



## **Town Council Meeting**

**August 28, 2023 at 6:00 PM**

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

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### **AGENDA**

Call the Town Council Meeting to order  
Pledge of Allegiance to the Flag  
Invocation by Councilor Reneé Lannamañ

#### **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 | Rick Thomas, Police Chief | Heather Ramos (for Tom Wilkes), Town Attorney | Morgan Cates, Public Works Director

#### **AGENDA APPROVAL/REVIEW**

**Motion made by Mayor MacFarlane to approve the agenda with an amendment to place Agenda Item #5 (Proclamation Recognizing National Ballroom Dance Week) right after 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

#### **CONSENT AGENDA**

*Routine items are placed on the Consent Agenda to expedite the meeting. If Town Council/Staff wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on the remaining item(s); and (3) Discuss each pulled item and vote.*

1. The approval of the minutes and ratification and confirmation of all Town Council actions at the July 27, 2023 Town Council Budget Workshop.
2. The approval of the minutes and ratification and confirmation of all Town Council actions at the August 14, 2023 Town Council Meeting.

3. Consideration and Approval: **Resolution 2023-007 Delegating Signature Authority to the Town Manager for Federal Grant Agreements**

**Motion made by Councilor Lehning to approve 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

**NEW BUSINESS ITEM MOVE UP DURING AGENDA APPROVAL**

5. Consideration and Approval: **Proclamation Recognizing National Ballroom Dance Week**

Mayor MacFarlane read the Proclamation out loud.

**Motion made by Councilor Lannamañ to approve the Proclamation; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by voice vote.**

**Voting**

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

**Nay:** None

**PUBLIC HEARING**

None

**OLD BUSINESS**

4. Consideration and Approval: **Water Rates FY24**

Town Manager, Sean O’Keefe, introduced and explained this item. Mr. O’Keefe stated that the Town may raise the Town’s water rates at the beginning of each fiscal year by a percentage not to exceed the Municipal Cost Index (MCI) of the preceding calendar year. The increase percentage of the MCI for calendar year 2022 was 6.694924%. The Council needed to determine whether there would be an increase to water customers based on this inflationary change.

Councilor Miles gave an assessment of Fiscal Year 2022’s total Water Revenue and compared it to the Town’s total Water Expense during that year and the result was that, if the Town had not included the Town’s Water Utility Tax with the water revenue numbers, the Town would have lost money.

Councilor Lannamañ was concerned with raising the level of on the Town’s Irrigation rates due to there being both irrigation and potable meters in the newer neighborhoods of the Town (Venezia and Talichet).

Councilor Miles made a motion to approve the staff’s recommended increase in Water Rates for Fiscal Year 2024 (of 6.694924%) to all the Town’s water rates, effective 10/1/2024, while also removing the \$10 Water Improvement fee from all residential (secondary) Irrigation meters.

Mayor MacFarlane agreed with Councilor Miles and asked about the Town's SRF loan, which is paid twice yearly and if it was allowable for the Town to remove the \$10 Water Improvement Fee on Irrigation meters.

Councilor Miles stated that his motion would result in a net increase to the Town of \$21,200 for the upcoming Fiscal Year, which is close to the amount that the Town would have lost in revenue last year without the Water Utility Tax's inclusion into the Water Revenues.

Councilor Lehning questioned why the Venezia and Talichet neighborhoods were using so much more water than the rest of "Old Howey".

Councilor Lannamañ seconded Councilor Miles' motion.

Mayor MacFarlane opened Public Comment for this item only.

**Peter Tuite, 300 E Croton Way** – Mr. Tuite recommended pulling water out of Little Lake Harris to be used for Irrigation lines. Mr. Tuite stated that he was not in favor of the Town drilling to the Lower Floridan Aquifer, and he was concerned about the cost to do so.

Mayor MacFarlane closed Public Comment.

**Motion made by Councilor Miles to approve the staff's recommended increase in Water Rates for Fiscal Year 2024 (of 6.694924%) to all of the Town's water rates, effective 10/1/2024, while also removing the \$10 Water Improvement fee from all residential (secondary) Irrigation meters; 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

**NEW BUSINESS**

**6. Discussion: Citrus Ave. ROW Vacation of Easement**

Town Manager, Sean O'Keefe, showed a map the Right of Way (ROW) easements near the intersection of N. Citrus Avenue and E Camellia Way that had been deeded to Lake County back in 1946. This land was within the Town's borders. The Lake County Board of County Commissioners (BCC) would be having a hearing on the following day to decide if they would transfer the ROW easement area over to the Town.

Mr. O'Keefe explained that, if the County did transfer this easement ROW over to the Town, Town Staff was making a recommendation to work with the current landowner to move the ROW easement so that the Town could rebuild the intersection of N Citrus Ave. and E. Camellia Way in a safer manner.

Mayor MacFarlane opened Public Comment for this item only.

