM Eastern Time (US and Canada)**

Join Zoom Meeting

<https://us06web.zoom.us/j/83076645833?pwd=NXQ1ZkxBNDZhWjdsTDJRd1ptTUZBUT09>

Meeting ID: 830 7664 5833

Passcode: 175219

Dial by your location

+1 646 558 8656 US (New York)

+1 346 248 7799 US (Houston)

Meeting ID: 830 7664 5833

Passcode: 175219

Find your local number: <https://us06web.zoom.us/u/kdCs0wixlF>

Please Note: In accordance with F.S. 286.0105: Any person who desires to appeal any decision or recommendation at this meeting will need a record of the proceedings, and that for such purposes may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based. The Town of Howey-in-the-Hills does not prepare or provide this verbatim record. Note: In accordance with the F.S. 286.26: Persons with disabilities needing assistance to participate in any of these proceedings should contact Town Hall, 101 N. Palm Avenue, Howey-in-the-Hills, FL 34737, (352) 324-2290 at least 48 business hours in advance of the meeting.



Town Council Meeting

December 13, 2021 at 6:00 PM

In Person and via Zoom

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 read a poem by Jim Steele, "Grandpa's Advice".

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT:

Councilor George Lehning | Councilor Marie V Gallelli | Councilor Rick Klein | Mayor Pro-Tem Ed Conroy | Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Administrator | John Brock, Town Clerk | Rick Thomas, Police Chief | Morgan Cates, Public Works Director | Tara Hall, Library Director | Thomas Wilkes, Town Attorney (Zoom) | Tom Harowski, Town Planner (Zoom) | James Southall, Public Utilities Supervisor (Zoom)

AGENDA APPROVAL/REVIEW

Motion made by Mayor Pro-Tem Conroy to approve the agenda; Seconded by Councilor Gallelli. Motion was approved unanimously by voice vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, 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 July 13, 2021 Town Council Workshop Meeting.
2. The approval of the minutes and ratification and confirmation of all Town Council actions at the July 29, 2021 Town Council Workshop Meeting.

3. The approval of the minutes and ratification and confirmation of all Town Council actions at the November 29, 2021 Town Council Meeting.

Motion made by Mayor Pro-Tem Conroy to approve the consent agenda; Seconded by Councilor Lehning. Motion approved unanimously by voice vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

4. Consideration and Approval: **Appointment of Ariel J. Quinones to the Town's Parks & Recreation Board.**

Mayor MacFarlane asked Mr. Quinones to speak on his behalf. Mr. Quinones explained why he would like to participate in the Town's Parks and Recreation Board and about his background.

Pat Miller, Parks and Recreation Board Chair, thanked AJ Quinones for applying to be a member on the board.

Motion made by Mayor Pro-Tem Conroy to approve the appointment of Ariel J. Quinones as a Board Member to the Parks and Recreation Board; Seconded by Councilor Lehning. Motion approved unanimously by voice vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

5. Consideration and Approval: **Library Education Center (LEC) – Reservation Form, Agreement, and Addendum**

Marcia Schneider, Library Board Member, presented this item. Mrs. Schneider explained that these agreements were modeled after the Leesburg reservation forms.

Councilor Gallelli suggested that, even though the library would not be charging for the use of the LEC room, they should ask for a donation for the use of the room.

Councilor Lehning asked if the Town's insurance covered the use of the LEC room. Sean O'Keefe stated that he would check with the Town's insurance company to ensure the town was covered.

Mayor MacFarlane opened Public Comment for this item. Seeing that there was no comment, Mayor MacFarlane closed Public Comment.

Motion made by Mayor Pro-Tem Conroy approve the Reservation Form, Agreement and Addendum; Seconded by Councilor Klein. Motion approved unanimously by voice vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

6. Consideration and Approval: **Talichet Phase 2 – Engineering Plan**

Mayor MacFarlane asked Tom Harowski to present this item. Mr. Harowski stated that the Engineering aspects of the submission were reviewed by the Town Engineer, and he had deemed them acceptable. Mr. Harowski said that the last piece that was in question was the applicant's tree mitigation portion of the submittal. Town Administrator, Sean O'Keefe, presented the applicant's tree mitigation plan and the applicant's arborist report.

Mayor MacFarlane opened Public Comment for this item. Seeing that there was no comment, Mayor MacFarlane closed Public Comment.

Motion made by Councilor Gallelli to approve the Talichet Phase 2 Engineering Plans; Seconded by Mayor Pro-Tem Conroy. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

7. Consideration and Approval: **Transfer of ownership of the Troop 254 trailer**

Sean O'Keefe, Town Administrator, presented this item and explained the staff report for this item.

Kevin Maxwell, one of the leaders for the troop asking for the transfer of the trailer, answered questions.

Mayor MacFarlane opened Public Comment for this item. Seeing that there was no comment, Mayor MacFarlane closed Public Comment.

Motion made by Mayor Pro-Tem Conroy to approve transfer of ownership to Troop 1513 (Troops of St. George) with the caveat of the return of the trailer and its original contents to town ownership if the troop were to dissolve within a 3-year period, as well that any cost of tag, title, and registration would be borne by the troop and managed before the removal of the trailer from Public Works; Seconded by Councilor Gallelli. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

8. Consideration and Approval: **Authorization to execute purchasing agreement for the land for Well #5**

Sean O'Keefe, Town Administrator, presented this item and explained the staff report for this item.

Mayor Pro-Tem Conroy stated that he would like to see a presentation on the proposed water plant at a future meeting.

Mayor MacFarlane opened Public Comment for this item.

Peter Tuite, 300 E Croton Way – Mr. Tuite explained that there was a small town in south Florida that had an issue with their water system getting hacked into and he wanted to make sure that the Town's water system was safe.

Motion made by Mayor Pro-Tem Conroy to approve executing this agreement pending legal approval; Seconded by Councilor Klein. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

9. Discussion and Approval: **ARPA NEU Staff Payment**

Mayor Martha MacFarlane explained how stay bonuses were paid last year to public-facing employees with CARES Act funds, she then asked Town Administrator, Sean O'Keefe, to present this year's plan. Mr. O'Keefe explained that the Town had received ARPA funds this year and an appropriate use for some of those funds would be to pay a stay bonus to Town employees that have had to work through the COVID-19 public health emergency and did not have the ability to telework from home. The Town would like to provide a one-time payment from the ARPA earmarked funds to the Town's employees and this payment would not exceed an aggregate total of \$20,000 for all employees. This would not be a merit-based bonus but would be considered premium pay for working through the COVID-19 public health emergency. The plan would be constructed by the Mayor and Town Administrator to be a total of \$20,000 or less.

Councilor Klein stated that he thought this was a great idea.

Mayor MacFarlane opened Public Comment for this item.

Berniece Hower, 444 Bellissimo Place – Mrs. Hower stated that she thought this was a wonderful idea.

Peter Tuite 300 E Croton Way – Mr. Tuite stated that he agreed, and that this was a great idea.

Motion made by Mayor Pro-Tem Conroy to approve up to \$20,000 from the ARPA funds to be used as a one-time premium pay, with the plan for disbursement, including the individual amounts, to be designed by the Mayor; Seconded by Councilor Gallelli. Motion approved unanimously by roll call vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane

Nay: None

10. Discussion: **County-proposed changes to the Inter-local Service Boundary Agreement (ISBA)**

Town Administrator, Sean O'Keefe introduced this topic. Mr. O'Keefe stated that Lake County Board of County Commissioners Chair, Sean Parks, had sent the town a letter which stated that the County Commissioners were interested in amending the agreed upon ISBA to exclude those areas of land called Rural Protection Areas (RPAs). No development could occur in those areas, nor could annexation or provision of utilities be provided for these RPAs.

Mayor Pro-Tem Conroy suggested that the Town should send a strong message to the County that Town was not in favor of this proposal.

Councilor Lehning and Klein stated that the town should be in charge of the Town's ISBA area and not give up any of that property.

