

Town Council Meeting January 24, 2022 at 6:00 PM In Person and via Zoom

Join Zoom Meeting:

https://us06web.zoom.us/j/87933055512?pwd=ZGN6eVhJVDBKU2prU3pzdTJYOTBodz09 Meeting ID: 879 3305 5512 | Passcode: 687390

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 January 10, 2022 Town Council Meeting.

## **PUBLIC HEARING**

## **OLD BUSINESS**

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

## **NEW BUSINESS**

- **<u>3.</u>** Consideration and Approval: Dedicating part of a highway to the memory of Sheriff Gary Borders, Howey-in-the-Hills resident.
- 4. Discussion: Update on Consultation Services for Wastewater

## **COUNCIL MEMBER REPORTS**

- 5. Mayor Pro-Tem Conroy
- 6. Councilor Lehning
- 7. Councilor Gallelli
- 8. Councilor Klein
- 9. 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: Jan 24, 2022 06:00 PM Eastern Time (US and Canada) Join Zoom Meeting https://us06web.zoom.us/j/87933055512?pwd=ZGN6eVhJVDBKU2prU3pzdTJYOTBodz09 Meeting ID: 879 3305 5512 Passcode: 687390 Dial by your location +1 646 558 8656 US (New York) +1 346 248 7799 US (Houston) Meeting ID: 879 3305 5512 Passcode: 687390 Find your local number: https://us06web.zoom.us/u/kQa11zt6t

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 January 10, 2022 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

## 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 | George Brown, Police Lieutenant (Zoom) | Morgan Cates, Public Works Director | Thomas Wilkes, Town Attorney (Zoom) | Tom Harowski, Town Planner (Zoom) | James Southall, Public Utilities Supervisor (Zoom)

## AGENDA APPROVAL/REVIEW

The council voted with a voice vote to unanimously approve of the meeting's agenda.

## 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 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.

Motion made by Councilor Lehning to approve the Consent Agenda; Seconded by Councilor Gallelli. Motion approved unanimously by voice vote.

#### Item 1.

### Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane Nay: None

### PUBLIC HEARING

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

Martha MacFarlane, Mayor, read the Ordinance 2021-011 by title only:

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.

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

Motion made by Mayor Pro-Tem Conroy to approve Ordinance 2021-011; Seconded by Councilor Klein. Motion was approved unanimously by roll call vote.

### Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane Nay: None

### **OLD BUSINESS**

### 4. Discussion: Charter Review Workshop Date Selection

Mayor MacFarlane introduced this topic and asked Councilors to help pick a date for a Town Council Charter Review Workshop.

There was a consensus from the Town Councilors that the Town Council Workshop would be held on Wednesday, 1/26/2022, at 2 pm and would last for about 45 minutes to an hour.

### NEW BUSINESS

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

Thomas Silvanic was not in attendance at this meeting. The Town Councilors wanted to be able to question Mr. Silvanic and did not want to proceed with this item without his attendance.

Motion made by Mayor Pro-Tem Conroy to table this item to the next Town Council meeting; Seconded by Councilor Gallelli. Motion was approved unanimously by voice call vote.

Voting

Yea: Councilor Lehning, Councilor Gallelli, Councilor Klein, Mayor Pro-Tem Conroy, Mayor MacFarlane Nay: None

6. Consideration and Approval: Sale of Town-owned parcel

Mayor MacFarlane asked Sean O'Keefe, Town Administrator, to introduce this topic. Mr. O'Keefe explained that the Town had been approached by an individual (Mr. John Hixson) interested in purchasing part of what was the Town's old landfill location. The Alt Key for the property in question was 1257727. The total size of this parcel is approximately 5 acres.

Mr. John Hixson is the individual that is interested in buying the north half of the property. Mr. Hixson was asked to explain what he was interested in doing with the property. Mr. Hixson stated that he needed the property to join in with another adjacent parcel of land that he was in contract to purchase. If he didn't have both parcels of land, he would not be allowed by the County to build on the land. Mr. Hixson stated that he was interested in building a house on the adjacent property and building a hydroponic farm over the old landfill portion of the property. Mr. Hixson stated that he would be willing to have both parcels of land annexed into the Town, as he was interested in getting water utility services from the Town.

Public Comment:

Peter Tuite, 300 E Croton Way – Mr. Tuite had questions about whether the old landfill had been tested and also had concerns about digging on the land.

Doug Hower, 444 Bellissimo Place – Mr. Hower stated that he had lived in areas where landfills were located that had created problems. Mr. Hower suggested that Mr. Hixson research his liability with owning an old landfill.