**Todd Hawkins, 1110 N Lakeshore Blvd.** – Mr. Hawkins was concerned about some oak being potentially removed from some of the affected property and would like to see some mitigation of the affected oaks.

**Tim Everline, 1012 N Lakeshore Blvd.** – Mr. Everline asked how many accidents had occurred at the intersection of Citrus and Camillia. Mr. Everline stated that he might not be in favor of removal of oak trees to fix this intersection in question.

Mayor MacFarlane closed Public Comment.

7. Discussion: **Town Noise Ordinance**

Mayor MacFarlane explained that there had been some Town residents who had complained about noise problems from their neighbors, and currently the Town did not have an ordinance that would deal with that sort of issue. Mr. O’Keefe had shared Lake County’s Noise Ordinance with the Town Council and the Mayor asked what the other Town Councilors thought of that ordinance.

Councilor Miles stated that he did not think that Lake County’s ordinance would be enforceable due to it not having specific information such as specific identifiable information about what exceeding the noise level meant (such as a certain decibel level at so many feet from the person’s property.)

Mayor MacFarlane agreed and said that the Town’s Noise Ordinance should have a measurable component to it.

Councilor Lannamañ stated that she was concerned about construction noise occurring at or before 6 AM.

Police Chief Thomas recommended a misdemeanor component in the Town Noise Ordinance.

Mayor MacFarlane opened Public Comment for this item only.

**Tim Everline, 1012 N. Lakeshore Blvd.** – Mr. Everline was concerned about there being no decibel level being used to measure the noise level on an objective basis.

**Tom Ballou, 1005 N. Tangerine Ave.** – Mr. Ballou stated that New York State suggested that time of the day should be a component for the proposed Noise Ordinance, so that people could not complain about you mowing your yard in the middle of the day.

Heather Ramos, Town Attorney, stated that she would recommend that the Town look at the Orange County Noise Ordinance.

**Peter Tuite, 300 E Croton Way** – Mr. Tuite stated that he believed that this was just a problem in neighborhoods where houses were too close together, such as those with HOAs. Mr. Tuite stated that he believed HOAs should be taking care of this issue.

**Todd Hawkins, 1110 N Lakeshore Blvd** - Mr. Hawkins stated that he had seen that iPhones have decibel measuring apps and that the Town should look into using this rather than a device built exclusively for that purpose, in an effort to save money.

Mayor MacFarlane closed Public Comment.

There was consensus from Town Council that the Town Attorney should look at both Orange County’s Noise Ordinance and Lake County’s and make a suggestion to the Town.

## **DEPARTMENT REPORTS**

8. Town Manager

Sean O'Keefe, Town Manager, read out notices of future meetings and events.

Mr. O'Keefe stated that he had been in contact with the Central Lake CDD about the possibility of the Town purchasing some ERU's for wastewater capacity, to be used off of Central Ave (such as for the Howey Market) and the Central Lake CDD had informed him that no ERUs were available for purchase at this time.

Mr. O'Keefe stated he would be declaring a State of Emergency in the Town for the upcoming arrival of Hurricane Idalia and that residents should get ready for the storm.

## **COUNCIL MEMBER REPORTS**

### **9. Mayor Pro Tem Gallelli**

Mayor Pro Tem Gallelli asked about the \$4.25 million appropriations that the Town received from the state legislature. Mr. O'Keefe stated that he was working on the questionnaire that the state had forwarded to him and that he would be submitting it on the following day.

Mayor Pro Tem Gallelli asked about the status of the sale of the Town's land to Lake County's Fire Department. Mr. O'Keefe explained that the County had not made a decision yet, that they were more interested in a more northern parcel, but they had not ruled out the land on Number Two Road.

Mayor Pro Tem Gallelli announced that the Town had just hired Matt McDonald as its new Code Enforcement Officer.

Mayor Pro Tem Gallelli asked if the Town staff had looked into the option of a 401(a) as an investment tool for employees. Mayor MacFarlane stated that she thought the Town would really need to look at all of its options.

Mayor Pro Tem Gallelli asked for more information on how the budgeted \$31,500 was going to be spent on its Christmas Festival.

### **10. Councilor Lehning**

Councilor Lehning asked when the Town Planner would be finished with compiling the Comprehensive Plan and Land Development Code changes that the Town Councilors had each individually suggested. There was a consensus from all the Town Councilors that they wanted a presentation from the Town Planner on this topic during the second September Town Council Meeting.

### **11. Councilor Miles**

Councilor Miles asked about the status of the 2 lift station improvements. Public Works Director, Morgan Cates, stated that, with the Town Council's passing of the Town Manager's signatory authority during this meeting's Consent Agenda, the Town would be able to complete the process of submitting the grant application.

