



MINUTES OF THE HOWEY-IN-THE-HILLS TOWN COUNCIL
HELD SEPTEMBER 13, 2021

Mayor MacFarlane called the Town Council Meeting to order at 6:00 p.m.
Mayor MacFarlane led the attendees in the Pledge of Allegiance to the Flag.
Mayor MacFarlane asked for a quick prayer for all that were being affected by COVID-19 and for all of the distress in the world.

ROLL CALL

Members Present:

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

Staff Present:

Sean O’Keefe, Town Administrator
John Brock, Town Clerk
James Southall, Public Works Supervisor (Virtual)
Rick Thomas, Police Chief
Thomas Harowski, Town Planner (Virtual)
Thomas Wilkes, Town Attorney (Virtual)
Tara Hall, Library Director
Azure Botts, Code Enforcement

AGENDA APPROVAL

Motion made by Councilor Gallelli to approve the agenda; Councilor Lehning seconded the motion. Motion was approved unanimously by voice vote.

CONSENT AGENDA

- 1. The approval of the minutes and ratification and confirmation of all Town Council actions at the August 23, 2021, Town Council Meeting.**
- 2. The approval of the minutes and ratification and confirmation of all Town Council actions at the September 9, 2021, Town Council Budget Public Hearing.**
- 3. The approval of the minutes and ratification and confirmation of all Town Council actions at the September 9, 2021, Town Council Public Hearing.**

Motion made by Mayor Pro-Tem Conroy to approve the minutes; Councilor Klein seconded the motion. Motion was approved unanimously by voice vote.

PUBLIC HEARING

- 4. Consideration and Approval: (Second Reading) Ordinance 2021-007**

**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS,
FLORIDA, PERTAINING TO LAND USE; REZONING A 10-ACRE**

PARCEL OF PROPERTY LOCATED NORTH OF SOUTH PALM AVENUE, WEST OF SOUTH FLORIDA AVENUE, AND EAST OF SOUTH MARE AVENUE AND IDENTIFIED WITH LAKE COUNTY PROPERTY APPRAISER PARCEL NUMBER 35-20-25-000100000100 AND ALTERNATE KEY NUMBER 1036194; AMENDING THE TOWN'S ZONING MAP TO ZONE THE PROPERTY FOR PLANNED UNIT DEVELOPMENT; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Public Comment:

Beth Flack, 607 S. Florida Ave. – Mrs. Flack asked why the setbacks and lot sizes were smaller for Talichet Phase II than they were in the first phase.

Andy & Dawn Hooten, 460 Avila Place – Mr. Hooten stated that he agreed with Mrs. Flack and would like uniformity and continuity in the community.

Council Comment:

Councilor Klein asked what happened during the September 8, 2021, Planning & Zoning Board Meeting in reference to this Ordinance. Town Planner, Tom Harowski, stated that the first time the Planning & Zoning Board discussed the 60-foot lot width, it supported it with a three-to-two vote. During the September 8th meeting, they did not recommend the 60-foot lot by a three-to-two vote, the difference being that there was a board member that had not been there for the first vote and a board member that resigned after the first vote but before the second vote. The Planning & Zoning Board did recommend the project as a whole during their September 8th meeting, but they did not approve the 60-foot-wide lot lines nor did they not propose an alternative lot size.

Councilor Klein asked Ron Roberts from Flagship Development to answer Mrs. Flack's earlier question about why lot sizes and setback were smaller in Phase II of the Talichet project. Mr. Roberts stated that Phase I of Talichet had 65- and 70-foot-wide lots and what they were asking for in Phase II was 60-foot-wide lots with 5-foot side yard setbacks (the setback is 6 inches less than the 5.5-foot setbacks in Phase I). This would allow the builder to use the same exact building plans for the homes that were used in the original phase of Talichet. Many of the new lots might not be as wide as the old lots, but they would potentially be deeper. Mr. Robert stated that the same exact product from Phase I would be built in Phase II, also some of the lots per square foot would be bigger in Phase II because some of the lots are deeper.