Motion made by Mayor Pro-Tem Conroy to permit the Town Administrator to pursue negotiations, determine pricing, and then bring this back before Town Council for final approval of the sale; 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

### **DEPARTMENT REPORTS**

7. Town Hall

John Brock, Town Clerk, presented the December 2021 Town Hall Report. Mr. Brock stated the number of permits issued and bad debt for December 2021.

8. Police Department

Lt. Brown stated that Chief Thomas had submitted the December report and that he was available for questions.

9. Code Enforcement

Code Officer Botts was not available to present the December report. Mayor Pro-Tem Conroy stated that he has seen numerous political signs around town and that Code Enforcement needed to work on that issue. Councilor Gallelli asked if the Code Enforcement officer was able to get the political signage in front JB Boondocks removed.

10. Public Services

Morgan Cates, Public Works Director, presented the December 2021 Public Works Report. Mr. Cates stated that the Town had received its golf cart crossing permit from FDOT and the Town was in the process of trying to get signs and hardware created and installed. Mr. Cates also gave an update on the

Library/Town message board sign project. Mr. Cates also stated that he had finished the FDEP stormwater reports that were due. Also, the startup date for the Lakeshore wastewater lift station was scheduled for January 20<sup>th</sup>.

11. Library

Library Director, Tara Hall, was not able to attend the Town Council meeting. Town Administrator O'Keefe highlighted from Mrs. Hall's report, that her new Part-Time Library Assistant (Hannah VanWagner) would be starting in January and would be working 20 hours a week.

12. Parks & Recreation Advisory Board / Special Events

Noting to report

13. Town Attorney

Nothing to report.

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

Town Administrator, Sean O'Keefe, presented the December 2021 Finance and Development Reports. Mr. O'Keefe stated that the Town would be looking at retaining an expert in utility provisions as a consultant to assist the Town in water and wastewater planning.

## **COUNCIL MEMBER REPORTS**

15. Mayor Pro-Tem Conroy

Mayor Pro-Tem Conroy stated that the Town retaining a utilities expert was a fantastic idea.

16. Councilor Lehning

Councilor Lehning asked if the Town was going to continue with online meetings, he stated that he would like to get more people physically in the seats at the meeting. This was especially true for staff members. Mayor MacFarlane stated that the Town would continue to use Zoom to virtually broadcast the Town's meetings. Councilor Lehning also wanted and an update on the ongoing lawsuits against the town. Town Attorney, Tom Wilkes, gave a short update on the pending lawsuits and that there was not a specific timetable for the end of the lawsuits.

17. Councilor Gallelli

Council Gallelli thanked everyone for attending the Town Council's meeting this night.

18. Councilor Klein

Councilor Klein had nothing to report.

19. Councilor MacFarlane

Mayor MacFarlane thanked everyone for participating in the Christmas festival and she thanked Councilor Lehning for organizing the Christmas Festival Car Show. Mayor MacFarlane also stated that the Town's events committee would be organizing activities for Easter and the Town Founder's Day and the Town would be working with the Howey Mansion. Mayor MacFarlane gave an update on the new Town Modular Building. Mayor MacFarlane complimented Morgan Cates for the job he had done in the few weeks that he has been on the job. Mayor MacFarlane also commented on the great job all the town staff were doing creating a cohesive team.

### **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.

Tina St. Claire, 1100 N Valencia Ave – Mrs. St. Claire had concerns about residents putting sticks in their yards to keep vehicles off their yards.

Doug Hower, 444 Bellissimo Pl - Mr. Hower wondered if the Town had heard back from the City of Leesburg about using their wastewater services. Mr. Hower was upset that Contours Property on SR 19 was approved last year and that they had not fulfilled everything that they said that they would.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated he wanted the virtual meeting options for Town Council meetings to continue as his brother had died of Covid-19 the night before the meeting. Mr. Tuite asked the town to continue with online options.

