



Town Council Meeting

June 26, 2023 at 6:00 PM

**Howey-in the-Hills Town Hall
101 N. Palm Ave.,
Howey-in-the-Hills, FL 34737**

Join Zoom Meeting: <https://us06web.zoom.us/j/83510633906?pwd=U0JDdEJsN0pDQi9OaHB5d04rdWNqdz09>
Meeting ID: 835 1063 3906 | **Passcode:** 516336

AGENDA

Call the Town Council Meeting to order
Pledge of Allegiance to the Flag
Invocation by Councilor Reneé Lannamañ
Reading of a Poem by Mr. Jim Steele

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 June 12, 2023 Town Council Meeting.

PUBLIC HEARING

- 2.** Consideration and Approval: (Adoption Stage) **Ordinance 2023-001**

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; AMENDING CERTAIN POLICIES UNDER OBJECTIVE 1.11 IN THE FUTURE LAND USE ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN; AMENDING POLICY 1.11.4 TO ELIMINATE OBSOLETE WORDING PERTAINING TO ARCHITECTURAL GUIDELINES IN THE TOWN'S LAND DEVELOPMENT REGULATIONS; AMENDING POLICY 1.11.6 IN ITS ENTIRETY TO ELIMINATE THE REQUIREMENT FOR NEW LAND DEVELOPMENT TO FOLLOW THE TOWN'S EXISTING STREET GRID PATTERN AND, INSTEAD, TO SUPPORT NEIGHBORHOOD CONNECTIVITY BY OTHER MEANS; CREATING NEW OBJECTIVE 1.11.7 TO SPECIFY THE MINIMUM NUMBER OF VEHICULAR ACCESS POINTS FOR NEW DEVELOPMENT WITH 50 LOTS OR MORE; PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

- Mayor MacFarlane will read the Ordinance title
- Town Planner will explain Ordinance 2023-001
- Mayor MacFarlane will open Public Comment for this item only.
- Mayor MacFarlane will close Public Comment.
- Mayor MacFarlane will ask for a Motion on Ordinance 2023-001
- Council Discussion
- Roll Call Vote

3. Consideration and Approval: (Second Reading) Ordinance 2023-011 - Amendment to the Land Development Code (LDC) Referring to Chapter 9 Boards and Committees

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING SECTIONS 9.00.00 THROUGH 9.04.00, INCLUSIVE, OF THE TOWN'S LAND DEVELOPMENT CODE (LDC); CLARIFYING THAT CHAPTER 9 OF THE LDC APPLIES ONLY TO BOARDS AND COMMITTEES INVOLVED IN LAND-DEVELOPMENT MATTERS; CLARIFYING THAT DEVELOPMENT REVIEW COMMITTEE (DRC) MEETINGS ARE OPEN TO THE PUBLIC AND REQUIRED TO INCLUDE PUBLIC COMMENT ON AGENDA ITEMS; MAKING OTHER CHANGES TO PROVISIONS GOVERNING THE DRC; CLARIFYING NUMEROUS PROVISIONS RELATED TO APPOINTMENTS, TERMS, QUORUMS, AND VACANCIES FOR LAND-DEVELOPMENT BOARDS AND COMMITTEES; REVISING PROVISIONS PERTAINING TO VOTING CONFLICTS OF INTEREST ON THE PART OF BOARD AND COMMITTEE MEMBERS TO INCORPORATE THE STATE ETHICS CODE FOR PUBLIC OFFICERS; PROVIDING AN EFFECTIVE DATE.

- Mayor MacFarlane will read the Ordinance title
- Town Planner will explain Ordinance 2023-011
- Mayor MacFarlane will open Public Comment for this item only.
- Mayor MacFarlane will close Public Comment.
- Mayor MacFarlane will ask for a Motion on Ordinance 2023-011
- Council Discussion
- Roll Call Vote

OLD BUSINESS

NEW BUSINESS

4. Discussion: Town Oktoberfest Event

5. Discussion: SRO Update

DEPARTMENT REPORTS

6. Town Manager

COUNCIL MEMBER REPORTS

7. Mayor Pro Tem Gallelli

8. Councilor Lehning

9. Councilor Miles

10. Councilor Lannamañ

11. Mayor 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: **Jun 26, 2023 06:00 PM Eastern Time** (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/83510633906?pwd=U0JDdEJsN0pDQi9OaHB5d04rdWNqdz09>

Meeting ID: 835 1063 3906

Passcode: 516336

Dial by your location

+1 646 558 8656 US (New York)

+1 346 248 7799 US (Houston)

Meeting ID: 835 1063 3906

Passcode: 516336

Find your local number: <https://us06web.zoom.us/j/kwRUXqalq>

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

June 12, 2023 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 Administrator | John Brock, Town Clerk | Tom Harowski, Town Planner (Zoom) | George Brown, Police Lieutenant | Tom Wilkes, Town Attorney | Curtis Binney, Town Auditor | Abigail Herrera, Finance Supervisor

AGENDA APPROVAL/REVIEW

Motion made by Mayor MacFarlane to table Resolution 2021-004 – FRS Agreement until the second Town Council meeting in July; seconded by Councilor Lannamañ. Motion approved unanimously by voice vote.

Voting

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

Nay: None

Motion made by Mayor Pro Tem Gallelli to approve the meeting's agenda; seconded by Councilor Lannamañ. Motion approved unanimously by voice vote.

Voting

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

Nay: None

CONSENT AGENDA

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Motion made by Councilor Miles, Seconded by Councilor Lannamañ.

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

1. The approval of the minutes and ratification and confirmation of all Town Council actions at the May 22, 2023 Town Council Meeting.
2. Approval: **Declaration of 202 Marilyn Avenue as an Unsafe Structure**

THIS ITEM WAS REMOVED BY STAFF AND NOT CONSIDERED DURING THIS MEETING.

Motion made by Councilor Miles to approve item #1 on the Consent Agenda; seconded by Councilor Lannamañ. Motion approved unanimously by voice vote.

Voting

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

Nay: None

PUBLIC HEARING (Town Council sitting as the Board of Adjustment)

Mayor MacFarlane called a recess to the regular Town Council meeting.

Mayor MacFarlane convened the Board of Adjustment's meeting.

3. Consideration and Approval: **489 Avila Place - Pool Variance**

Mayor MacFarlane asked Town Planner, Tom Harowski, to introduce and explain this item. Mr. Harowski explained the variance issues and explained that when the Planning and Zoning Board had considered this item they were deadlock with a split vote of three for and three against recommending this variance and consequently had not issued a recommendation on this variance request.

Councilor Miles asked if the substitution of adding swale area for an overage in impervious area was an established technique. **Councilor Miles made a motion to table this item. There was no second to Councilor Miles' motion.**

Councilor Miles was concerned that the Impervious Area Calculation sheet that had been submitted by the pool contractor was not filled out correctly and he would like to see it filled out correctly in the future.

Councilor Miles asked Town Planner, Tom Harowski, if he recommended granting this variance. Mr. Harowski stated that he could not recommend granting this variance, but that this pool variance request was reasonably similar to other requests that the Board of Adjustment had previously granted.

The property owners and John Pocock from Kura Design Pools (the pool contractor) were available for questions. Mr. Pocock submitted an altered pool and pool deck design that would have utilized less setback area.

Mayor MacFarlane opened Public Comment for this item only.

Fran Wagler, 409 W. Central Ave. (Planning and Zoning Board Member) – Mrs. Wagler stated that this pool variance request was different from earlier requests in that the parcel of land that the pool would be built on backed up to neighbors, whereas the earlier requests did not. Mrs. Wagler thinks that, since the applicant had modified their design, they should go back to the Planning and Zoning Board prior to the Town Council hearing this issue.

John Pocock, Designer with Kura Design Pools – Mr. Pocock stated that they had modified their designs to try to address items from the Planning and Zoning Board hearing.

Ellen Yarckin, 800 N. Citrus Ave. (Planning and Zoning Board Member) – Ms. Yarckin thinks that the Planning and Zoning Board and Town Council spend too much time hearing variance requests and that the Town guidelines should just be followed.

Richard Mulvany, 308 W. Dupont Cir (Planning and Zoning Board Member) – Mr. Mulvany recommended that the applicant construct a smaller pool deck made of pavers.

Joshua Husemann, 671 Avila Pl. – Mr. Husemann stated that he did not understand why the Town is requiring a ten-foot rear setback, when the County only requires a five-foot rear setback. He also stated that he believes the modified plans that the applicant had submitted address the issues that the Planning and Zoning Board had brought up.

Azure Botts, the Town's Code Enforcement Officer – Officer Botts stated that 3 canopy trees would be required on this property but recommends that, if the Board of Adjustment grants the variance, they should allow this homeowner to make two of the trees understory trees, rather than canopy trees.

Mayor MacFarlane closed Public Comment.