Councilor Miles wanted to know about the status of his request that the Town Manager send a letter to owners of the 12 contiguous parcels off of Revels Road asking them if they would like to annex into the Town. Councilor Miles asked if any other Town Councilors objected to having the Town Manager send out the annexation request letter by the end of the week. Mayor MacFarlane stated that, due to the hurricane that was projected to come near the Town that week, that the Town Manager be given one additional week to send out the letters.

Councilor Miles asked about the status of the recruitment of a new Finance Supervisor. Town Clerk, John Brock, stated that the Town was still accepting applications and actively interviewing individuals for the position. Councilor Miles asked who was working with the auditor to close out the Fiscal Year. Mayor MacFarlane explained that the Town would be working with the Town's consultant, June Lorah, to close out the year.

Councilor Miles asked the status of the change to commitment accounting and how not having a working Finance Supervisor would affect this. Mr. O'Keefe stated that the timing of the Finance Supervisor's resignation was not ideal, that it may affect the timeliness of that transition.

Councilor Miles congratulated the Public Works Director on the work that was ongoing on N. Dixie Drive.

Councilor Miles was concerned about the Finance Departments placement within the Town Hall's organizational chart. Councilor Miles was concerned about the Finance Supervisor position, which he stated was typically a much more highly skilled and educated position than the Town Clerk's position, and that the Finance Supervisor position would be reporting to the Town Clerk.

Mayor MacFarlane stated that this was an organizational decision, and that this decision was one that the Town Manager could make without the approval of the Town Council. Mayor MacFarlane stated that the Town Manager should be allowed to manage his staff as he deems appropriate.

Councilor Miles was also concerned about the new Office Supervisor position being created in Town Hall.

Councilor Miles stated that he thought the Finance Department should report directly to the Town Manager rather than the Town Clerk's office. Councilor Miles stated that he did not like the new proposed organizational structure.

## 12. Councilor Lannamañ

Councilor Lannamañ asked about the Pine Park plan. Public Works Director, Morgan Cates, stated that it was his understanding that Town Council had gone back to the idea of designing a set of pickleball courts, bike trail, and a parking lot.

Councilor Lannamañ asked if the Town had an alert notification system. Mr. O'Keefe explained that the Town participates with the County's notification system and people could sign up for it with AlertLake Notification system.

## 13. Mayor MacFarlane

Mayor MacFarlane asked to have replanting of trees added to a future Town Council agenda.

Mayor MacFarlane stated that she was concerned about the appropriations process and would appreciate an email when the Town Manager had submitted all the necessary paperwork.

Mayor MacFarlane asked if the Town Council would need to adjust the FY2023 budget to account for the Town not selling the land to the Lake County Fire Department.

Mayor MacFarlane stated that she thought that individual Town Councilors (herself included) should not be making requests of the Town Staff. Mayor MacFarlane stated that there needed to be a consensus from the Town Councilors and a vote before making the staff work on individual's requests.

Mr. O’Keefe stated that there is a Tree Fund and that the Tree Fund falls under the auspices of the Parks and Recreation Board’s responsibility to manage this fund.

Mayor MacFarlane stated that she wanted to talk about concerns about the raise for the Town Clerk and that the Town had started him at a very low rate. Councilor Miles stated that he did not have a problem with the proposed raise for the Town Clerk, especially with his additional duties as they relate to planning and development.

Councilor Miles was concerned about the previous Finance Supervisor leaving the Town.

Mr. O’Keefe explained that John Brock, the Town Clerk, has many additional responsibilities that are not typically performed by a Town Clerk. Mr. Brock’s additional responsibilities for the Town include IT Director, Emergency Planning Section Chief, Human Resource Director, Economic Development, and Planning and Zoning Department Director responsibilities, which all fall under Mr. Brock’s domain. Mr. O’Keefe stated that Mr. Brock would be functioning effectively as a Deputy Town Manager, overseeing the Finance Department as well.

Councilor Miles stated that he was not happy with the proposed set-up and does not want Mr. Brock to be over the Finance Department. Councilor Miles stated that he thinks the Town needs a Finance Director that would be a peer to Mr. Brock rather than elevating Mr. Brock’s position.

#### **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.*

**Tim Everline, 1012 N Lakeshore Blvd.** – Mr. Everline stated that he would like the Town to print out a list of every staff position and their salaries. Mr. Everline was upset about the Town purchasing a stage for events.

**Peter Tuite, 300 E Croton Way** – Mr. Tuite stated that he thinks that a proposed Noise Ordinance should have a clause for emergency generators being utilized during emergencies.

**Banks Helfrich, 9100 Sams Lake Road, Clermont** – Mr. Helfrich spoke about the theme of purpose and sustainability.

Councilor Lehning stated that, in the past, the Town did not have enough staff to function appropriately and that he resented people belittling the Town staff.

#### **ADJOURNMENT**

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

The Meeting adjourned at 8:09 p.m. | **Attendees: 32**

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Mayor Martha MacFarlane

ATTEST:

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John Brock, Town Clerk

DRAFT