Mayor MacFarlane agreed and stated that she thought this proposal from the county was unacceptable. Mayor MacFarlane stated that the town would draft a letter of response to Commissioner Shields and the other members of the Lake County Board of County Commissioners. This letter would explain that the town wanted to maintain its ISBA boundaries as they stood.

Mayor MacFarlane opened Public Comment for this item. Seeing that there was no comment, Mayor MacFarlane closed Public Comment.

11. Discussion: **Downtown Sewer Hookup Plan**

Mayor MacFarlane asked Sean O'Keefe, Town Administrator, to introduce this topic. Mr. O'Keefe explained that the Downtown Sewer Project is almost completed and would give the Town a potential of 20 sewer hook-ups. He suggested that, as a minimum, the Town should require any new construction on these lots should be required to hook-up to the sewer and not install new septic systems. Also, as a minimum, the Town should require residents with access to sewer, to connect to the sewer system if/when their septic system fails.

Morgan Cates, Director of Public Works, stated that the town should look into applying for grant funds to help residents hook up to the sewer without having to pay anything.

Mayor MacFarlane opened Public Comment for this item.

Berniece Hower, 444 Bellissimo Place – Mrs. Hower asked if the Library, Town Hall, Police Station and new modular building were connected to the sewer.

Doug Hower, 444 Bellissimo Place – Mr. Hower indicated that the cost of tying into a sewer system used to be as high as \$8,000 in the late 1980s. Mr. Hower also asked for a definition of septic system failure.

12. Discussion: **OnSyte Grant Award Implementation**

Town Administrator, Sean O'Keefe, explained that the Town was successfully awarded a \$400,000 grant for implementation of a Distributed Wastewater replacement System, such as Onsyte. Lake County also applied for this grant and was awarded \$1,000,000. These grants were through the Florida Department of Environmental Protection. These grants are designed to cover half the cost of a landowner switching over to these systems, which are better for the environment. Staff recommendation would be to proceed forward with offering this program to residents, to establish a level of interest, and determine the minimum number of required customers to ensure successful implementation.

Mayor MacFarlane opened Public Comment for this item.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that he didn't think that the Onsyte system would work, and he was not in favor of them.

DEPARTMENT REPORTS

13. Town Hall

John Brock, Town Clerk, presented the November 2021 Town Hall Report. Mr. Brock stated that in November, Town Hall hired Brianna Pino to be the new front counter Administrative Assistant. Also, Mr. Brock is in the process of implementing the Municode Agenda and Meetings application. Mr. Brock gave the permits and bad debt reports for November 2021.

14. Police Department

Chief Thomas gave the department report for the Police Department and gave a re-cap of the police involvement with Town Christmas Festival. Chief Thomas stated that Town's new emergency sign board is in and was currently being used. Also, Chief Thomas stated that he was helping Town Hall acquire a new 86" smartboard for the Town Hall Chamber.

15. Code Enforcement

Chief Thomas stated that Code Enforcement Officer Botts has been busy working on rewriting some of the Town's ordinances. Also, Officer Botts will be going to school to become a certified fire inspector for the Town in January 2022.

16. Public Works

James Southall, Public Utilities Supervisor, presented the monthly report for Public Services.

17. Library

Library Director, Tara Hall, gave the monthly report for the library.

18. Parks & Recreation Advisory Board / Special Events

Pat Miller, Parks & Recreation Board Chair, welcomed AJ Quinones to the Board and Morgan Cates to the Town.

19. Town Attorney

None

20. Town Administrator / Finance Manager - Finance and Development Reports

Town Administrator, Sean O'Keefe, presented the monthly Finance and Development report. Mayor Pro-Tem Conroy suggested that the Town pay off the Seaside small business loan to save 4.75% interest that the Town is paying on it. Mr. O'Keefe explained that the CDD has requested that the Town host a meeting which would bring together all developers that have not yet reserved capacity for wastewater with the CDD.

COUNCIL MEMBER REPORTS

21. Mayor Pro-Tem Conroy

Mayor Pro-Tem Conroy explained that he has been elected to the MPO executive board and the Town needs to designate an alternate member to the MPO.

22. Councilor Lehning

Councilor Lehning asked if there were any dates set for the upcoming Charter amendment workshop.

23. Councilor Gallelli

Councilor Gallelli welcomed Morgan Cates to the Public Works Director position.

24. Councilor Klein

Councilor Klein wished everyone Merry Christmas.

25. Mayor MacFarlane

Mayor MacFarlane thanked all the participants and sponsors of the Town's Christmas Festival. Councilor Lehning expressed that the Town owes a round of applause to Mayor MacFarlane for chairing the Christmas Festival committee and all the hard work she put into making it a success.

CITIZEN 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.

Berniece Hower, 444 Bellissimo Place – Mrs. Hower wished everyone a Merry Christmas.

ADJOURNMENT

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

The Meeting adjourned at 8:27 p.m. | **Attendees: 29**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk



**Town Council Workshop
Meeting
December 30, 2021 at 10:00 AM
In Person and via Zoom**

MINUTES

Mayor MacFarlane called the Town Council Workshop Meeting to order at 10:00 a.m.
Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag.

ROLL CALL

Acknowledgement of Quorum

MEMBERS PRESENT:

Councilor George Lehning | Councilor Marie V Gallelli (Virtually via ZOOM) | Councilor Rick Klein | Mayor Pro-Tem Ed Conroy (Virtually via ZOOM) | Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Administrator | John Brock, Town Clerk | Morgan Cates, Public Works Director | Thomas Wilkes, Town Attorney (Zoom) | Tom Harowski, Town Planner (Zoom)

NEW BUSINESS

1. Discussion: Upcoming CDD/Developer Wastewater Meeting

Mayor MacFarlane asked Town Administrator, Sean O'Keefe, to introduce this topic. Mr. O'Keefe presented this discussion item and explained the current situation with the Central Lake Community Development District (CDD) providing wastewater utility services to parts of the Town. Mr. O'Keefe explained that the CDD had requested that the Town host a meeting on January 6, 2022 with all potential future developers in Howey-in-the-Hills Interlocal Service Boundary Agreement (ISBA) area who had not already secured wastewater rights with the CDD. The CDD would like to use this meeting to get assurances of funding from the developers to expand their wastewater plant. Some of the developers that had been invited to the January 6th meeting included Whispering Hills, Simpson Development, Lake Hills (or Four Seasons Development), Drake Point, Thompson Grove, Westminster / Marina Property, Silver Springs Citrus Plant, and the developer of the Daryl Carter parcels (due west of Mission Inn).

A second aspect of the discussion was that the Town was approached by the CDD with an amended and restated agreement between the Town and the CDD. Mr. O'Keefe explained that there are four major differences that the CDD had proposed in the amendment to the agreement. Those difference were: 1) Several additional parcels of land had been asked to be excluded from the Town's ISBA service area and be given to the CDD as the sole water and wastewater customers of the CDD. 2) A 56% rate

increase in the cost for Town wastewater customers was proposed. 3) A clear and free access between the marina property and Mission Inn property to run pipes or other items between those areas with no cost, service charges, or fees to do so was requested. 4) A clause that the CDD be given full exclusivity as the Town's only provider of wastewater services was requested.

Mayor MacFarlane explained that the Town's Interlocal Service Boundary Agreement (ISBA) is with Lake County and other municipalities within Lake County. This ISBA agreement shows where the Town can annex future parcels of land and where the Town can provide utilities, specifically water and wastewater.

Town Administrator O'Keefe was looking for a consensus from the Town Council as to how to proceed with negotiations with the CDD and if the Town Council would like the Town staff to investigate alternative avenues for providing wastewater utility services to new developments within the Town's ISBA area.

Town Attorney, Tom Wilkes, was asked to explain what a CDD is and how utility rate changes were authorized. Mr. Wilkes explained how Community Development Districts are created and how they were authorized to operate utilities. Mr. Wilkes also explained that the Central Lake CDD was able to raise rates on Town residents through three different ways. Those ways are: 1) They can raise their rates once a year by a national index 2) They can have an engineer complete a rate study which would warrant an increase based on cost 3) They could get the Town to voluntarily agree to the increase through an amended agreement. Mr. Wilkes made three recommendations for the Town, namely: the Town should object to the Central Lake CDD trying to increase its boundaries; the Town should hold the CDD to its agreement with regards to rate increases; and the Town should object to and not allow the CDD to be given exclusivity as the wastewater utility supplier for the Town.