Motion made by Councilor Miles to send this variance request back to the Planning and Zoning Board until such time as the Planning and Zoning Board and Town Staff could recommend this variance; seconded by Mayor Pro Tem Gallelli. Motion passed by roll-call vote.

Voting

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

Nay: Councilor Lannamañ

Mayor MacFarlane adjourned the Board of Adjustment and reconvened the Town Council Meeting.

OLD BUSINESS

None

NEW BUSINESS

4. Presentation: Review of Town Audit for FY22 (Curtis Binney presenting)

Mayor MacFarlane asked Town Auditor, Curtis Binney, to make his presentation on the Fiscal Year 2022 Town Audit.

Mr. Binney stated that the Town was required by F.S. 218.39 to have an annual audit. Mr. Binney stated that he was required to issue four reports within the Town's Audit.

Mr. Binney stated that he was required to issue an opinion on the Town's Financial Statements. Mr. Binney issued an unmodified opinion on the Town's Financial Statements; meaning nothing needs to be changed in the Financial Statement to make it more materially correct (this was shown on pages 1 through 4 of the audit report.)

The second item that Mr. Binney was required to perform was the Town's Internal Control Procedures. Mr. Binney found no significant issues or material deficiencies in the Town's Internal Control Procedures (this report was on pages 52 and 53 of the audit report.)

The third item that Mr. Binney was required to perform was the Auditor's Management Letter. This report was issued as a clean report, meaning there was nothing that Mr. Binney would show issue with (this is shown on pages 54 and 55 of the audit report.)

The fourth and final item that Mr. Binney was required to perform was Report on Compliance with Section 218.415 of the Florida Statutes. Mr. Binney found that the Town was in compliance with this Statute (this is shown on page 56 of the audit report.)

In summary Mr. Binney stated that there were no material audit adjustments that were required to be made. The net worth of the Town was \$8.7 million dollars for Fiscal Year 2022.

Councilor Miles asked about the operating loss in the Enterprise/Utility fund and pointed out that the Town's utility is not covering its expenses. Councilor Miles stated that the FGUA report was going to recommend that the Town change the water utility's rate structure.

Councilor Miles also noted that on page 23, under section A, the audit report had an error, stating that the Town had an elected mayor and a 4-member council. Councilor Miles stated that the report should have shown that the Town had a 5-member council, and that the mayor is appointed out of that council.

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

5. Consideration and Approval: **Solid Waste Collection Annual Rate Increase**

Mayor MacFarlane asked Town Manager, Sean O'Keefe, to introduce and explain this item. Mr. O'Keefe explained the history of the Town's contract with GFL for the collection of solid waste. Mr. O'Keefe explained that the contract allowed GFL to come back to the Town and ask for an increase annually based on the Consumer Price Index.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline thinks that the Town should go to garbage pickups only one day a week, in an effort to lower costs.

Lynne Husemann, 671 Avila Pl. – Mrs. Husemann stated that she thought larger families needed the multiple pickups within a week.

Councilor Lannamañ agreed with Mrs. Husemann that larger families still needed the multiple pickups.

Ann Griffin, 215 E Laurel Ave. – Ms. Griffin stated that trash was picked up on Mondays and that yard waste was picked up on Tuesdays, even though earlier in the meeting someone had said that yard waste was picked up on Monday.

Fran Wagler, 409 W. Central Ave. – Mrs. Wagler stated that the Town no longer contracted free bulk pickups and that she would like to see better noticing about waste pickups around major holidays.

Mayor MacFarlane closed Public Comment.

Councilor Miles stated that he thought the recycling bins were too small and the trash bins were too large.

Motion made by Councilor Miles to approve the annual rate increase; seconded by Councilor Lannamañ. Motion approved unanimously by roll-call vote.

Voting

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

Nay: None

6. Consideration and Approval: (First Reading) **Ordinance 2023-011 - Amendment to the Land Development Code (LDC) Referring to Chapter 9 Boards and Committees**

Town Manager, Sean O'Keefe, introduced this item.

Mayor MacFarlane read out-loud the title block for Ordinance 2023-011.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that he thought the Town Planner, not the Town Manager, should be the chair of the Development Review Committee (DRC) and that he thought the Planning and Zoning Board had recommended this change.

Mayor MacFarlane closed Public Comment.

Town Attorney, Tom Wilkes, explained that the Ordinance that was present to the Town Council was the same version of the Ordinance that was presented to the Planning and Zoning Board and that if, after this first reading of the Ordinance, the Town Council had a consensus that they wanted to change the chair of the DRC to the Town Planner, that change could be made before the second reading.

Mayor Pro Tem Gallelli stated that she would prefer the Town Planner to be the chair of the DRC.

Mayor MacFarlane stated that, in her experience, the chair of the DRC was not a subject matter expert, they just kept the meeting running smoothly so that the subject matter experts could focus on giving feedback.

It was decided that there was a consensus from the Town Council for this item to move on to the second reading as is, with no further modifications.

7. Consideration and Approval: **Resolution 2021-004 – FRS Agreement**

THIS ITEM WAS TABLED TO THE SECOND TOWN COUNCIL MEETING IN JULY.

DEPARTMENT REPORTS

8. Town Hall

The department report was included in the packet for the meeting.

9. Police Department

The department report was included in the packet for the meeting.

10. Code Enforcement

The department report was included in the packet for the meeting.

11. Public Works

The department report was included in the packet for the meeting.

12. Library

The department report was included in the packet for the meeting.

13. Parks & Recreation Advisory Board / Special Events

There was nothing to add.

14. Town Attorney

There was nothing to add.

15. Finance Supervisor

The department report was included in the packet for the meeting.

16. Town Manager

Sean O'Keefe, Town Manager, thanked all the participants of the Town's Memorial Day Event. Mr. O'Keefe gave notice to the Town Council about a Cedar Creek Community meeting that would occur on June 27th at the LEC room at the library, the two budget workshops in July, and two upcoming Strong Towns Meetings. Mr. O'Keefe stated that FEMA had approved \$20,000 to the Town for Sara Maude Mason repairs.

COUNCIL MEMBER REPORTS

17. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli had nothing to report.

18. Councilor Lehning

Councilor Lehning asked about the Dixie Rd project and if sidewalks had been removed from the project. Town Manager, Sean O'Keefe, stated that the sidewalks had been removed from the project due to cost considerations. Councilor Lehning asked where he could send comments on the Town's Land Development Code and Comprehensive Plan. Town Clerk, John Brock, stated that he could send them to office@howey.org and that he would make sure that all necessary parties received the comments.

19. Councilor Miles

Councilor Miles asked about the size of sidewalks in the Talichet neighborhood. Councilor Miles stated that he had seen that, within Talichet, the Town had only required four-foot-wide sidewalks, but when the Town was considering sidewalks for the Dixie Rd. project, it had only considered five-foot-wide sidewalks (and had been told that 5-foot-wide sidewalks were an ADA requirement.) Councilor Miles

wanted clarification from staff about why the Town had allowed a developer to install four-foot-wide sidewalks. Mr. O’Keefe stated that he would investigate this and return an answer for Councilor Miles.

Councilor Miles asked about the status of the grant application for the two generators for Venezia lift stations. Mr. O’Keefe stated that the deadline for the grant application had been pushed back to September 2023 by the Florida Department of Emergency Management.

Councilor Miles suggested that Town Staff write letters to the residents of Dixie Rd. notifying them about the impending road reconstruction project that would be occurring on their road. Town Clerk, John Brock, stated that the Public Works Director was already working on the notification letter and was scheduled to hand-deliver the notices that next week.

Councilor Miles stated that he had asked the Town Manager to notify the other Town Councilors about two items that he, the Town Manager, and the Town Attorney had been working on in respect to wastewater. Councilor Miles stated that he wanted to make sure that other Town Councilors were aware of the status of the wastewater efforts. One of the efforts that they had been working on required giving notice to the County about the Drake Point project and their request to provide their own utilities. Councilor Miles stated that he wanted the Town Manager to send a letter, certified mail, return receipt, to the County stating that the Town intends to enforce the Town’s right to be the water and wastewater supplier for the Drake Point development.

20. Councilor Lannamañ

Councilor Lannamañ stated that, when the Town Councilors are making comments on the Land Development Code and Comprehensive Plan, the Councilors should consider making the lot requirements large enough that all lots would be able to accommodate over-sized pools and whatever else they would like in their dream backyards.

21. Mayor MacFarlane

Mayor MacFarlane suggested that all the other Town Councilors should watch the Florida League of Cities presentation on the Budget Cycle and how to present it to their constituents.

Mayor MacFarlane stated that, in her opinion, the cabinets that were in the back of the council chambers that the Town Manager had allowed the Historic Committee to bring in needed to be removed. Mayor MacFarlane thinks that simple cabinets, more in-line with the box frames already in the council chambers, would be more appropriate, rather than the old cabinets that Mission Inn no longer wanted.