Mayor Pro-Tem Conroy stated that allowing the requested smaller setbacks does lower the Town's standard slightly. However, Mr. Conroy warned future developers that this is a combination of a well-designed community and is in keeping with what is already there. Mayor

Pro-Tem Conroy stated that if a developer brought a proposal forward with small setbacks and a lesser product on it, he would change his attitude.

Motion made by Mayor Pro-Tem Conroy to approve Ordinance 2021-007 and the Developer Agreement; Councilor Gallelli seconded the motion. Motion was approved by roll call vote.

Councilor Lehning	YES	Councilor Klein	NO
Mayor Pro-Tem Conroy	YES	Councilor Gallelli	YES
Mayor MacFarlane	YES		

NEW BUSINESS

5. Consideration and Approval: **Calendar of Town Council meeting for the remainder of 2021.**

Mayor MacFarlane proposed that due to the holidays in November and December, that the Town adopts the following schedule of meetings for those two months. The meetings would be on November 8th, November 29th (re-scheduled from November 22nd), December 13th, and the December 27th meeting would be canceled (so only one meeting on the 13th in December).

Public Comment:

None

Motion made by Mayor Pro-Tem Conroy to adopt the calendar of Town Council Meetings in November and December that Mayor MacFarlane proposed; Councilor Lehning seconded the motion. Motion was approved unanimously by voice vote.

6. Consideration and Approval: **Resolution 2021-12**

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; AUTHORIZING THE TOWN TO JOIN WITH THE STATE OF FLORIDA AND OTHER LOCAL GOVERNMENTAL UNITS AS A PARTICIPANT IN THE FLORIDA MEMORANDUM OF UNDERSTANDING AND FORMAL AGREEMENTS IMPLEMENTING A UNIFIED PLAN REGARDING OPIOID LITIGATION; PROVIDING FOR RECORDATION; PROVIDING FOR AN EFFECTIVE DATE.

Mayor MacFarlane read out the Resolution title and asked Town Administrator, Sean O’Keefe, to explain the Resolution. Mr. O’Keefe explained that the Resolution allows for Howey-in-the-Hills to participate in the Florida unified proposed settlement plan between the state of Florida and the makers and distributors of opioids to deal with this crisis. The choices that the Town effectively has is to be part of the Florida unified plan and to forgo the Town’s right to sue the opioid makers and distributors, or to not be part of the plan and be open to pursue the Town’s own litigation against the manufacturers and distributors. Mr. O’Keefe stated that the staff

recommendation was to support the unified plan and pass the Resolution. The Town’s share of the settlement would be about a total of \$561.

Public Comment:

Berniece Hower, 444 Bellissimo Place – Mrs. Hower stated that she thinks that this is a good idea for the Town to pass this Resolution.

Motion made by Mayor Pro-Tem Conroy to approve Resolution 2021-12; Councilor Gallelli seconded the motion. Motion was approved unanimously by roll call vote.

Councilor Lehning	YES	Councilor Klein	YES
Mayor Pro-Tem Conroy	YES	Councilor Gallelli	YES
Mayor MacFarlane	YES		

OLD BUSINESS

7. Discussion: **CDBG-CV and CDBG-MIT Grant Status.**

The Mayor asked Town Administrator, Sean O’Keefe, to explain the status of these grants. Mr. O’Keefe stated that the Town had submitted the CDBG-MIT grant application on Friday September 10th. The CDBG-MIT or “mitigation grant” was for the Town’s new Public Safety Building. Mayor MacFarlane suggested that town hall staff post the grant application on the Town’s website.

Mr. O’Keefe stated the submission due date for the CDBG-CV grant has been set for November 1, 2021. Mr. O’Keefe stated that the purpose for applying for this grant was to assist with the Well #5 project. Mr. O’Keefe also stated that Florida DEO had highlighted in the pre-application that the Town needed to work on the Public Hearing component of the Application, so subsequently, there will be a Public Hearing for the CDBG-CV grant application at 6 p.m. on 9/27/2021. The primary focus of the Public Hearing will be to talk about all the potential uses of the CDBG-CV grant. Mayor MacFarlane stated that the 9/27/2021 Public Hearing would occur from 6:00 p.m. to 6:15 p.m., directly before the regularly scheduled Town Council Meeting. Mayor MacFarlane also stated that town hall staff would create a storyboard about this grant application and place it at the Town Library. The storyboard would work to educate and solicit input from residents.