Mayor Pro-Tem Conroy recommended that the Town hire a professional negotiator to lead the negotiations with the CDD.

Public Works Director, Morgan Cates, suggested that there were other options for wastewater services. The Town could allow package plants for developments, which would be controlled by the Town.

Mayor MacFarlane stated that the Town negotiates with each individual developer based on the guiding principles of the Town's Comprehensive Plan.

Mayor Pro-Tem Conroy suggested that Mr. O'Keefe go into the January 6th meeting and find out what CDD and Developers want and then come back to Town Council and ask for approval if necessary.

Town Administrator, Sean O'Keefe, stated that it appeared that the will of the Town Council was that the Town Council does not want to let the CDD have *de facto* exclusivity of wastewater utility service for the next 25 years or so. Councilor Klein agreed with Mr. O'Keefe and other Town Councilors nodded their heads in agreement.

Mr. O'Keefe summarized that it seemed like the Town Council wanted the Town staff to move forward with pursuit of all possible options, up to and including retaining experts like Woodard and Curran to assist with securing funding and engineering plans to create the Town's own wastewater plants and to look at implementing impact fees for wastewater services as a source of future funding.

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.

Sal Gallelli, 1104 N Tangerine Ave - Mr. Gallelli spoke about a time in the past when he called into a radio show and asked the former Mayor of Leesburg if Leesburg could supply sewer services to the Town of Howey-in-the-Hills. The former Mayor of Leesburg stated at that time that the Town of Howey-in-the-Hills had not approached Leesburg. Mr. Gallelli stated that the Town should maybe speak Leesburg about supplying sewer services.

Berniece Hower, 444 Bellissimo Place – Mrs. Hower stated that there are a lot of factors that the Town would need to consider and that possibly the Town should postpone the January 6th meeting.

ADJOURNMENT

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

The Meeting adjourned at 11:43 a.m. | **Attendees: 13**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk



Date: January 10, 2022

To: Mayor and Town Council

From: Thomas Harowski, AICP, Planning Consultant

Re: Ordinance 2021-011 Property Rights Element

Objective: Adopt amendment to the Town's comprehensive plan adding a property rights element as required by state law.

Summary: The 2021 Florida Legislature adopted a requirement that all local governments include a property rights element as part of their comprehensive plan. The statutory requirement includes four specific items which are to be included in the property rights element. The state requires that this addition be in the form of an individual element rather than having the required policies included as a part of another comprehensive plan element. Staff has drafted a proposed amendment in the same format as the other elements of the Town's comprehensive plan. The draft element sets a goal, an objective, and a series of four policies that are drawn directly from the statutory requirements. The proposed amendment is basically the minimum addition the Town can make and comply with the requirements. On December 22, 2021, DEO issued their letter of no objection to the proposed element. No other comments have been received by the Town. This action clears the way for the Town to hold its adoption hearing and complete the amendment process.

Possible Motions:

The Town Council has the following options:

1. The Town Council motions to approve
OR
2. The Town Council motions to approve with the following conditions
OR
3. Motion to Deny

Fiscal Impact: There should be no fiscal impact from the proposed action.

Staff Recommendation: Staff recommends approval. The Town's Planning Board also recommended approval of the item.

ORDINANCE NO. 2021-011

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO PROPERTY RIGHTS; AMENDING THE TOWN'S COMPREHENSIVE PLAN BY ADDING A NEW PROPERTY RIGHTS ELEMENT AS REQUIRED BY CHAPTER 163 OF FLORIDA STATUTES; PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Whereas, Section 163.3167, Florida Statutes, requires the Town of Howey-in-the-Hills to maintain a comprehensive plan to guide its future development and growth; and

Whereas, Section 163.3177(6)(i)1., Florida Statutes, requires the Town of Howey-in-the-Hills comprehensive plan to include a property rights element; and

Whereas, the Town of Howey-in-the-Hills respects judicially acknowledged and constitutionally protected private property rights; and

Whereas, the Town of Howey-in-the-Hills respects the rights of all people to participate in land use planning processes; and

Whereas, this ordinance will amend the comprehensive plan by adding a property rights element; now therefore:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA:

Section 1. Recitals. That the foregoing “whereas” clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

Section 2. Amendment. The Town of Howey-in-the-Hills comprehensive plan is amended by adding the property rights element attached as **EXHIBIT A** and made a part of this ordinance as if set forth in full.

Section 3. Conflicts. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby superseded to the extent of such conflict.

Section 4. Codification. It is the intent of the Town Council that Exhibit A to this Ordinance shall become and be made a part of the Town of Howey-in-the-Hills Comprehensive Plan. Other sections of this Ordinance need not and shall not be codified.

Section 5. Severability. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

Section 6. Effective Date. This ordinance and its Exhibit A shall become effective immediately upon its passage and approval as a non-emergency ordinance at two regular meetings of the Town Council.

PASSED AND ORDAINED this 10th day of January, 2022, by the Town Council of the Town of Howey-in-the-Hills, Florida.

Martha MacFarlane, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY
for use and reliance by the Town of Howey-in-the-Hills, Florida, only.

John M Brock, Town Clerk

Thomas J Wilkes, Town Attorney

Planning & Zoning Reading held October 28, 2021
Advertising First Town Council Reading October 29, 2021
First Reading and Transmittal held November 8, 2021
Advertising Second Town Council Reading January 3, 2022
Second Reading and Adoption held January 10, 2022

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ATTACHMENT A
TOWN OF HOWEY-IN-THE-HILLS
COMPREHENSIVE PLAN
PROPERTY RIGHTS ELEMENT
CHAPTER 12

PROPERTY RIGHTS ELEMENT



TOWN OF HOWEY-IN-THE-HILLS

LAKE COUNTY, FLORIDA

ADOPTED ON

**PROPERTY RIGHTS ELEMENT
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| B. | PROPERTY RIGHTS GOALS, OBJECTIVES AND POLICIES | Error! Bookmark not defined. |

CHAPTER 12 PROPERTY RIGHTS ELEMENT

Introduction

The purpose of the *Property Rights Element* is to ensure that specific property rights as enumerated by the Florida legislature are considered in the decision-making process for preparing and implementing the Town's comprehensive plan. These property rights are specified in Florida Statutes 163.3177(6)(i) adopted in 2021. These property rights are required to be addressed in a separate element.

The Town intends that its planning process be open and transparent with regard to any decision making that applies to amendments to the comprehensive plan and the land development code. Chapter 10 of the comprehensive plan provides a detailed program for public participation including a set of goals, objectives and policies. The public participation process is also guided by a set of standards adopted in the Town's land development regulations that require a level of public notice that in many cases exceeds the requirements of State law.

PROPERTY RIGHTS GOALS, OBJECTIVES AND POLICIES

As required by Ch. 163.3177 F.S., the following procedures are adopted to guide and assist the Town Council, Town Staff and the public in addressing property rights in the planning and development regulatory process..

GOAL 12 The Town of Howey-in-the-Hills will make planning and development decisions with respect for property rights and with respect for people's rights to participate in decisions that affect their lives and property.

OBJECTIVE 12.1: *Property Rights* . The Town of Howey-in-the-Hills will respect judicially acknowledged and constitutionally protected private property rights.

POLICY 12.1.1: *Right to Possess and control Property.* The Town of Howey-in-the-Hills will consider in its decision-making the right of a property owner to physically possess and control his or her interests in the property, including easements, leases, or mineral rights.

POLICY 12.1.2 *Right to Use and Improve Property.* The Town of Howey-in-the-Hills will consider in its decision-making the right of a property owner to use, maintain, develop, and improve his or her property for personal use or for the use of any other person, subject to state law and local ordinances.