Mayor MacFarlane stated that she had heard from a reliable source that Lake Tech was willing to work on the Town’s antique fire truck, fixing the engine and brakes. Mayor MacFarlane stated that the Town Manager needed to speak with Peggy Beucher Clark (since she is the Chair of the History Committee) to make sure that this was her desire as well.

Mayor MacFarlane stated that the Oktoberfest Event would need to make sure that expenses should be reimbursed when appropriate.

Mayor MacFarlane wanted to set a firm date for the groundbreaking ceremony for the new Water Treatment Plant. All local representatives, Town and County, needed to be invited, as should the Town’s State representatives and the Governor. A tentative date of July 20th was selected.

Mayor MacFarlane stated that the Town had not been submitting the required DBPR and DCA permit fees. These fees had not been submitted by the Town since 2018 and now total nearly \$30,000. Mayor MacFarlane asked for a motion to allow the Town Manager to pay these fees.

Motion was made by Mayor Pro Tem Gallelli to allow the Town Manager to pay these fees that were in arrears, seconded by Councilor Miles. Motion was approved unanimously by voice vote.

Mayor MacFarlane had a question about the County's lack of progress in purchasing the land from the Town for a new fire station. Mayor MacFarlane stated that she was concerned that, when the Council voted not to participate in the Onsyte Program with the County, that the appropriate message of why the Town had not wanted to participate had not been properly communicated to the County.

Mayor MacFarlane stated that she had been approached by the Lake County Schools Superintendent about the School Resource Officer proposal that the Town had submitted. Mayor MacFarlane stated that she wanted to have a better understanding of how the Town had come up with the numbers in the proposal. Mayor MacFarlane stated that the relationship with the Lake County School Board was important and that she wanted to protect that relationship.

Councilor Miles stated that thought the Mayor should have directed the Lake County School Board Superintendent to speak with the Town Manager, instead of speaking with her directly.

The Town Manager stated that he was willing to meet with all of the Town Councilors to show them how the Town's SRO proposal was created.

Councilor Miles stated that he would like the Town Manager to get the cost of bringing in the Talichet subdivision wastewater lift station into the town inventory.

Mayor MacFarlane asked when the FGUA report on water and wastewater would be ready. She thinks that the Town should just consider buying a block of wastewater ERUs from the Central Lake CDD, without acquiring the wastewater plant. Councilor Miles stated that he thought it would be better to invest in Town-owned wastewater assets.

Councilor Lannamañ asked about the Town Manager evaluation and what the next step would be. It was decided that the Town Council would have a workshop meeting on June 26, 2023, at 5:15pm and they would discuss the form and format of the Town Manager's review.

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.

Fran Wagler, 409 W. Central Ave. – Mrs. Wagler spoke about the Howey Mansion event that occurred on Founder's Day. Mrs. Wagler stated that the Howey Mansion, with the assistance of Howey Market, had raised enough money to purchase two AED devices for the Town's Police Department.

Mayor MacFarlane told the Town Manager that a thank you letter should be written and sent to the owner of the Howey Mansion.

Michelle Ertel, Friends of the Library Representative – Mrs. Ertel reminded those in attendance about the Friends of the Library Masquerade Ball and its Silent Auction that would be taking place on 6/24/2023.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline was concerned about the prospect of the Town moving to the FRS pension plan being on the agenda for the meeting. Mr. Everline stated that he did not think it was fiscally appropriate for the Town to move to FRS.

Glennys Barber, 307 S. Lakeshore Blvd. – Ms. Barber stated that she objected to the Town spending money on the Oktoberfest event and Gardenia St. needed to be repaired.

Suong Miles, 500 E. Camelia Way – Mrs. Miles stated that she was concerned about the Howey Men’s Club getting \$30,000 to help the Town put on the Oktoberfest Event. Mrs. Miles also stated that lots needed to be big enough for pools.

ADJOURNMENT

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

The Meeting adjourned at 8:50 p.m. | **Attendees: 44**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk



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

MEMORANDUM

TO: Howey-in-the-Hills Town Council
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Ordinance 2023-001 Grid Street Policy
DATE: June 15, 2023

On January 23, 2023, the Town Council approved on first reading an amendment to policies 1.11.4 and 1.11.6 along with a new policy 1.11.7 amending the Future Land Use Element. In accordance with state law, the proposed amendment was transmitted to the Florida Department of Economic Opportunity (DEO) for review and comment. The proposed amendments were also transmitted to Lake County and other state agencies as required by statute. On February 24, 2023 the DEO responded to the Town that they had no comments on the proposed amendments. No other agency comments were received.

The Town is required by state law to take a final action on the proposed amendments within 180 days of the notice of findings from DEO. This requirement sets August 23, 2023 as the final action day. The proposed amendments are being presented to the Town Council for the June 26, 2023 meeting for final action. Once the Town Council takes final action on the proposed amendments, the final ordinance is filed with the DEO. There is a 30-day waiting period to allow for any potential objections to the proposed amendments, and following that appeal period, the DEO will issue a final approval of the amendment package.

The draft ordinance that was submitted to the DEO for review was compared with the approved minutes from the January 23, 2023 meeting to verify that the proposed language for Policy 1.11.6 and 1.11.7 is the same as voted at the meeting. If further amendments are made to the proposed policies, these amendments will need to be specifically identified for the Department of Economic Opportunity when the final policies are transmitted to the department.

ORDINANCE NO. 2023-001

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO COMPREHENSIVE PLANNING; AMENDING CERTAIN POLICIES UNDER OBJECTIVE 1.11 IN THE FUTURE LAND USE ELEMENT OF THE TOWN'S COMPREHENSIVE PLAN; AMENDING POLICY 1.11.4 TO ELIMINATE OBSOLETE WORDING PERTAINING TO ARCHITECTURAL GUIDELINES IN THE TOWN'S LAND DEVELOPMENT REGULATIONS; AMENDING POLICY 1.11.6 IN ITS ENTIRETY TO ELIMINATE THE REQUIREMENT FOR NEW LAND DEVELOPMENT TO FOLLOW THE TOWN'S EXISTING STREET GRID PATTERN AND, INSTEAD, TO SUPPORT NEIGHBORHOOD CONNECTIVITY BY OTHER MEANS; CREATING NEW OBJECTIVE 1.11.7 TO SPECIFY THE MINIMUM NUMBER OF VEHICULAR ACCESS POINTS FOR NEW DEVELOPMENT WITH 50 LOTS OR MORE; 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, the Town Council has determined that it is necessary to amend its comprehensive plan as herein provided in order to more effectively implement the goals, objectives, and policies of the comprehensive plan; and

Whereas, the local planning agency, being the Town Council, duly held a public hearing, with due public notice, as required by subsection 163.3174(4)(a) of the Florida Statutes, and has recommended approval of the amendments to the comprehensive plan and the land development code; and

Whereas, the Town Council has conducted both a transmittal public hearing on the comprehensive plan amendment, as described in subsection 163.3184(11)(b)1 of the Florida Statutes and an adoption public hearing as described in the subsection 163.3184(11)(b)2 of the Florida Statutes; and

Whereas, the Town Council finds that approval of the comprehensive plan amendments are necessary and desirable and protect and further the public health, safety and welfare of the residents of the Town; now therefore:

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

Section 1. Recitals. 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 Council hereby approves the amendments to Objective 1.11 in the Future Land Use Element of the Town's Comprehensive Plan, as indicated by the underlined language being inserted and the ~~striketrough~~ language being deleted as set forth in **Attachment A** and incorporated herein by this reference.

Section 3. Adoption Stage Transmittal. The Town Clerk or his designee is hereby authorized and directed to transmit the appropriate number of copies of the notice and the adopted comprehensive plan amendment within 10 working days after the adoption of this Ordinance to the State Land Planning Agency, to any other agency or local government that provided timely comments after the proposed phase transmittal public hearing, and to any other local government or governmental agency in the State of Florida which has filed a written request with the Town Council.

Section 4. 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 5. Codification. It is the intent of the Town Council that **Attachment A** to this Ordinance shall be codified and made part of the official Comprehensive Plan for the Town of Howey-in-the-Hills. Other sections of this Ordinance need not and shall not be codified.

Section 6. 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 7. Effective Date. The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

ENACTED AND ORDAINED this ____ day of _____, 2023, by the Town Council of the Town of Howey-in-the-Hills, Florida.

Town of Howey-in-the-Hills, Florida

By: its Town Council

By: _____
Martha MacFarlane, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY

(for the use and reliance the Town only)

John M Brock, Town Clerk

Thomas J Wilkes, Town Attorney

Planning and Zoning Board public hearing held November 17, 2022

LPA Public Hearing, First Reading and Transmittal Public Hearing held January 23, 2023

Second Reading and Adoption held _____, 2023

Advertised for Town Council Transmittal Public Hearing January 13, 2023

Advertised for Town Council Adoption Public Hearing _____, 2023

ATTACHMENT A

TOWN OF HOWEY-IN-THE-HILLS
COMPREHENSIVE PLAN
FUTURE LAND USE ELEMENT
CHAPTER 1

OBJECTIVE 1.11: *Innovative Land Development Applications.* Future growth and development shall be managed through the preparation, adoption, implementation and enforcement of innovative land development regulations.