Public Comment:

None

8. Discussion: Cemetery – **Continuing Care and clean-up/maintenance needs per Parks & Recreation Board**

Mayor MacFarlane asked Councilor Gallelli to discuss this topic. Councilor Gallelli explained that she had spoken to residents that had complained about the status of the cleanliness of the cemetery and asked why the cemetery is not a perpetual care cemetery. Councilor Gallelli stated that, for a cemetery to be classified a perpetual care cemetery, there would have to be a fund created and set aside for the maintenance of the cemetery. Average cost of a perpetual care cemetery plot is \$2,000 to \$5,000 with 10% of the fee going to the fund that maintains the cemetery. There is a Florida Statute covering perpetual care cemeteries: it is F.S. 497.268. Currently the town charges either \$555 for a lot or \$610 for an oversized lot, and the Town currently only sells cemetery lots to residents of the Town. Councilor Gallelli suggested that the Town should look at raising rates to assist with maintaining the cemetery, independent of being perpetual care. Pat Miller, Parks & Recreation Board Chair, has made a list of suggestions for maintenance work that needs to be completed on the cemetery, including repainting the entry sign and some fence work that should be completed.

Pat Miller stated she would like residents to offer suggestions on what should or could be done for the cemetery and would like someone at Public Services or a contractor who would follow up on the suggestions. Mrs. Miller suggested that some of the things that need to be done, like power washing of the sidewalks, is overdue and needs to be done soon. It was suggested that maybe residents would be willing to volunteer, and power wash the sidewalks in the cemetery.

Mayor MacFarlane stated that the next steps for the cemetery would include: the Councilors receiving a copy of the Ordinance about the cemetery; Pat Miller's information about what needs to be done; a list of cemetery rates; Councilor Gallelli's information that she has on cemeteries; and that the Councilor would review all of that information to make decisions on updating the rate structure for the cemetery. Mayor MacFarlane plans to hold a Town Council Workshop on rates in the near future.

Public Comment:

Sal Gallelli, 1104 N Tangerine Ave. - Mr. Gallelli asked about what the Town cemetery costs include.

Berniece Hower, 444 Bellissimo Place – Mrs. Hower suggested that in other areas of the country, cemeteries would solicit for donations to assist in the maintenance and upkeep of the cemetery.

9. Discussion: **Fishing Pier RFP Status**

Mayor MacFarlane asked Town Administrator, Sean O'Keefe to discuss the status of the Fishing Pier RFP. Mr. O'Keefe stated that the RFP had been opened up again for submissions due to only getting one submission the first time.

Public Comment:

None

10. Discussion: **Public Services Director position update.**

Town Administrator O’Keefe stated that the Public Services Director position job description had been posted online, on multiple websites. So far, there have been three applications submitted for the position. Mayor MacFarlane stated that the interview process for this position would go similar to the Town Clerk or Town Administrator interview process.

Public Comment:

None

Town Reports:

Town Hall

Town Clerk Brock gave the August Town Hall report. Mr. Brock presented the number of permits that were issued in August and listed the top 10 bad debt accounts for the Town’s utilities. Mr. Brock stated that one of the worst top bad debt properties had been paid off (500 S Florida Ave.), this was for \$2,425.72 plus a \$75 lien fee.

Police Department

Police Chief Thomas gave an update on Corporal Hamelink’s health status. The modular structure installation should begin on Thursday, 9/16/2021. Town Hall will need to fill out the worksheet for the CDD to get the sewer connection for the modular building.

Code Enforcement

Azure Botts, Code Enforcement Officer, gave the Code Enforcement report for August.