POLICY 12.1.3 *Right to Privacy.* The Town of Howey-in-the-Hills will consider in its decision-making the right of the property owner to privacy and to exclude others from the property to protect the owner's possessions and property.

POLICY 12.1.4 *Right to Dispose of Property.* The Town of Howey-in-the-Hills will consider in its decision-making the right of a property owner to dispose of his or her property through sale or gift.



TMHConsulting@cfl.rr.com
97 N. Saint Andrews Dr.
Ormond Beach, FL 32174
PH: 386.316.8426

MEMORANDUM

TO: Town of Howey-in-the-Hills Town Council
CC: J. Brock, Town Clerk; S. O'Keefe, Town Administrator
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Comprehensive Plan Property Rights Element
DATE: December 22, 2021

The 2021 Florida Legislature adopted a requirement that all local governments include a property rights element as part of their comprehensive plan. The statutory requirement includes four specific items which are to be included in the property rights element. The state requires that this addition be in the form of an individual element rather than having the required policies included as a part of another comprehensive plan element.

Staff has drafted a proposed amendment in the same format as the other elements of the Town's comprehensive plan. The draft element sets a goal, an objective, and a series of four policies that are drawn directly from the statutory requirements. The proposed amendment is basically the minimum addition the Town can make and comply with the requirements. Most observers believe all the items required to be in the property rights element are already established either specifically in Florida law or by case law from previous litigation so there is no reason to propose an expansive list of items to be included.

A draft of the proposed element is attached. If approved, the element would become the twelfth chapter of the comprehensive plan. Based on the Town's procedures for amending the comprehensive plan, the Planning Board is required to make a recommendation to the town Council. Action on this item is important as the new state statute prohibits amendments to the comprehensive plan until the property rights element is adopted. Staff recommends approval of the proposed element.

On October 28, 2021, the Town conducted a transmittal hearing of the proposed amendment and first reading of the adopting ordinance. Subsequent to the transmittal hearing, copies of the proposed Property Rights Element were sent to the Department of Economic Opportunity, various state agencies as required and Lake County for review and comment. On December 22, 2021, DEO issued their letter of no objection to the proposed element. No other comments have been received by the Town. This action clears the way for the Town to hold its adoption hearing and complete the amendment process.

PROPERTY RIGHTS ELEMENT



TOWN OF HOWEY-IN-THE-HILLS

LAKE COUNTY, FLORIDA

ADOPTED ON

**PROPERTY RIGHTS ELEMENT
TABLE OF CONTENTS**

A. INTRODUCTION3

B. PROPERTY RIGHTS GOALS, OBJECTIVES AND POLICIES **Error! Bookmark not defined.**

CHAPTER 12 PROPERTY RIGHTS ELEMENT

Introduction

The purpose of the *Property Rights Element* is to ensure that specific property rights as enumerated by the Florida legislature are considered in the decision-making process for preparing and implementing the Town's comprehensive plan. These property rights are specified in Florida Statutes 163.3177(6)(i) adopted in 2021. These property rights are required to be addressed in a separate element.

The Town intends that its planning process be open and transparent with regard to any decision making that applies to amendments to the comprehensive plan and the land development code. Chapter 10 of the comprehensive plan provides a detailed program for public participation including a set of goals, objectives and policies. The public participation process is also guided by a set of standards adopted in the Town's land development regulations that require a level of public notice that in many cases exceeds the requirements of State law.

PROPERTY RIGHTS GOALS, OBJECTIVES AND POLICIES

As required by Ch. 163.3177 F.S., the following procedures are adopted to guide and assist the Town Council, Town Staff and the public in addressing property rights in the planning and development regulatory process.

GOAL 12 The Town of Howey-in-the-Hills will make planning and development decisions with respect for property rights and with respect for people's rights to participate in decisions that affect their lives and property.

OBJECTIVE 12.1: *Property Rights.* The Town of Howey-in-the-Hills will respect judicially acknowledged and constitutionally protected private property rights.

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Date: January 7, 2022

To: Mayor and Town Council

From: John Brock, Town Clerk

Re: Consideration and Approval: Appointment of Thomas Silvanic to the Town's Parks & Recreation Board.

Objective:

Appointment of resident to a seat on the Parks & Recreation Advisory Board.

Summary:

[Narrative, potentially several paragraphs, including details on relevant history, agreements and understandings, individual and cumulative costs, and project measurements, as well as roles of project stakeholders.]

The Town's Parks & Recreation Advisory Board should have 5 members. Currently this board only have four members appointed to it. Appointment to this board would be for a two-year term. The Parks and Recreation board voted on 12/9/2021 to recommend Thomas Silvanic be appointed to the board. Mr Silvanic stated during the 12/9/2021 Parks and Recreation Board meeting that he spent 4 months a year up north, since then he has stated that he would fly back into Town to attend each of those meetings in person.

Possible Motions:

The Town Council has the following options:

1. The Town Council motions to appoint Thomas Silvanic to the Parks & Recreation Board for a two-year term.

OR

2. Motion to Deny

Fiscal Impact:

[Initial and/or Recurring Fiscal Impact, if any. Examples: N/A | There is no fiscal impact. (In-kind agreement) / Fiscal impact associated with this proposal has been included in, and accounted for, in the department's proposed budget for Fiscal Year 2021/2022]

None

Staff Recommendation:

The Parks and Recreation board voted on 12/9/2021 to recommend Thomas Silvanic be appointed to the board.

John Brock

From: rsmplm@aol.com
Sent: Friday, December 10, 2021 9:31 AM
To: John Brock
Subject: Park Applicants

TO: John Brock, Town Clerk

FROM: Pat Miller, Chair, Parks and Recreation Advisory Board

SUBJECT: New Applicants for Parks and Recreation Advisory Board

The Parks and Recreation "team" recommends both candidates, AJ Quinones, and Tom Silvanic, to town council for approval to join our Board. With these two appointments, we will have a full board and look forward to serving our community.

TOWN OF HOWEY-IN-THE-HILLS
APPLICATION FOR BOARDS/COMMITTEES

Item 5.

Please Print Legibly

Name: THOMAS SILVANIĆ Date: Nov. 11, 2021
Home Mailing Address: 201 N. DIXIE AVE. HOWEY IN THE HILLS, FL 34737
Home Physical Address: _____
Florida Drivers License or ID: _____
Phone Number: (863) 956-7023 E-mail Address: Footballtoms@gmail.com
Education: GRADUATE SYRACUSE UNIVERSITY - MASTERS: STATE UNIVERSITY
Business (Name & Type): OF NEW YORK AT CORTLAND
Business Address: PERMANENT TEACHING CERTIFICATION IN THE STATES OF
Business Phone: NEW YORK AND FLORIDA Position: HEALTH SCIENCE

Training or experience related to activities of boards or committees to which appointment is sought:

AMERICAN FOOTBALL COACHING: SCHOLASTIC, COLLEGIATE, PROFESSIONAL
Professional Organizations: AND INTERNATIONAL LEVELS. MEMBER NATIONAL FOOTBALL
LEAGUE RETIRED PLAYERS ASSOC., NFL ALUMNI, ORLANDO NFL RETIRED PLAYER

Have you served on a Town Board(s)/Committee(s) in the past?

Yes ☐ No ☒ CHAPTER

Name of Boards/Committee(s):

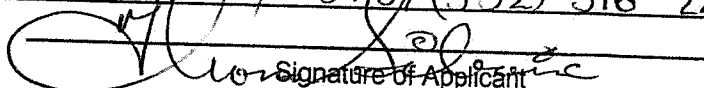
Dates Served:

Please check Board(s)/Committee(s) that interest you.