POLICY 1.11.1: *Use of Mixed Use Developments.* To discourage urban sprawl and to maximize existing and planned public facilities, the Town has adopted the Village Mixed Use and Town Center Mixed Use land uses.

Mixed Use designations may include single family, multiple family, commercial, recreation, open space and institutional land uses not to exceed development densities and intensities of use established for these land uses in this *Element*.

POLICY 1.11.2: *Use of Cluster Developments.* To promote the conservation of permeable surface area and maintain the Town's rural character, cluster developments shall be promoted by the Town during the development review process. Developers of Mixed Use/Planned Unit Developments and residential subdivisions shall be encouraged to cluster development in order to preserve open space.

POLICY 1.11.3: *Maintaining Innovative Land Development Regulations.* The Town shall maintain innovative land development regulations that encourage mixed-use developments and incorporate site design planning techniques that will enhance the quality of large scale developments or redevelopment area(s).

POLICY 1.11.4: ~~*Establishing Architectural Guidelines.*~~ ~~By December 2012,~~ The Town shall ~~amend~~ apply the architectural standards in the Land Development Regulations to establish for architectural guidelines ~~for to~~ the Town Center Mixed Use and Village Mixed Use land ~~uses~~ to maintain the unique and hometown charm of Howey-in-the-Hills. The Town shall encourage historical and traditional styles native to the Howey-in-the-Hills area and new and innovative architectural design when appropriate.

POLICY 1.11.5: *Requiring Underground Utilities.* The Town shall require all new subdivisions, residential and commercial developments, approved after the adoption of this *Comprehensive Plan*, to have underground

155 telephone, cable and electrical utility lines to provide a more
156 attractive, efficient, and safer development.

157
158 POLICY 1.11.6

~~*New Development Following the Town's Existing Street Grid Pattern.*~~ The Town shall require all new subdivisions, residential and commercial developments, approved after the adoption of this ~~*Comprehensive Plan*~~, to follow the Town's existing street grid pattern when appropriate.

Promoting interconnected neighborhoods. The Town shall encourage the development of interconnected neighborhoods using pedestrian linkages, bicycle facilities, and golf carts.

166
167 **POLICY 1.11.7 Multiple access to subdivisions:** The Town shall require new
168 developments consisting of 50 lots or more to have a minimum of
169 two points of vehicular access. This policy shall not be construed as
170 prohibiting private streets or prohibiting the use of emergency only
171 access points in addition to the standard vehicular access
172 requirement.
173

#49196982 v2

Ron DeSantis
GOVERNOR



Meredith Ivey
ACTING SECRETARY

February 24, 2023

The Honorable Martha MacFarlane
Mayor, Town of Howey-In-The-Hills
101 N. Palm Avenue
Howey-In-The-Hills, Florida 34737

Dear Mayor MacFarlane:

The Department of Economic Opportunity ("Department") has reviewed the proposed comprehensive plan amendment for the Town of Howey-In-The-Hills (Amendment No. 23-01ESR) received on January 26, 2023. The review was completed under the expedited state review process. We have no comment on the proposed amendment.

The Town should act by choosing to adopt, adopt with changes, or not adopt the proposed amendment. For your assistance, we have enclosed the procedures for adoption and transmittal of the comprehensive plan amendment. In addition, the Town is reminded that:

- Section 163.3184(3)(b), F.S., authorizes other reviewing agencies to provide comments directly to the Town. **If the Town receives reviewing agency comments and they are not resolved, these comments could form the basis for a challenge to the amendment after adoption.**
- **The second public hearing**, which shall be a hearing on whether to adopt one or more comprehensive plan amendments, **must be held within 180 days** of your receipt of agency comments or the amendment shall be **deemed withdrawn** unless extended by agreement with notice to the Department and any affected party that provided comment on the amendment pursuant to Section 163.3184(3)(c)1., F.S.
- **The adopted amendment must be rendered to the Department.** Under Section 163.3184(3)(c)2. and 4., F.S., the **amendment effective date** is 31 days after the Department notifies the Town that the amendment package is complete or, if challenged, until it is found to be in compliance by the Department or the Administration Commission.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | [www.Twitter.com/FLDEO](https://twitter.com/FLDEO) | www.Facebook.com/FLDEO

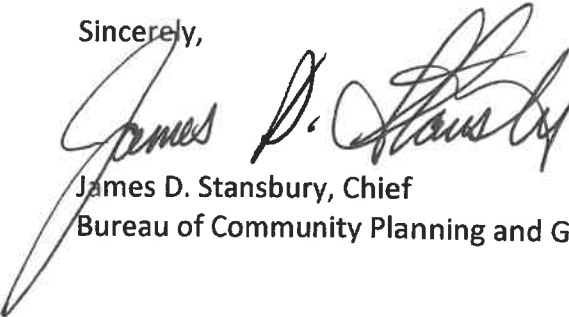
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February 24, 2023

Page 2 of 2

If you have any questions concerning this review, please contact David Pullin, Planning Analyst, by telephone at (850) 717-8503 or by email at David.Pullin@deo.myflorida.com.

Sincerely,



James D. Stansbury, Chief
Bureau of Community Planning and Growth

JDS/djp

Enclosure(s): Procedures for Adoption

cc: John Broch, Town Clerk

Tara McCue, AICP, Executive Director, East Central Florida Regional Planning Council

**SUBMITTAL OF ADOPTED COMPREHENSIVE PLAN AMENDMENTS
FOR EXPEDITED STATE REVIEW**

Section 163.3184(3), Florida Statutes

NUMBER OF COPIES TO BE SUBMITTED: Please submit electronically using the Department's electronic amendment submittal portal "**Comprehensive Plan and Amendment Upload**"

(<https://floridajobs.secure.force.com/cp/>) or submit three complete copies of all comprehensive plan materials, of which one complete paper copy and two complete electronic copies on CD ROM in Portable Document Format (PDF) to the State Land Planning Agency and one copy to each entity below that provided timely comments to the local government: the appropriate Regional Planning Council; Water Management District; Department of Transportation; Department of Environmental Protection; Department of State; the appropriate county (municipal amendments only); the Florida Fish and Wildlife Conservation Commission and the Department of Agriculture and Consumer Services (county plan amendments only); and the Department of Education (amendments relating to public schools); and for certain local governments, the appropriate military installation and any other local government or governmental agency that has filed a written request.

SUBMITTAL LETTER: Please include the following information in the cover letter transmitting the adopted amendment:

_____ State Land Planning Agency identification number for adopted amendment package;

_____ Summary description of the adoption package, including any amendments proposed but not adopted;

_____ Identify if concurrency has been rescinded and indicate for which public facilities. (Transportation, schools, recreation and open space).

_____ Ordinance number and adoption date;

_____ Certification that the adopted amendment(s) has been submitted to all parties that provided timely comments to the local government;

_____ Name, title, address, telephone, FAX number and e-mail address of local government contact;

_____ Letter signed by the chief elected official or the person designated by the local government.

Florida Department of Economic Opportunity | Caldwell Building | 107 E. Madison Street | Tallahassee, FL 32399
(850) 245.7105 | www.FloridaJobs.org | [www.Twitter.com/FLDEO](https://twitter.com/FLDEO) | www.Facebook.com/FLDEO

An equal opportunity employer/program. Auxiliary aids and service are available upon request to individuals with disabilities. All voice telephone numbers on this document may be reached by persons using TTY/TTD equipment via the Florida Relay Service at 711.

ADOPTION AMENDMENT PACKAGE: Please include the following information in the amendment package:

_____ In the _____
 Revised: March 2021 Page 1

_____ In the case of future land use map amendments, an adopted future land use map, **in color format**, clearly depicting the parcel, its future land use designation, and its adopted designation.

_____ A copy of any data and analyses the local government deems appropriate.

Note: If the local government is relying on previously submitted data and analysis, no additional data and analysis is required;

_____ Copy of the executed ordinance adopting the comprehensive plan amendment(s);

Suggested effective date language for the adoption ordinance for expedited review:

"The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If the amendment is timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance."

_____ List of additional changes made in the adopted amendment that the State Land Planning Agency did not previously review;

_____ List of findings of the local governing body, if any, that were not included in the ordinance and which provided the basis of the adoption or determination not to adopt the proposed amendment;

_____ Statement indicating the relationship of the additional changes not previously reviewed by the State Land Planning Agency in response to the comment letter from the State Land Planning Agency.