Public Services

Public Works Supervisor, Mr. James Southall, stated that the hydrant flushing project is finished and the hydrants will be painted with different colors on the bonnets. Mr. Southall also stated that Public Works was currently installing backflows and replacing old and non-functioning curb-stops. The High Service Pump 1 project is still ongoing. There will be a new hydrant installed on Lakeshore and Lakeview, the old hydrant was deemed inoperable.

Library

Library Director, Tara Hall, presented the August Library report. The Friends of the Library will be running a fundraiser by raffling off three baskets for charity. The Friends of the Library are assisting with procuring and picking the Electronic Notification sign for the Town.

Parks & Recreation Advisory Board / Special Events Committee

Nothing to report.

Town Attorney

Nothing to report.

Town Administrator/Financial Director

Sean O’Keefe, the Town Administrator, presented his August Financial report.

Development Status

Sean O’Keefe, the Town Administrator, shared a new map of Howey-in-the-Hills with all of the potential developments marked. Mr. O’Keefe showed the two new potential developments since last month, Thompson Grove and Simpson Property.

Mayor Pro-Tem Conroy suggested that town staff, during the pre-development meetings, share a vision that the product developers bring to the town be consistent with what is near them. As an example, Mayor Pro-Tem Conroy suggested that town staff should have shared with the Thompson Grove developers that their property abuts to the “old Howey” area of town and consistency is important, as it relates lot size and setbacks.

Mayor Pro-Tem Conroy also made a suggest about going to FDOT, the MPO and the county early to show them all the potential development coming into the Town, so that it is seen as one big project as opposed to lots of smaller separate projects. Traffic studies should be coordinated together as much as possible. Budget for the 19 study will occur in December, so it is important to get your request in soon. FDOT can put pressure on the developers so that they contribute to the roads.

Councilor Gallelli asked if the town could just tell the Thompson Grove developer up front that the Town would not allow 50-foot lots. Mayor MacFarlane explained that the town would need to allow the developers and landowners their process. Mr. O’Keefe explained how the process works.

Councilor Lehning suggested that the Town should create something in writing to give to the developers saying that the developers are proceeding at their own risk if they are trying to go forward with smaller lots.

Public Comment:

Berniece Hower – 444 Bellissimo Place – Mrs. Hower suggested that FDOT should be brought into the discussion for the Revels Rd and 19 intersection, as she believes it is dangerous, especially for buses.

Doug Hower – 444 Bellissimo Place – Mr. Hower stated he felt most of the Simpson development was outside of the Town and he asked if that would have to be annexed into the Town.

Council Member Reports:

Mayor Pro-Tem Conroy

Mayor Pro-Tem Conroy stated that the Central Sewer project is almost complete, and he hopes that the Mayor and her team are working to propose a sewer buy-in program. Mayor Pro-Tem Conroy wants the Town to encourage as many people as possible to connect to the sewer in that area.

Mayor Pro-Tem Conroy wants the town to find a use for the old 5-acre landfill on the south side of town. He suggested that maybe that land could be used as a solar plant to produce electricity for the town or maybe it could be used as a storage lot for boats or RVs.

Mayor Pro-Tem Conroy also suggested that residents should volunteer their time to power wash the Sara Maude walkways.

Councilor Lehning

Councilor Lehning asked if there was any more information about the Downtown Development program. Mayor MacFarlane stated there was nothing new.

Councilor Gallelli

Councilor Gallelli thanked Mayor MacFarlane for an amazing job.

Councilor Klein

Councilor Klein stated that he called 20 contractors to solicit bids for the Fishing Pier RFP.

Mayor MacFarlane

Nothing to report

Public Comments

Andy & Dawn Hooten, 460 Avila Place – Mr. Hooten asked what the status was of the Wireless Internet project. Mr. O’Keefe answered that the Town was still waiting to hear if the Town will be awarded a grant for this project.

Sal Gallelli, 1104 N Tangerine Ave. - Mr. Gallelli stated that he liked the idea of a Solar Plant on the site of the Town’s old landfill.

Doug Hower, 444 Bellissimo Place – Mr. Hower asked where the Town’s old landfill was located and what was buried there.

ADJOURNMENT

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

The Meeting adjourned at 7:50 p.m. | **Attendees: 22**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk

DRAFT