## **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 7:23 p.m. | Attendees: 26

ATTEST:

Mayor Martha MacFarlane

John Brock, Town Clerk



Date:	January 7, 2022
То:	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: Sent: To: Subject: rsmplm@aol.com Friday, December 10, 2021 9:31 AM John Brock 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

Please Print Legibly	
Name: THOMAS	SILVANIC Date: NOV 11 PORI
Home Mailing Address: 20	1 1 Ditte: NOV. 11, 202
Home Physical Address:	IN. DIXIE AVE. HOWEY IN THE HILLS, FI. 34737
Florida Drivers License or ID:	
Phone Number(863) 956	E-mail Address: Footballtoms @ SMAILCOM
	ANCE INTERFORMENT AND TOULOUS OF STIAILCOM
Business (Name & Type): OF	NEW YORK AT CORTLAND
Business Address: PERMAN	CALL ON MIND
	or or Easter Clerry In the STATE OF
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Please check Board(s)/Committee(s)   Cemetery Board   Cemetery Board   Library Board   Parks & Recreation Board	s) that interest you. Police Pension Board Utility Advisory Board Visioning Committee Other Other Other ith the adopted policies of the Town of Howey-in-the-Hills. If at any rests conflict with the interests of this Board or Committee, I will not rences may be secured from the following individuals: Address Phone Number <u>IL NORTH PALM HOWEY 34737 (352) 516-6218</u> 202 N. DIXIE DR. HOWEY 34737 (352) 516-5352 203 N. DIXIE DR. HOWEY 34737 (352) 516-2249

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. Item 2.

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 20, 2022To:Mayor and Town CouncilFrom:John Brock, Town ClerkRe:Consideration and Approval: Dedicating part of a highway to the memory of Sheriff Gary<br/>Borders, Howey-in-the-Hills resident.

## **Objective:**

To dedicate a potion of SR 19 running through Howey-in-the-Hills in memorial to Lake County Sheriff Gar Borders, a long-time resident of Howey-in-the-Hills who passed away in November 2021.

### Summary:

Section 334.071 of the Florida Statutes, allows for the erection of markers contingent on the appropriate city/town or county commission passing a resolution in support of the particular honorary designation.

### **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 will be no initial or reoccurring fiscal impact for this dedication

### **Staff Recommendation:**

The staff recommends passing this Resolution creating the Sheriff Gary Borders Memorial Highway.



## **RESOLUTION 2022-001**

## A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA, SUPPORTING THE DEDICATION OF A PORTION OF STATE ROAD 19 (S.R.19) IN MEMORY OF FORMER HOWEY-IN THE-HILLS RESIDENT, RETIRED LAKE COUNTY SHERIFF GARY S. BORDERS; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the Town of Howey-in-the-Hills ("Town") is a municipal corporation duly organized and existing under the laws of the State of Florida; and

**WHEREAS**, the duly elected governing authority of the Town is the Mayor and the Town Council ("Town Council"); and

**WHEREAS**, the designation of roads, bridges, or other transportation facilities for honorary or memorial purposes is a long standing practice in Florida; and

**WHEREAS**, the Florida Legislature has the authority to designate transportation facilities for honorary or memorial purposes based on recommendations from a town or county commission, individual state agency, or civic groups; and

**WHEREAS,** Lake County Sheriff Gary Borders, Retired, was a longstanding resident of the Town of Howey-in-the-Hills; and

WHEREAS, Lake County Sheriff Gary Borders, Retired, served honorably in law enforcement for over 37 years and served as the Sheriff of Lake County from 2006 to 2017; and

**WHEREAS**, on November 16, 2021, Gary Borders passed away peacefully leaving behind a loving family and many friends; and

**WHEREAS**, Section 334.071, Florida Statutes, allows for the erection of markers contingent on the appropriate city or county commission passing a resolution in support of the particular honorary designation.

# NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, THAT:

Section 1. The above recitals are true and correct and incorporated herein.

**Section 2.** The Howey-in-the-Hills Town Council supports the designation of that portion of State Road 19 (S.R. 19) between intersection of S.R. 19 and FL-48 at Mission Inn to the intersection at E. Revels Road in honor of Lake County Sheriff Gary Borders and request the Florida Department of Transportation place appropriate markers designating said road the Sheriff Gary Borders Memorial Highway.

**Section 3**. The Mayor of the Town of Howey-in-the-Hills is hereby authorized to request the Florida Legislature designate this portion of roadway and may bind the town in any documents necessary in order to implement this honorary designation.

Section 4. This Resolution shall become effective immediately upon its adoption.

**RESOLVED** this 24th day of January, 2022, by the Town Council of the Town of Howey-in-the-Hills, Florida.

# TOWN OF HOWEY-IN-THE-HILLS, FLORIDA

By: Town Council

By:\_

Martha MacFarlane Mayor

**ATTEST:** 

John Brock Town Clerk

## **APPROVED AS TO FORM AND LEGALITY:**

Thomas J Wilkes Town Attorney