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

MEMORANDUM

TO: Howey-in-Othe-Hills Planning Board
CC: J. Brock, Town Clerk
FROM: Thomas Harowski, AICP, Planning Consultant
SUBJECT: Amendments to Development Review Committee Procedures
DATE: April 20, 2023

The Town Council has been discussing the option of adding a general citizen to the Development Review Committee (DRC). The DRC is a technical review body that applies the standards from the comprehensive plan, the land development code and the Town's design details to prospective developments. The DRC is not a policy board that determines items such as proposed lot sizes, final project density and/or intensity, etc. The policy decisions are made by the Town Council after review and recommendation by the Planning Board. The meetings held by both the Council and the Planning Board are public hearings with ample opportunity for gathering public comment on a project.

At a recent Town Council meeting the Council voted to keep the DRC as a technical review body with an opportunity for public comment. To this end the Council asked staff to prepare a proposed amendment to Chapter 9 of the land development code to clarify the opportunity for public comment and modify a few other sections of the DRC membership and operation. The Town code requires that the Planning Board review any amendments to the development codes and provide a recommendation to the Town Council. This is the purpose for including this item on the current agenda.

- Section 9.03.02 is amended to add the Town Manager and Town Clerk as members of the DRC. Both staff already attend and participate in the DRC meetings. This amendment formalizes the current process.
- Section 9.03.04 is amended to designate the Town Manager as chair of the DRC rather than the town planner. This is also our current practice and again formalizes the current process.
- Section 9.03.04 is also amended to specifically state that attendees from the public will have an opportunity to comment on the projects that come before the DRC. This has also been the current practice in allowing public comment on each agenda item and allowing for a general public comment opportunity at the end of the meeting. Again, the amendment formalizes current practice.

Public comments that have been received at the DRC meetings have mostly been related to policy issues such as lot sizes and project density. The DRC is always careful to point out that the planning board hearings and Town Council hearing are the proper forums for these comments and direct the citizens to these meetings. Typically the general citizenry are not well versed in the technical standards used to review projects at the DRC level, and consequently public comments are often off target for the DRC function. Nevertheless, the DRC does occasionally get a comment about comprehensive plan policies or requests for information on how systems such as stormwater will operate. The opportunity for public comment is not a significant burden in the operation of the DRC and, even when policy issues are raised, can provide information to the applicant on the public view of the project. This information may be useful as the applicant in considering potential amendments to the project.

Staff supports the proposed revisions.

ORDINANCE NO. 2023 - 011

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING SECTIONS 9.00.00 THROUGH 9.04.00, INCLUSIVE, OF THE TOWN'S LAND DEVELOPMENT CODE (LDC); CLARIFYING THAT CHAPTER 9 OF THE LDC APPLIES ONLY TO BOARDS AND COMMITTEES INVOLVED IN LAND-DEVELOPMENT MATTERS; CLARIFYING THAT DEVELOPMENT REVIEW COMMITTEE (DRC) MEETINGS ARE OPEN TO THE PUBLIC AND REQUIRED TO INCLUDE PUBLIC COMMENT ON AGENDA ITEMS; MAKING OTHER CHANGES TO PROVISIONS GOVERNING THE DRC; CLARIFYING NUMEROUS PROVISIONS RELATED TO APPOINTMENTS, TERMS, QUORUMS, AND VACANCIES FOR LAND-DEVELOPMENT BOARDS AND COMMITTEES; REVISING PROVISIONS PERTAINING TO VOTING CONFLICTS OF INTEREST ON THE PART OF BOARD AND COMMITTEE MEMBERS TO INCORPORATE THE STATE ETHICS CODE FOR PUBLIC OFFICERS; PROVIDING AN EFFECTIVE DATE.

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

Section 1. Sections 9.00.00 through 9.04.00, comprising Chapter 9 of the Land Development Code of the Town of Howey-in-the-Hills, are amended to read:

9.00.00 REQUIREMENTS FOR ALL LAND-DEVELOPMENT BOARDS AND COMMITTEES

9.00.01 Appointment, Term of Office, and General Membership Requirements

- A. All members of the Planning & Zoning Board shall be appointed by the Town Council.
- B. The Planning & Zoning Board shall have the opportunity to review each applicant's resume and make a recommendation on the appointment.
- C. All members shall reside within the Town limits, with the exception of members of the Development Review Committee.
- D. Unless expressly stated otherwise in this LDC, Town Council members shall not be eligible to serve on other Town boards or committees.
- E. Town employees shall only be eligible to serve on the Development Review Committee.

- 46 F. Each member of the Planning & Zoning Board and Development Review Committee
 47 serves at the pleasure of the Town Council.
 48 G. The term of office for Planning & Zoning Board members shall be three ~~(3)~~ years, but
 49 members may serve until a successor is appointed.
 50 H. Planning & Zoning Board members may seek re-appointment by applying for the new
 51 term with other applicants who are interested in the position.
 52

53 **9.00.02 Attendance**

- 54
 55 A. Each Planning & Zoning Board member shall attend all regular and called meetings.
 56

57 **9.00.03 Officers and Committees**

- 58
 59 A. Each board or committee shall have a chairperson and a vice chairperson. For the
 60 Board of Adjustment, the chairperson shall be the Mayor and the vice chairperson
 61 shall be the Mayor Pro Tem.
 62 B. The Planning and Zoning Board chairperson and vice chairperson shall serve one-
 63 year one (1) year terms. Officers shall not serve more than two ~~(2)~~ consecutive terms.
 64 C. The Planning & Zoning Board may create whatever committees it deems necessary to
 65 carry out its purposes. The chairperson of the board shall appoint the membership of
 66 each committee from the members of that board.
 67

68 **9.00.04 Planning & Zoning Board ~~Removal and~~ Vacancies**

- 69
 70 A. When a position on the Planning & Zoning Board becomes vacant before the end of
 71 the term, the Town Council shall appoint a member to fill the vacancy for the
 72 duration of the term.
 73 B. When a term is two months from expiring, the Town shall accept applications for the
 74 position and shall endeavor to fill the position so that the new board member starts at
 75 the meeting following the term's end.
 76 C. When ~~the~~ an unexpired term is two ~~(2)~~ months or less, the Town Council may appoint
 77 a new member to fill both the unexpired term and the following full term.
 78 D. ~~A~~ When a member who moves outside the Town or otherwise no longer meets
 79 eligibility requirements for membership the Town Council shall declare the seat
 80 vacant and proceed accordingly ~~shall be removed immediately.~~
 81 E. Any member who misses two consecutive regular meetings without first providing
 82 notice of the absence to the Town Clerk shall be deemed to have resigned from the
 83 Board and shall be replaced accordingly. Any member who misses four regular
 84 meetings during the course of a calendar year, regardless of prior notice, shall be
 85 deemed to have resigned from the Board and replaced accordingly.
 86

87 **9.00.05 Public Meetings, Hearings, and Records**

- 88 A. All meetings and hearings of boards and committees, including specifically (but not
 89 limited to) the Development Review Committee, shall be open to the public and shall
 90 allow public comment on agenda items.
 91 B. All meeting agendas of boards and committees shall be posted in advance.

- 92 C. Each board and committee shall keep minutes of its proceedings, indicating the
 93 attendance of each member and the decision of the board or committee on every item.
 94 The minutes shall be signed by the chairperson and the Town Clerk.
 95 D. A record shall be made of all resolutions, transactions, findings, recommendations,
 96 and decisions, which record shall be a public record on file in the office of the Town
 97 Clerk.
 98 E. At its option the DRC may forward separate recommendations of each DRC member,
 99 in his or her professional specialty, rather than recommendations of the DRC as a
 100 whole.

101 **9.00.06 Quorum and Voting**

- 102 A. For the purpose of ~~transacting business~~ taking action at any meeting or hearing, a
 103 majority of the existing board members shall constitute a quorum.
 104 B. Approval of actions before any Board or Committee requires an affirmative vote of a
 105 majority of the members in attendance.
 106

107 **9.00.07 By-Laws**

- 108 A. Each board may enact by-laws to govern its operation and procedures.
 109 B. By-laws shall not conflict with the requirements of this LDC. In the event of any
 110 conflict between the provisions of this LDC and the by-laws, the provisions of this
 111 LDC shall control.
 112 C. The following topics may be included in the by-laws:
 113 1. The designation of officers.
 114 2. The specific duties of officers.
 115 3. The creation of committees.
 116 4. Code of conduct.
 117 5. Voting procedures.
 118 6. Scheduling of meetings.
 119 7. Order of business; and
 120 8. Preparation of minutes.
 121 D. The Town Council shall approve all Advisory Board By-Laws.
 122
 123
 124

125 **9.00.08 Parliamentary Authority**

126 All meetings shall be conducted in accordance with parliamentary procedure as set forth
 127 and explained in the latest revised edition of Robert's Rules of Order, which shall serve
 128 as the official rules of procedure.
 129

130 **9.00.09 Legal Representation**

131 The Town Council may retain legal counsel to represent a board or committee.
 132

133 **9.00.10 Compensation**

134 Planning & Zoning Board members shall serve without compensation but may be
 135 reimbursed for actual expenses incurred in connection with their official duties.
 136

137 **9.00.11 Funding**

The Town Council may appropriate funds at its discretion for expenses necessary in the conduct of the duties of appointed boards and committees.