- | | |
|--|---|
| <input type="checkbox"/> Cemetery Board | <input type="checkbox"/> Police Pension Board |
| <input type="checkbox"/> Historic Preservation Board | <input type="checkbox"/> Utility Advisory Board |
| <input type="checkbox"/> Library Board | <input checked="" type="checkbox"/> Visioning Committee |
| <input checked="" type="checkbox"/> Parks & Recreation Board | <input type="checkbox"/> Other |
| <input type="checkbox"/> Planning & Zoning Board | <input type="checkbox"/> Other |

I will attend meetings in accordance with the adopted policies of the Town of Howey-in-the-Hills. If at any time my business or professional interests conflict with the interests of this Board or Committee, I will not participate in such deliberations. References may be secured from the following individuals:

| | Name | Address | Phone Number |
|---|------------------------|-------------------------------|-----------------------------|
| 1 | <u>BICK THOMAS</u> | <u>11 NORTH PALM HOWEY</u> | <u>34737 (352) 516-6218</u> |
| 2 | <u>DR. BORIS VATEV</u> | <u>202 N. DIXIE DR. HOWEY</u> | <u>34737 (352) 348-5352</u> |
| 3 | <u>PAUL PICKERN</u> | <u>203 N. DIXIE DR. HOWEY</u> | <u>34737 (352) 516-2249</u> |


Signature of Applicant

In completing this application, you are acknowledging that personal information you provide is subject to Florida's Public Records Policy as stated in Chapter 119, Florida Statutes, and Article I, Section 24 of the State Constitution.

Applicants are considered for board openings for which they apply without regard to race, color, religion, gender, sexual orientation, national origin, age, marital status, or the presence of a medical condition or disability. The Town of Howey-in-the-Hills will not tolerate any form of discrimination, harassment or retaliation affecting it employees or applicants due to race, color, religion, gender, sexual orientation, national origin, age, marital status, medical condition, or disability.

Chapter 49 - PARKS AND RECREATION BOARD

Sec. 49-1. - Establishment.

There is hereby created and established a parks and recreation board which shall aid the town council in such matters relating to parks and recreation as the council may from time to time request.

(Ord. No. 2010-001, § 2, 4-12-10)

Sec. 49-2. - Membership; terms of office; vacancies.

Members of the parks and recreation board shall be residents of the town. The parks and recreation board shall consist of five members who shall be appointed, subject to the approval of the town council, by the mayor. The terms of office for members of the parks and recreation board shall be two years, unless sooner removed by the council. The absence from more than three regular meetings during any calendar year by a member shall be considered a forfeiture of that member's seat on the board. In that event, the existence of the vacancy shall be noticed, and the board shall receive applications of interested persons seeking to fill the vacancy. The board shall consider the applications and make a recommendation to town council regarding the appointment of a new member to fill the unexpired term of the forfeiting member. Upon receipt of the recommendation, council shall appoint a new member to fill the unexpired term of the forfeiting member.

(Ord. No. 2010-001, § 2, 4-12-10)

Sec. 49-3. - Meetings; voting; officers.

The parks and recreation board may adopt such rules and regulations which it deems necessary to carry out the provisions of this resolution. However, the following rules shall apply to the parks and recreation board:

- (a) *Meetings.* The parks and recreation board shall hold one regularly scheduled meeting each month. Special meetings may be called by the chairman, when necessary.
- (b) *Voting.* Three members of the parks and recreation board shall constitute a quorum. Action of the parks and recreation board shall be by majority vote.
- (c) *Officers.* The parks and recreation board shall annually select from among its membership a chairman and a secretary. This annual selection shall occur at the regularly scheduled January meeting.
 - (1) The duties of the chairman shall be as follows:
 - a. To secure a meeting place for meetings;
 - b. To preside over meetings;
 - c. To call special meetings as necessary;
 - d. To attest to the accuracy of the minutes, prior to the minutes being submitted to the Town Council; and
 - e. To appoint subcommittees to assist the board in fulfilling its duties.
 - (2) The duties of the secretary shall be as follows:
 - a. To record the proceedings of all meetings of the board;
 - b. To promptly transcribe the minutes of all meetings of the board;
 - c. To ensure that notice of all meetings of the board has been properly provided; and

- d. To serve as chairman pro-tempore.

(Ord. No. 2010-001, § 2, 4-12-10)

Sec. 49-4. - Duties of the board.

In addition to any other assignment which may be requested by the council from time to time, the parks and recreation board shall have the following duties.

- (a) To study and make recommendations concerning the development and use of all parks, parkways, playgrounds, and other recreational facilities of the town.
- (b) To study and recommend reasonable rules and regulations in connection with the use of all parks, parkways, playgrounds, and other recreational facilities of the town.
- (c) To study and recommend the establishment, change, and modification of reasonable rates and charges for the use of any of the town recreational facilities, both as to resident and non-resident users.
- (d) To survey the need for improving existing recreational facilities and to recommend new and future parks, playgrounds, and recreational facilities for the purpose of meeting the needs of the public for adequate and sufficient recreational opportunities.
- (e) To serve as the Tree Preservation Board.

(Ord. No. 2010-001, § 2, 4-12-10)



Date: January 10, 2022
To: Mayor and Town Council
From: Sean O’Keefe, Town Administrator
Re: Consideration and Approval: Sale of Town-owned parcel

Objective:

To address a request for sale of a Town-owned parcel (Alternate Key 1257727).

Summary:

The Town received a request to consider sale of a parcel slightly smaller than five (5) acres (Alt. Key 1257727). This is not a standard parcel; not only is this parcel a brownfield divided by an easement, but in discovery it was found that there are some oddities in the history of the division of the original parcels that affect the use of not only this parcel but an adjacent, privately-owned parcel to the north as well (Alternate Key 3771630).

Selling this land for the highest offer would open up use of the nearby privately-owned parcel while bringing revenue to the Town. Although the Town’s parcel is of limited use, it is necessary to try to obtain a fair value and allow the opportunity for any other interested parties to make an offer.

Additionally, annexation of the parcel should be completed before offering the parcel for sale.

Fiscal Impact:

Revenue would include the transaction value of the sale, minus any applicable transaction fees.

Staff Recommendation:

Sell the land for the highest offer above a minimum established value.



TMHConsulting@cfl.rr.com
 97 N. Saint Andrews Dr.
 Ormond Beach, FL 32174
 PH: 386.316.8426

MEMORANDUM

TO: Sean O’Keefe, Town Administrator
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Hixson Industries Inquiry
DATE: December 30, 2021

Mr. Hixson has made an inquiry regarding two parcels of land with one parcel being privately owned (ALT 3771630) and one being owned by the Town as part of the old landfill (1257727). The applicant is interested in constructing a single-family residence on the private parcel and conducting an agricultural use (hydroponic garden) on the property currently owned by the Town. The applicant sought approval from Lake County to build on the privately owned land but was denied as the County believes that the old, platted lots 23, 24 and 25 were improperly subdivided in the past. The County is requiring the properties be re-united to create a legal building parcel. The two parcels together would comprise 6.65 acres. The applicant is asking the Town to consider selling the Town-owned portions of Lots 23, 24 and 25 to allow the three lots to be re-united.

Here are the options as I see them at this point. Other than a direct sale of the Town owned land, all the options are administratively cumbersome but possible.

Option 1: The Town agrees to sell the property in question and determines an acceptable price. The applicant then pursues the necessary approvals through Lake County. (Note: the property is designated as rural transition by the County comprehensive plan and zoned agriculture.)

Option 2: The Town agrees to annex the private parcel (and perhaps the landfill parcel if desired) and works out a program with a future land use designation and zoning that allows the residence with no farming activity. Annexation is needed to bring the collection of parcels under the Town land use and zoning rules, thus resolving the Lake County objections to developing the parcel.

Assigning a land use and zoning without some additional work will likely create a non-conformity with our zoning and may not be allowed by our comprehensive plan as a two-acre parcel might be needed. (We need to do a little legal work to determine our options here.) We could seek to vacate the unopened right-of-way along the north side of the privately owned parcel. This action would add enough land to get the parcel to a minimum of two acres. (The current abutting owners on

the north side of the unopened right-of-way should support this action as it adds to their parcels along the rear property lines and assures them that the road will never be built.)

If we can get the parcel to a minimum of two acres the Town could assign its Rural Life Style future land use and apply agricultural zoning to the parcel. The rural life style land use is not presently applied on the future land use map, but it is established in the comprehensive plan by policy. This land use and zoning approach is very consistent with the existing development pattern.