9.00.12 Conflict of Interest

- ~~A. A member shall abstain from voting on a particular issue if the member has a voting conflict under section 112.3143 of Florida Statutes (or successor statutes). In general terms a voting conflict under that statute arises when a vote would inure to the special private gain or loss of the voting member or of the member's family, business associate, employer, or client. any of the following circumstances apply:~~
- ~~1. The member has a direct financial interest in the outcome of the matter at issue.~~
 - ~~2. The matter at issue involves the member's own official conduct.~~
 - ~~3. Participation in the matter violates the member's code of professional responsibility.~~
 - ~~4. The member has such close personal ties to a person involved with the issue that the member cannot reasonably be expected to exercise sound judgment in the public interest; or~~
 - ~~5. Other applicable law.~~
- B. If a member owns a property within the area entitled to receive mailed notice of the hearing, that board member may voluntarily abstain from voting if the board member believes that the proximity of the project constitutes the appearance of a voting conflict of interest, as contemplated by section 286.012 of Florida Statutes, or otherwise will interfere with his or her ability to be a an impartial decision maker in the case.
- ~~C. An abstaining member of a board shall not be counted for purposes of forming a quorum.~~
- ~~D. A member who takes a position on the issue based upon personal interest may do so only by abstaining from voting on the proposal, vacating the seat on the board, physically joining the audience, and making full disclosure of his status and position at the time of addressing the board.~~

9.00.13 General Powers

A board or committee may request information from any official, staff member, or department of the Town, which is necessary in order to carry out specific roles and responsibilities.

9.01.00 PLANNING & ZONING BOARD

9.01.01 Establishment

There is hereby created a Planning & Zoning Board, with the roles and responsibilities as set forth herein.

9.01.02 Membership and Terms of Office

- A. There shall be not less than three ~~(3)~~ nor more than seven ~~(7)~~ regular members.
- B. Terms shall be staggered such that no more than three ~~(3)~~ terms expire simultaneously.

- 184 1. Appointments shall be for ~~three (3) year~~ three-year terms or until a successor is
 185 chosen.
- 186 2. When a term is two months from expiring, the Town shall accept applications for
 187 the position and endeavor to fill the position so that the new board member starts
 188 at the meeting following the term's end.
- 189 3. When ~~the an~~ an unexpired term for a vacant seat is two ~~(2)~~ months or less, the Town
 190 Council may appoint a new member to fill both the unexpired term and the
 191 following full term.
- 192 C. Any interested and eligible citizen as provided for in this section may be appointed to
 193 the board, but those with experience or interest in the field of planning and zoning or
 194 related fields shall receive special consideration.

195 **9.01.03 Roles and Responsibilities**

196 The Planning & Zoning Board shall have the roles and responsibilities described below.

- 197 A. To serve as the Local Planning Agency (LPA), pursuant to Chapter 163.3174, F.S. As
 198 the LPA, the Planning & Zoning Board shall:
- 199 1. Make recommendations to the Town Council regarding adoption of a
 200 Comprehensive Plan.
- 201 2. Monitor and oversee the effectiveness and status of the Comprehensive Plan,
 202 including periodic evaluations.
- 203 3. Make recommendations to the Town Council regarding amendment of its adopted
 204 Comprehensive Plan; and
- 205 4. Carry out such other duties as may be specified in Chapter 163, Part II, of Florida
 206 Statutes~~F.S.~~.
- 207 B. To provide advice and recommendations to the Town Council regarding growth, land
 208 use, long range planning, and redevelopment.
- 209 C. To hear, consider, and make recommendations to the Town Council regarding
 210 applications to:
- 211 1. Amend the Zoning Map (zoning or rezonings).
- 212 2. Amend the text of the LDC.
- 213 3. Create a subdivision
- 214 4. Amend the Comprehensive Plan.
- 215 5. Create a site plan; and
- 216 6. ~~To determine the appropriateness of~~ Grant variances and conditional uses.
- 217 D. In carrying out its duties, the Planning & Zoning Board may:
- 218 1. Establish such committees as may be necessary to gather facts, analyze findings,
 219 and make recommendations to the Planning & Zoning Board as a whole.
- 220 2. Acquire and maintain such information and materials as are necessary for an
 221 understanding of past trends, present conditions, and forces at work to cause
 222 changes in these conditions.
- 223 3. Periodically evaluate the Comprehensive Plan and LDC and propose amendments
 224 to the Town Council.

225 **9.01.04 Quorum and Voting**

- 228 A. For the purpose of ~~transacting business~~ taking action at any meeting or hearing, a
 229 majority of the existing board members shall constitute a quorum, but shall be at least
 230 three members.
- 231 B. Approval of actions before the Board requires an affirmative vote of a majority of the
 232 members present, but not less than three affirmative votes.

235 **9.02.00 TOWN COUNCIL AS BOARD OF ADJUSTMENT**

237 **9.02.01 Establishment**

238 There is hereby established a Board of Adjustment (BOA) for the purpose of hearing and
 239 deciding ~~on~~ appeals of administrative decisions and hearing and ~~deciding~~ taking action on
 240 applications for variances.

242 **9.02.02 Membership**

243 The BOA shall be comprised of the Town Council members.

245 **9.02.03 Roles and Responsibilities**

246 The BOA shall have the roles and responsibilities described in this section. The Board
 247 shall conduct public hearings and render decisions in compliance with the requirements
 248 of this LDC on the following matters:

- 249 A. ~~To hear and decide appeals~~ Appeals where it is alleged there is error in any order,
 250 interpretation, requirement, decision, or determination made by an administrative
 251 official in the enforcement of this LDC; and
- 252 B. Applications for a variance from a provision of the LDC, as set forth in Chapter 4.

254 **9.02.04 Notice Procedures for Administrative Appeals**

- 255 A. Publication of notice. Notice of public hearing shall be published in a newspaper of
 256 general circulation at least 10 days prior to the public hearing. Notice shall also be
 257 posted at Town Hall and on the Town's website.
- 258 B. After the public hearing, the BOA shall uphold the administrative decision, reverse
 259 the administrative decision, or render an alternate decision.

262 **9.03.00 DEVELOPMENT REVIEW COMMITTEE**

264 **9.03.01 Establishment**

265 There is hereby created and established a Development Review Committee (DRC) for the
 266 purpose of receiving, reviewing, and rendering recommendations on applications subject
 267 to administrative review and decision as set forth in Chapter 4.

269 **9.03.02 Membership**

270 Membership of the DRC shall include, but is not limited to, the following:

- 271 A. Town Planner
 272 B. Town Engineer
 273 C. Town Traffic Engineer

- D. Public Works Director
- E. Police Chief
- F. Town Manager
- G. Town Clerk

9.03.03 Roles and Responsibilities

- A. The DRC shall review applications and provide recommendations to the Planning & Zoning Board, the Board of Adjustment and the Town Council for annexations, zonings and rezonings, amendments to this LDC, Comprehensive Plan amendments, subdivision plans, subdivision plats, site plans, variances, conditional uses, and amendments to previously issued local development orders.
- B. The DRC shall perform such other duties as may be assigned by the Town Council or Town Manager~~Mayor~~.

9.03.04 Rules of Procedure

- A. The Town Manager ~~Planner~~ shall chair meetings of the DRC.
- B. The DRC shall meet as necessary.
- C. The DRC may establish such additional rules of procedure as needed to carry out its roles and responsibilities.

9.04.00 DESIGN REVIEW BOARD

9.04.01 Establishment

There is hereby created and established a Design Review Board for the purpose of receiving, reviewing and rendering recommendations on the architectural requirements for residential and non-residential development and other design considerations as may be brought before the Board.

9.04.02 Membership

- A. There shall be not less than three ~~(3)~~ nor more than seven ~~(7)~~ regular members.
- B. Terms shall be staggered such that no more than three (3) terms expire simultaneously
 - 1. Appointments shall be for ~~three (3) year~~ three-year terms.
 - 2. When a term is two months from expiring, the Town shall accept applications for the position and endeavor to fill the position so that the new board member starts at the meeting following the term end.
 - 3. When ~~the~~ an unexpired term is two months or less, the Town Council may appoint a new member to fill both the unexpired term and the following full term.
- C. Any interested and eligible citizen as provided for in this section may be appointed to the board, but those with experience in building design, construction or related fields shall receive special consideration.

9.04.03 Roles and Responsibilities

The Design Review Board shall review and approve all applications for compliance with architectural plan requirements for residential and non-residential development as set

forth in Chapter 4. The Board shall also review and recommend approval of proposed improvements to any buildings on the local, state or ~~Federal~~ federal lists of historic buildings. Decisions of the Design Review Board may be appealed to the Town Council.

Section 2. This ordinance shall take effect upon its enactment.