Excerpt From Comprehensive Plan

Rural Lifestyle – The Rural Lifestyle category shall be primarily limited to single-family detached homes with agricultural uses. Limited commercial activities are permitted such as bed and breakfast establishments, horseback riding facilities, and farm stands for fruits and vegetables grown on that location.

| Land Use | Maximum Residential Density |
|----------------------------------|--|
| Residential: | |
| Low Density Residential (LDR) | Up to 2.0 dwelling units per acre. Maximum building height is 2-1/2 stories and no higher than 30 feet. |
| Medium Density Residential (MDR) | Up to 4.0 dwelling units per acre. A 25% minimum open space is required. Developments with 100 units or more shall be required to have a public recreation component. Developments with more than 300 proposed units must use the Village Mixed Use designation. May include support community facilities and elementary schools. Maximum building height is 2-1/2 stories and no higher than 30 feet. |
| Rural Lifestyle (RL) | Up to 1.0 per 2 acres. Must have a minimum of 2 acres for this land use. A 50% minimum open space is required. All buildings shall not exceed a 0.15 floor area ratio. The maximum impervious surface coverage is 0.20. Maximum building height is 2-1/2 stories and no higher than 30 feet. |

Option 3: Consider the hydroponic farming use as a separate activity if the residential parcel can be made to be conforming. Should the Town elect not to sell the property as requested, the Town could consider leasing the parcel for the hydroponic farming activity. Leasing the land for the farming use would maintain Town ownership if desired and allow the agricultural use to be established. If the farming use is discontinued the Town retains the land as currently established and the Town gains a single-family residence that is consistent with the neighborhood.

We may need a policy direction from the Town Council regarding their interest in selling the Town owned portions of lots 23, 24 and 25. The Town can annex the parcel under our current ISB agreement even the parcel is not contiguous. If we annex, we need to be sure to annex the adjacent rights-of-way, or in the case of the right-of-way to be annexed, the southern half of the right-of-way.



MEMO

To: Town Council

CC:

From: John Brock, Town Clerk

RE: December 2021 Month-End Town Hall Report

Date: 01/07/2022

Permitting:

| Permits | 12/1/2021 | 21-Nov | 21-Oct | 21-Sep | FYTD |
|---------------------|-----------------|-----------------|--------|--------|------|
| Talichet - SFR | 0 | 0 | 2 | 8 | 61 |
| Talichet - Revision | 0 | 0 | | 2 | |
| Independent -SFR | 1 (Eagle Homes) | 2 (Eagle Homes) | | 1 | 5 |
| Building | 3 | 5 | 3 | 9 | |
| Building Commercial | 1 | | | | |
| Re-Roof | 3 | 9 | 5 | 4 | |
| Screen Enclosure | 1 | 5 | 3 | 2 | |
| Sheds | 1 | 2 | | | |
| Fence | 4 | 11 | 2 | 3 | |
| Electrical/Solar | 3 | 3 | 8 | 9 | |
| Pool/Decks | 0 | 3 | | | |
| HVAC/Mechanical | 1 | 1 | 1 | 4 | |
| Plumbing | 1 | 1 | 1 | | |
| Gas | 0 | 0 | | | |
| Commercial Fence | 0 | 0 | 2 | 1 | |
| Commercial Pool | 0 | 0 | 0 | 0 | |
| Talichet CO's | 4 | 6 | 2 | 2 | 15 |

Utility Billing:

Top Utility Bill Bad Debt for December 2021

| service_address | Action | total_balance | current_charges | past_due_amount |
|-----------------------------------|-------------------|---------------|-----------------|-----------------|
| 107 E MYRTLE ST | Lien - Turned Off | 3092.07 | 25.65 | 3066.42 |
| 702 CALABRIA WAY-IRRIGATION | PP | 2264.15 | 101.06 | 2163.09 |
| 702 CALABRIA WAY-POTABLE | PP | 1603.95 | 87.13 | 1516.82 |
| 503 CAMINO REAL | Lien - Turned Off | 1298.35 | 25.65 | 1272.70 |
| 402 S PALM AVE | | 1103.18 | 41.13 | 1062.05 |
| 406 S PALM AVE | | 1127.95 | 107.53 | 1020.42 |
| 122 W MAGNOLIA AVE | | 733.73 | 79.55 | 654.18 |
| 103 SIXTH AVE | Notice Sent | 553.80 | 25.65 | 528.15 |
| 213 MESSINA PLACE - IRRIGATION | | 592.24 | 66.10 | 526.14 |
| 205 E LAUREL AVE | PP - Notice Sent | 531.98 | 41.13 | 490.85 |
| IRRIGATION C - MISSION INN | | 649.46 | 195.15 | 454.31 |
| 325 TERACOTTA TERRACE - POTABLE | PP | 498.37 | 87.13 | 411.24 |
| 311 E ORCHID WAY | Notice Sent | 442.03 | 51.12 | 390.91 |
| 325 TERRACOTTA TERRACE-IRRIGATION | PP | 415.58 | 61.11 | 354.47 |
| 493 BELLISSIMO PL - IRRIGATION | | 469.71 | 149.93 | 319.78 |

Due to notices of pending liens on properties being mailed out, the bad debt on 720 Calabria Way (\$1,139.96) has been paid and this property is now in good standings.

Activity Log Event Summary (Cumulative Totals)

Howey-in-the-Hills PD
(12/01/2021 - 12/31/2021)

| | | | |
|--|-----|------------------------------------|-----|
| <No Event Type Specified> | 1 | Abandoned 911 | 4 |
| Alarm Activation | 3 | Animal Complaint | 2 |
| Anti-Social Behavior | 20 | Assault & Battery | 3 |
| Assist other Agency- Alarms | 3 | Assist other Agency- Back-up | 5 |
| Assist other Agency- In Progress calls | 1 | Assist other Agency- Medical Call | 2 |
| Assist other Agency- Other | 6 | Assist other Agency- Traffic | 3 |
| Attempt to Contact | 1 | Baker Act | 1 |
| Baker Act-Juvenile | 1 | Be on the look-out- BOLO | 6 |
| Burglary - Residence | 1 | Burglary-vehicle | 1 |
| Case Follow-Up | 5 | Citizen Assist | 8 |
| Civil Complaint-Legal Advice | 1 | Disabled Vehicle (DAV) | 6 |
| Drunk Person | 2 | Fire Investigation | 2 |
| Found / Lost Property | 4 | Fraud Investigation | 1 |
| Hazardous Materials | 1 | Juvenile Complaint | 1 |
| Missing/Found Child | 2 | Noise Complaint | 5 |
| Patrol | 258 | Patrol-School | 49 |
| Property Check-Boat Ramp | 54 | Property Check-Business | 57 |
| Property Check-Residence | 9 | Property Check-Schools/Govt. Bldg. | 66 |
| Property Check-Town Property | 213 | Property Damage | 2 |
| Public Relations | 1 | Reckless Driver | 2 |
| Security Check Request | 1 | Sex Offense | 1 |
| Sick/Injured Person | 3 | Solicitor Complaint | 1 |
| Special Detail | 2 | SRO School Meeting | 2 |
| Suspicious Incident | 6 | Suspicious Person | 3 |
| Suspicious Vehicle | 3 | Suspicious Vehicle - Business | 1 |
| Theft - Grand/Petit | 2 | Traffic Crash | 3 |
| Traffic Stop-Civil Citation | 122 | Traffic Stop-Criminal Citation | 4 |
| Traffic Stop-warning | 110 | Traffic Watch | 116 |
| Well Being Check | 3 | | |

Total Number Of Events: 1,196



Public Utilities

December 2021 – Monthly Report

| Activity | Location/ Address | Notes |
|--------------------------|----------------------------|--|
| In line valve exercising | Starting at Mission Lane | Ongoing project 57 valves in December |
| HSP 1 complete repair | Main water treatment plant | Bacterial testing finish, pump is back in service |
| Well 2 VFD Repair | Main water treatment plant | VFD install bacterial testing passed Well 2 back in service |
| Service orders | Throughout town | Service orders completed for Data logs, turn offs ect. |
| Leak repairs | Talichet | 3 repairs done for service lines hit while grading and irrigation installation |
| Meter Repair | 201 W. Oak Street | URE replaced curb stop |
| | | |
| | | |
| | | |