ORDAINED AND ENACTED this _____ day of _____, 2023, by the Town Council of the Town of Howey-in-the-Hills, Florida.

TOWN OF HOWEY-IN-THE-HILLS, FLORIDA

By: its Town Council

By: _____
Hon. Martha MacFarlane, Mayor

ATTEST:

APPROVED AS TO FORM AND LEGALITY
(for the use and reliance by the Town only)

John M Brock, Town Clerk

Thomas J Wilkes, Town Attorney

First Reading: _____, 2023

Second Reading and Adoption: _____, 2023

Advertising :

		As of 6-20-2023			
Event		Oktoberfest	Hours	12pm to 8 pm	
Date		September 30,2023	Location	Griffin Park	
#	#	Specifications or	cost per	Total	Grand
units	Days	Description	Item	Costs	Total
		Performer - Rob Nichols		\$500.00	\$500.00
		Performer - Dian Diaz Show		\$3,000.00	\$3,000.00
		Performer - Sonnenschein Express		\$2,000.00	\$2,000.00
		20'x40' stage		\$3,650.00	\$3,650.00
		personalized stage banner package		\$1,335.00	\$1,335.00
		Whisper generator for stage		\$1,550.00	\$1,550.00
		stage audio		\$2,870.00	\$2,870.00
		stage lighting		\$2,250.00	\$2,250.00
		Stage pre-event set-up (Techs)		\$3,400.00	\$3,400.00
		Stage event day mgmt (Techs)		\$4,924.00	\$4,924.00
		Trucking (driver, fuel)		\$800.00	\$800.00
4		Porta pottys			\$1,000.00
1		Explorers-parking			\$500.00
1		Trolley (shuttle)			\$1,200.00
1		20x40 tent	\$650.00	\$650.00	\$650.00
1		20x20 tent	\$325.00	\$325.00	\$325.00
10		outdoor lighting	\$50.00	\$500.00	\$500.00
10		sidewalls	\$50.00	\$500.00	\$500.00
200		chairs	\$2.50	\$500.00	\$500.00
25		60 inch round tables	\$14.00	\$350.00	\$350.00
25		8 rectangle tables	\$12.00	\$300.00	\$300.00
		drop off	\$50.00	\$50.00	\$50.00
		travel fee	\$10.00	\$10.00	\$10.00
		discount	\$156.25	\$0.00	\$0.00
		Total-no discount		\$29,464.00	\$32,164.00
Current Balance w/discount					\$32,007.75
Unknown costs					

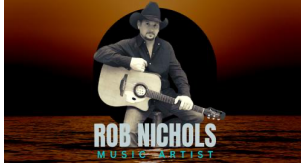
		Cups			
		Food			
		Cups			
		Beer			
		Soda/water			
		Sponsors (as revenue)			
		Kids events/bounce houses			
		Total Expenses			TBD

EVENT BUDGET - Town Costs

Event: Howey-in-the-Hills OctoberFest 23
Date: Saturday, September 30, 2023
Times: 1:00 p.m. -9:00 p.m.

Version # 3

Saturday, September 30, 2023



EVENT OPEN 1:00pm
Country Artist, Rob Nichols 1pm - 3pm

Country artist Rob Nichols lives in Lake County but splits his time between Lake County and Nashville since 1995. Rob credits his performance skills to Renee Grant-Williams, a vocal coach in Nashville who works with country artists Faith Hill, Tim McGraw, and Carrie Underwood. Rob traditionally is a "one man show" but sometimes brings his band along like when he performed at the Country Music Hall of Fame.



Artist, Dian Diaz Show 3pm-5pm

Dian was one of Las Vegas's premier, must see club attractions. She dazzled audiences for years at The Bellagio's Hotel's Fontana Room. Her rhythmic versatility and vocal range gives Dian the ability to perform many styles of popular music including Pop, Rock, R&B and more. Dian has performed for the world's biggest stars including, Beyonce, Bill Murray, Whitney Houston, Daughtry, Julia Roberts, Brad Pitt, Michael Bolton and Matt Damon to name a few.



The Sonnenschein Express 5pm-9pm

The Sonnenschein (Sunshine) Express is an Alpine/Octoberfest show band from Orlando, Florida. The band was founded in 1989 by Martin Gross as a recording project, but has continued to play at hundreds of conventions and festivals. All the members have or still perform with "Octoberfest Musikant," at the Germany pavilion at Disney. Their show consists of all the traditional German songs, instruments and of course the beer toasting known as "PROST!"



Event Elements

# Units	Days	Description	Specifications	Total	
Infrastructure Costs					
1	3	Slageline stage	20' x 40' stage w/roof and wings	\$3,650.00	\$3,650.00
1		Stage custom Banner package		\$1,335.00	\$1,335.00
1	3	Gennerator (Whisper) for stage	Delivery, Pick Up and fuel	\$1,550.00	\$1,550.00
Entertainment Costs					
1		Rob Nichols	Country Artist Solo to track	\$500.00	\$500.00
1		Dian Diaz Show	Pop/Rock Performer w/ 5 pc band	\$3,000.00	\$3,000.00
1		Sonnenschein Express	German Octoberfest Band	\$2,000.00	\$2,000.00
Infrastructure & Entertainment TOTAL:				\$12,035.00	

Investment Summary

Category	Total
Infrastructure & Entertainment Costs	\$12,035
Total Costs	\$12,035



EVENT BUDGET

600 Triumph Ct, Orlando FL 32805

ph. 407-292-9166

Event: Howey-in-the-Hills OctoberFest 23
Date: Saturday, September 30, 2023
Times: 1:00 p.m. - 9:00 p.m.

Version # 4

Schedule:

Friday, September 29, 2023

Install Stage 8am-10am
 Install portable Generator 9am
 Install Stage Audio & Lighting 10am-7pm

Friday, September 29, 2023

Event Begins w/ Entertainment 1:00pm
 Event Ends 9:00pm
 Strike of Equipment begins 9:00pm
 Sunset: 6:57 p.m.

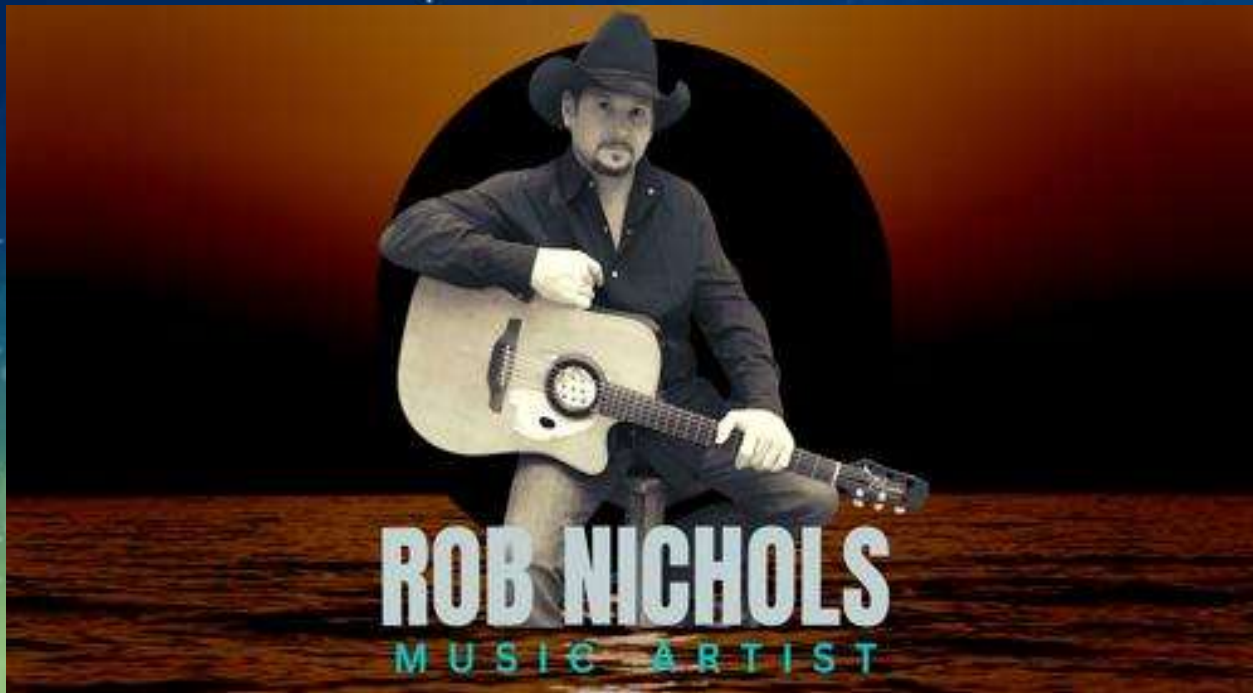
Prepared By: Tim Lauterbach
 407-493-8655
tim@redrocketstudios.com
Date Prepared: Monday, June 5, 2023

Event Elements

# Units	Days	Description	Specifications	Total	
Stage, Technical, Labor, Power & Entertainment					
1	3	Stage Audio	Audio to support entertainment and 1,000 ppl	\$2,870.00	\$2,870.00
1	3	Stage Lighting	Lighting to cover 6:30 p.m. - 10:00 p.m.	\$2,250.00	\$2,250.00
4	1	Stage Technical Labor - Friday 9/28	(4) Techs - 8am-7pm (\$85 per hr)	\$3,400.00	\$3,400.00
4	1	Stage Technical Labor - Saturday 9/29	(4) Techs - 9am-11pm (\$85 & \$127)	\$4,924.00	\$4,924.00
1	2	Trucking	Driver, fuel	\$800.00	\$800.00
Stage, Technical, Labor, Power & Entertainment TOTAL:				\$14,244.00	

Investment Summary

Category	Total
Technical Equipment & Labor	\$14,244
Event Total	\$14,244



Item 4.



Rob Nichols

COUNTRY ARTIST



Item 4.



Dian Diaz

ROCK & POP ARTIST



The Sonnenschein Express

TRADITIONAL OCTOBERFEST BAND



Item 4.

20' x 40' Stage w/ Roof

WITH BANNER PACKAGE

Town of Howey in the Hills, Florida
SRO Cost Projections
FY 2024

Pos #	Classificati	Employee N	Allocat %	Ann Hrs	Hourly Rate	Total Salary	BW EE Paid	FICA
						12 Month	re-Tax De	
1	School S	LifeStrea	100%	2,236	27.90	\$62,384		\$4,772
1	School S	Lake Hills	100%	2,236	27.60	\$61,714		\$4,721
1	School S	Lake Suc	100%	2,236	27.35	\$61,155		\$4,678

Benefits							Total Salary/Benefits 12-Month
Def Ben <u>Pension</u>	BW City Paid <u>Med Ins - 1-1</u>	BW City Paid <u>Med Ins - 1-1</u>	Annual City Paid <u>Med Ins</u>	Life <u>Ins</u>	Workers <u>Comp</u>	Total <u>Benefits</u>	
\$16,183			\$19,600	\$240	\$2,720	\$43,515	\$105,899
\$16,009			\$19,600	\$240	\$2,691	\$43,260	\$104,974
\$15,864			\$19,600	\$240	\$2,666	\$43,048	\$104,203
							\$315,076

Total
Salary/Benefits
<u>10-Month</u>
\$88,249
\$87,478
\$86,836
\$262,563

Town of Howey in the Hills, Florida
SRO Cost Projections
FY 2022- 2023

						Benefits											
Pos			Allocat	Ann	Hourly	Total	BW		Def Ben	BW	Annual		Life	Workers	Total	Total	Total
#	Job Classification	Employee Name	%	Hrs	Rate	Salary	EE Paid	FICA	Pension	City Paid	City Paid	Med Ins	Ins	Comp	Benefits	12-Month	10-Month
1	School Safety Officer	Academy at Lake Hills (N)	100%	2,236	26.75	\$59,813		\$4,576	\$13,566		\$19,440		\$240	\$2,608	\$40,429	\$100,242	\$83,535
1	School Safety Officer	Lake Hills School	100%	2,236	26.50	\$59,254		\$4,533	\$13,439		\$9,360		\$240	\$2,583	\$30,155	\$89,409	\$74,508
1	School Safety Officer	Lake Success	100%	2,236	26.25	\$58,695		\$4,490	\$13,312		\$9,360		\$240	\$2,559	\$29,961	\$88,656	\$73,880
																\$278,308	\$231,923

Town of Howey in the Hills, Florida
SRO Cost Projections
FY 2021- 2022

						Benefits										
Pos			Allocat	Ann	Hourly	Total	BW		Def Ben	BW	Annual			Total	Total	Total
#	Job Classification	Employee Name	%	Hrs	Rate	Salary	EE Paid	FICA	Pension	City Paid	City Paid	Life	Workers	Total	Salary/Benefits	Salary/Benefits
						12 Month	're-Tax De			d Ins - 1-1	Med Ins	Ins	Comp	Benefits	12-Month	10-Month
1	School Safety Officer	LifeStreams Academy	100%	2,236	24.50	\$54,782		\$4,191	\$14,791		\$11,043	\$302	\$2,388	\$32,715	\$87,497	\$72,914
1	School Safety Officer	Lake Hills School	100%	2,236	24.50	\$54,782		\$4,191	\$14,791		\$11,043	\$302	\$2,388	\$32,715	\$87,497	\$72,914
1	School Safety Officer	Lake Success Academy	100%	2,236	24.50	\$54,782		\$4,191	\$14,791		\$11,043	\$302	\$2,388	\$32,715	\$87,497	\$72,914
															\$262,492	\$218,743

Sean O'Keefe

From: Sean O'Keefe
Sent: Tuesday, May 18, 2021 11:32 AM
To: Mabry, Joseph M; Rick Thomas
Subject: RE: Projection Question
Attachments: LCSB SRO Projections - FY 2021-2022 FINAL.xlsx

Mr. Mabry,

I have re-done the spreadsheet, removing the administrative column. One amount I needed to adjust was health insurance; although we have not received this coming year's rates, I needed to account for an expected increase, which I have based on previous health insurance rate increases.

Even though we have ended up absorbing extra costs for our service to LCS in previous years, our goal in this calculation is to be as revenue-neutral as possible for the town; as we consider expanding our services to LCS from one school to three, I feel a revenue-neutral proposal is necessary to gain council approval.

Please let me know if there is anything else we can help you with.



Sean O'Keefe
 Town Administrator/Finance Manager
 Town of Howey-in-the-Hills
 P.O. Box 128
 101 N. Palm Avenue
 Howey-in-the-Hills, FL 34737
 Town Hall: 352-324-2290
 Cell: 352-705-6100
sokeefe@howey.org

PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from the Town of Howey-in-the-Hills regarding public business are public records available to the public and media upon request. Your e-mail communications may be subject to public disclosure. If you do not want your e-mail address released in response to a public records request, contact this office by phone. If you are NOT the intended recipient, be advised that you have received this e-mail in error and that any use, dissemination, forwarding, printing, or copying of this e-mail is strictly prohibited.

From: Mabry, Joseph M <MabryJ@lake.k12.fl.us>
Sent: Monday, May 17, 2021 3:23 PM
To: Rick Thomas <rthomas@howey.org>; Sean O'Keefe <sokeefe@howey.org>
Subject: Projection Question

Good afternoon.

I am starting to put together the SRO projections for the Superintendent and the Board. Upon reviewing Howey's projections, you all have a line item that has been added that is different from the other municipalities. I need clarification so that I can explain this to the Superintendent, CFO, and Board members.

Can you please identify the specifics with the line item labeled "Administrative Costs" for \$14,610 per officer, which would total \$29,220 for the project? I know we are preparing a plan to cover salary and benefits for our officers, but I am not sure where this extra expense is justified when the other 8 agencies do not have this listed.

Thank you,

Joseph M. Mabry

Safety & Security State Reporting Specialist

Lake County Schools

201 West Burleigh Boulevard

Tavares, Florida 32778

Office: 352-253-6677

CISCO: 6677



Under Florida's "Public Records" law, absent a specific exclusion, written communications to or from Lake School District employees are considered public records. E-mail communication with this correspondent may be subject to public and media disclosure upon request.

Town of Howey in the Hills, Florida
SRO Cost Projections
FY 2020- 2021

Pos #	Job Classification	Employee Name	Allocat %	Ann Hrs	Hourly Rate	Benefits									Total Salary/Benefits 12-Month	Total Salary/Benefits 10-Month
						Total Salary 12 Month	BW EE Paid 're-Tax De	FICA	Def Ben Pension	BW City Paid d Ins - 1-1	Annual City Paid Med Ins	Life Ins	Workers Comp	Total Benefits		
1	School Resource Off	Martinez, Lori	100% 100%	2,236	17.87	\$39,957 \$0		\$3,057 \$0	\$10,788 \$0		\$6,823	\$302	\$1,342	\$22,312	\$84,582 \$0	\$51,891
															\$84,582	\$51,891

Town of Howey in the Hills, Florida
SRO Cost Projections
FY 2021-2022

Pos #	Job Classification	Employee Name	Allocat %	Ann Hrs	Hourly Rate	Benefits									Total Salary/Benefits 12-Month	Total Salary/Benefits 10-Month
						Total Salary 12 Month	BW EE Paid 're-Tax De	FICA	Def Ben Pension	BW City Paid d Ins - 1-1	Annual City Paid Med Ins	Life Ins	Workers Comp	Total Benefits		
Police - General Fund - 10521																
1	School Resource Off	Martinez, Lori	100% 100%	2,236	17.87	\$39,957 \$0		\$3,057 \$0	\$10,788 \$0		\$6,823	\$302	\$1,342	\$22,312	\$84,582 \$0	\$51,891