Public Works

December 2021 – Monthly Report

| Activity | Location/ Address | Notes |
|----------------------------------|---------------------------------------|---|
| Road Maintenance / Potholes | Revels Road at SR 19 | Patched 2 potholes at the intersection of Revels Rd. and SR 19 – Requested by resident/cyclist |
| Stormwater/Drainage | 1016 N. Lakeshore Blvd | Cleaned out stormwater inlets at E. Camellia Way at N. Lakeshore Blvd and at 1016 N. Lakeshore Blvd |
| Sidewalk Maintenance | | |
| Building Maintenance | Town Hall and Library | Replace all AC Filters |
| Grounds Maintenance | Taylor Memorial Cemetery | Locate and mark plot for headstone, Block H – Plot 154 |
| Tree Trimming | | |
| Mowing/Weed Eating | N. Lakeshore Blvd, S. Lakeshore Blvd. | Mowed Right of Way |
| Boardwalk Repairs | Sara Maude Reserve | Replaced multiple walk boards and handrails – future replacements as needed |
| Landscape/Irrigation Inspections | Talichet Phase 1 | 10 Landscape/Irrigation Inspections |
| | | |



**Library Director's Report
Marianne Beck Memorial Library
For the Month of December 2021**

Statistics for December 2021

Total attendance for programming in December: children: 181, adults: 334, teens: 23 for a total of 538 patrons. Total circulation of items: 495, total borrowed items from other libraries: 437, total loaned items to other libraries: 286 and total hours patrons spent on public computers: 102:02.19

Funds collected for December:

Copies/Fax: \$170.40 **Fines:** \$41.20 **Total:** \$ 211.60 **FOL:** \$313.45

Activities during the month of December:

I found that the sprinkler outside the west door of the LEC was spraying water under the door. The sprinkler head has been readjusted.

Several qualified applicants applied for the part time position at library. I have hired Hannah Van Wagner for the position.

Christmas Festival events as well Meet the Artist were held at the library on December 10th. Many local residents attended the tree lighting and the baking silent auction held by the FOL. There were carolers and the Boy Scouts sold hot dogs. It was a very joyful and successful evening.

The monthly programs continue to do well. Looking forward to January, on January 11th the AG Center will present a program on tree planting.

Respectively submitted by
Tara Hall, Library Director

HOWEY-IN-THE-HILLS FINANCIAL REPORT

Dec-21

| <u>REVENUES</u> | <u>FYE</u> <u>2021</u> | <u>RECEIVED</u> <u>SINCE LAST REP.</u> | <u>RECEIVED</u> <u>YEAR-TO-DATE</u> | <u>ESTIMATED</u> <u>REVENUE</u> | <u>REVENUE</u> <u>TO BE RECEIVED</u> | <u>PERCENT</u> <u>RECEIVED</u> | <u>DIFFERENCE</u> <u>FROM LAST REP.</u> |
|-----------------------|---------------------------|---|--|------------------------------------|---|-----------------------------------|--|
| GENERAL | \$ 2,490,840.72 | \$ 6,538.78 | \$ 75,020.66 | \$ 2,074,421.00 | \$ 1,999,400.34 | 4% | 0% |
| POLICE ADV TRAINING | \$ 3,318.28 | \$ 148.44 | \$ 605.29 | \$ 3,000.00 | \$ 2,394.71 | 20% | 5% |
| WATER IMPACT FEES* | \$ 201,671.56 | \$ - | \$ 25,206.56 | \$ 50,000.00 | \$ 24,793.44 | 50% | 0% |
| PARK IMPACT FEES* | \$ 93,591.14 | \$ - | \$ 13,543.32 | \$ 40,000.00 | \$ 26,456.68 | 34% | 0% |
| POLICE IMPACT FEES* | \$ 101,152.17 | \$ - | \$ 14,426.58 | \$ 90,000.00 | \$ 75,573.42 | 16% | 0% |
| INFRASTRUCTURE FUND | \$ 216,889.55 | \$ 851.74 | \$ 2,702.99 | \$ 219,707.00 | \$ 217,004.01 | 1% | 0% |
| BUILDING FUND | | \$ 4,973.00 | \$ 64,549.15 | \$ - | \$ (64,549.15) | #DIV/0! | |
| WATER/SANITATION FUND | \$ 1,067,854.09 | \$ 328,538.16 | \$ 607,896.29 | \$ 1,126,500.00 | \$ 518,603.71 | 54% | 29% |
| POLICE RETIREMENT | \$ 486,776.74 | \$ - | \$ 53,234.88 | \$ 214,653.00 | \$ 161,418.12 | 25% | 0% |
| TOTALS | \$ 4,662,094.25 | \$ 341,050.12 | \$ 857,185.72 | \$ 3,818,281.00 | \$ 2,961,095.28 | 22% | 9% |

*Subtotal for Impact Fees Revenues \$ 53,176.46

| <u>EXPENDITURES</u> | <u>FYE</u> <u>2021</u> | <u>COMMITTED</u> <u>SINCE LAST REP.</u> | <u>COMMITTED</u> <u>YEAR-TO-DATE</u> | <u>CURRENT</u> <u>APPROPRIATION</u> | <u>AVAILABLE</u> <u>APPROPRIATION</u> | <u>PERCENT</u> <u>COMMITTED</u> | <u>DIFFERENCE</u> <u>FROM LAST REP.</u> |
|-----------------------|---------------------------|--|---|--|--|------------------------------------|--|
| GENERAL | \$ 1,963,604.45 | \$ 183,206.67 | \$ 522,812.86 | \$ 2,074,421.00 | \$ 1,551,608.14 | 25% | 9% |
| POLICE ADV TRAINING | \$ 1,950.82 | \$ - | \$ - | \$ 3,100.00 | \$ 3,100.00 | 0% | 0% |
| WATER IMPACT FEES* | \$ 2,598.45 | \$ - | \$ - | \$ 54,000.00 | \$ 54,000.00 | | |
| PARK IMPACT FEES* | \$ 11,675.00 | \$ - | \$ - | \$ 29,456.00 | \$ 29,456.00 | | |
| POLICE IMPACT FEES* | \$ 31,022.45 | \$ - | \$ 35,250.48 | \$ 78,600.00 | \$ 43,349.52 | | |
| INFRASTRUCTURE FUND | \$ 108,974.72 | \$ 6,543.25 | \$ 6,543.25 | \$ 178,523.00 | \$ 178,523.00 | 4% | 4% |
| BUILDING FUND | | | \$ 8,555.34 | \$ - | \$ - | #DIV/0! | #DIV/0! |
| WATER/SANITATION FUND | \$ 921,015.41 | \$ 59,872.09 | \$ 258,488.03 | \$ 1,125,769.00 | \$ 867,280.97 | 23% | 5% |
| POLICE RETIREMENT | \$ 93,290.98 | \$ - | \$ 13,231.45 | \$ 79,438.00 | \$ 66,206.55 | 17% | 0% |
| TOTALS | \$ 3,134,132.28 | \$ 249,622.01 | \$ 844,881.41 | \$ 3,623,307.00 | \$ 2,793,524.18 | 23% | 7% |

*Subtotal for Impact Fees Expenditures \$ 35,250.48

HOWEY IN THE HILLS **FINANCIAL REPORT** **Dec-21**

ACCOUNTS

151200

Florida Prime Account**STATE BOARD ADMINISTRATION BALANCE** (usually comes in 2nd week of month)

| | | |
|-------------------------------|----|-----------|
| SBA FUND A | \$ | 19,086.05 |
| INTEREST RECEIVED (APY 0.10%) | \$ | 1.38 |
| TOTAL | \$ | 19,087.43 |

101076

SEACOAST MONEY MARKET ACCOUNT

| | | |
|-------------------------------|----|------------|
| (RESERVES) BEGINNING BALANCE | \$ | 658,343.21 |
| TRANSFERS IN (OUT) | | |
| INTEREST RECEIVED (APY 0.05%) | \$ | 27.96 |
| ENDING BALANCE | \$ | 658,371.17 |

101080

SEACOAST #2 MONEY MARKET ACCOUNT

| | | |
|----------------------------------|----|----------|
| (BISHOPS GATE) BEGINNING BALANCE | | 2,925.85 |
| Sinking Fund TRANSFERS IN (OUT) | | |
| INTEREST RECEIVED (APY 0.01%) | \$ | 0.02 |
| ENDING BALANCE | \$ | 2,925.87 |

101005

SEACOAST CHECKING ACCOUNT (Operating)

| | | |
|--------------------------------------|----|--------------|
| Operating Checking BEGINNING BALANCE | \$ | 2,360,896.08 |
| REVENUES DEPOSITED | \$ | 1,038,092.00 |
| TRANSFERS IN (OUT) | | |
| EXPENDITURES CLEARED | \$ | (525,442.97) |
| ENDING BALANCE | \$ | 2,873,545.11 |

101160

SEASIDE MONEY MARKET ACCOUNT

| | | |
|-------------------------------|----|------------|
| BEGINNING BALANCE | \$ | 406,226.26 |
| TRANSFERS IN (OUT) | | |
| INTEREST RECEIVED (APY 0.10%) | \$ | 34.50 |
| ENDING BALANCE | \$ | 406,260.76 |

101110

SEASIDE CHECKING ACCOUNT (Pays to Loan)

| | | |
|--------------------|----|------------|
| BEGINNING BALANCE | \$ | 27,075.46 |
| TRANSFERS IN (OUT) | \$ | (2,997.30) |
| DEPOSITED | \$ | - |
| ENDING BALANCE | \$ | 24,078.16 |

101120

SEASIDE SRF LOAN SWEEP ACCOUNT

| | | |
|----------------------|----|----------|
| BEGINNING BALANCE | \$ | 2,490.97 |
| TRANSFERS IN (OUT) | \$ | - |
| EXPENDITURES CLEARED | \$ | - |
| ENDING BALANCE | \$ | 2,490.97 |

TOTAL \$ 3,986,759.47

United Community Bank (renamed from Seaside)

LOANS

SEASIDE SMALL BUSINESS LOAN (4.75% interest)

| | | |
|------------------------|----|------------|
| BEGINNING BALANCE | \$ | 74,030.60 |
| TRANSFERS IN (OUT) | \$ | (2,997.30) |
| ALLOCATED TO PRINCIPAL | \$ | 2,641.53 |
| ALLOCATED TO INTEREST | \$ | (355.77) |
| ENDING BALANCE | \$ | 71,389.07 |

FDEP SRF LOAN (2.71%/2.12% interest)*

| | | |
|------------------------|----|--------------|
| BEGINNING BALANCE | \$ | 1,377,278.39 |
| TRANSFERS IN (OUT) | | |
| ALLOCATED TO PRINCIPAL | | |
| ALLOCATED TO INTEREST | | |
| ENDING BALANCE | \$ | 1,377,278.39 |

*payments of \$72,314.68 are made in April and Oct. and will continue until 2032

TOTAL \$ 1,448,667.46

HOWEY-IN-THE-HILLS FINANCIAL REPORT (Previous Month)

Nov-21

(revenues and expenditures updated one month after initial report completion)

| <u>REVENUES</u> | <u>Carry Forward</u> | <u>FYE 2021</u> | <u>RECEIVED SINCE LAST REP.</u> | <u>RECEIVED YEAR-TO-DATE</u> | <u>ESTIMATED REVENUE</u> | <u>REVENUE TO BE RECEIVED</u> | <u>PERCENT RECEIVED</u> | <u>DIFFERENCE LAST REP.</u> |
|-----------------------|----------------------|-----------------|---------------------------------|------------------------------|--------------------------|-------------------------------|-------------------------|-----------------------------|
| GENERAL | | \$ 2,490,840.72 | \$ - | \$ 68,481.88 | \$ 2,074,421.00 | \$ 2,005,939.12 | 3% | 0% |
| POLICE ADV TRAINING | | \$ 3,318.28 | \$ - | \$ 456.85 | \$ 3,000.00 | \$ 2,543.15 | 15% | 0% |
| WATER IMPACT FEES* | \$ 523,134 | \$ 201,671.56 | \$ - | \$ 25,206.56 | \$ 50,000.00 | \$ 24,793.44 | 50% | 0% |
| PARK IMPACT FEES* | \$ 199,067 | \$ 93,591.14 | \$ - | \$ 13,543.32 | \$ 40,000.00 | \$ 26,456.68 | 34% | 0% |
| POLICE IMPACT FEES* | \$ 199,161 | \$ 101,152.17 | \$ - | \$ 14,426.58 | \$ 90,000.00 | \$ 75,573.42 | 16% | 0% |
| INFRASTRUCTURE FUND | | \$ 216,889.55 | \$ - | \$ 1,851.25 | \$ 219,707.00 | \$ 217,855.75 | 1% | 0% |
| BUILDING FUND | | | | \$ 59,576.15 | \$ - | | | |
| WATER/SANITATION FUND | | \$ 1,067,854.09 | \$ - | \$ 279,358.13 | \$ 1,126,500.00 | \$ 847,141.87 | 25% | 0% |
| POLICE RETIREMENT | | \$ 486,776.74 | \$ - | \$ 53,234.88 | \$ 214,653.00 | \$ 161,418.12 | 25% | 0% |
| TOTALS | | \$ 4,662,094.25 | \$ - | \$ 516,135.60 | \$ 3,818,281.00 | \$ 3,361,721.55 | 14% | 0% |

*Subtotal for Impact Fees Revenues \$ 53,176.46

| <u>EXPENDITURES</u> | <u>FYE 2021</u> | <u>COMMITTED SINCE LAST REP.</u> | <u>COMMITTED YEAR-TO-DATE</u> | <u>CURRENT APPROPRIATION</u> | <u>AVAILABLE APPROPRIATION</u> | <u>PERCENT COMMITTED</u> | <u>DIFFERENCE LAST REP.</u> |
|-----------------------|-----------------|----------------------------------|-------------------------------|------------------------------|--------------------------------|--------------------------|-----------------------------|
| GENERAL | \$ 1,963,604.45 | \$ - | \$ 339,606.19 | \$ 2,074,421.00 | \$ 1,734,814.81 | 16% | 0% |
| POLICE ADV TRAINING | \$ 1,950.82 | \$ - | \$ - | \$ 3,100.00 | \$ 3,100.00 | 0% | 0% |
| WATER IMPACT FEES* | \$ 2,598.45 | \$ - | \$ - | \$ 54,000.00 | \$ 54,000.00 | | |
| PARK IMPACT FEES* | \$ 11,675.00 | \$ - | \$ - | \$ 29,456.00 | \$ 29,456.00 | | |
| POLICE IMPACT FEES* | \$ 31,022.45 | | \$ 35,250.48 | \$ 78,600.00 | \$ 43,349.52 | | |
| INFRASTRUCTURE FUND | \$ 108,974.72 | \$ - | \$ - | \$ 178,523.00 | \$ 178,523.00 | 0% | 0% |
| BUILDING FUND | | | \$ 979.99 | \$ - | \$ (979.99) | #DIV/0! | #DIV/0! |
| WATER/SANITATION FUND | \$ 921,015.41 | \$ - | \$ 198,615.94 | \$ 1,125,769.00 | \$ 927,153.06 | 18% | 0% |
| POLICE RETIREMENT | \$ 93,290.98 | \$ - | \$ 13,231.45 | \$ 79,438.00 | \$ 66,206.55 | 17% | 0% |
| TOTALS | \$ 3,134,132.28 | \$ - | \$ 587,684.05 | \$ 3,623,307.00 | \$ 3,035,622.95 | 16% | 0% |

*Subtotal for Impact Fees Expenditures \$ 35,250.48