



Town Council Meeting

March 25, 2024 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 Manager | Tom Wilkes, Town Attorney | John Brock, Town Clerk

AGENDA APPROVAL/REVIEW

Motion made by Mayor Pro Tem Gallelli to add an agenda item to discuss the Special Magistrate Agreement between Lakeview Investments and the Town of Howey-in-the-Hills (to be placed under 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.

Motion made by Mayor Pro Tem Gallelli, Seconded by Councilor Miles.

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

Voting Nay: Councilor Miles

1. The approval of the minutes and ratification and confirmation of all Town Council actions at the February 21, 2024 Town Council Workshop.

2. The approval of the minutes and ratification and confirmation of all Town Council actions at the February 26, 2024 Town Council Meeting.
 3. The approval of the minutes and ratification and confirmation of all Town Council actions at the February 27, 2024 Town Council Workshop.
 4. The approval of the minutes and ratification and confirmation of all Town Council actions at the March 12, 2024 Town Council Workshop.
- 4-A. Special Magistrate Agreement – The Town of Howey-in-the-Hills and Lakeview Investment (**agenda item added during Agenda Approval**)

Motion made by Mayor Pro Tem Gallelli to approve of the Consent Agenda, with the original set of minutes (not Councilor Miles’ edited version) being approved for the February 26, 2024, Town Council Meeting (item #2); seconded by Councilor Miles.

Councilor Miles stated that he wanted his edited version of the minutes for the February 26, 2024, Town Council Meeting to be approved. Councilor Miles stated that he wanted it added to the minutes that he objected to the Town Council criticizing members of the public. Councilor Miles stated that he objected to it at the time and wanted that reflected in the minutes. Councilor Miles stated that he objected to his set of minutes not being approved. Councilor Miles stated that he wanted it in the minutes that not every Town Councilor was chastising members of the public two meetings in a row.

Motion to approve the Consent Agenda with the original version of minutes for the February 26, 2024, Town Council Meeting, was approved with a roll-call vote.

Voting

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

Nay: Councilor Miles

Councilor Miles wanted it on record that he objected and asked the Town Attorney, Tom Wilkes, if it was possible for the Town Council to delete something from the minutes just because the majority doesn’t like what was being said. Mr. Wilkes stated that the Town Council as a whole decides what is reflected in the minutes.

Councilor Miles asked if this was something that could be taken to the Ethics Commission. Councilor Miles stated that he believed that the other members of the Town Council and their actions were a clear violation of ethics. Mr. Wilkes stated that Councilor Miles’ question was not one he was going to answer in a public meeting and that, if Councilor Miles chose to, he could reach out to the Ethics Commission and ask them himself.

PUBLIC HEARING

5. Consideration and Approval: (second reading) **Ordinance 2024-001 Mission Rise PUD Rezoning**

McGregor Love, Attorney with Lowndes Law, (representing the applicant) spoke and stated that the applicant would like to have this agenda item continued again to the April 22, 2024, Town Council Meeting so that they would have more time to review the Town’s 11 conditions in its proposed motion for this agenda item.

Motion made by Mayor MacFarlane to continue to April 22, 2024, Town Council Meeting; seconded by Councilor Lannamañ. Motion approved by voice vote.

Voting

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

Nay: Councilor Miles

OLD BUSINESS

None

NEW BUSINESS

6. Consideration and Approval: (First Reading) **Ordinance 2024-004 Fireworks Regulations**

Town Attorney, Tom Wilkes, read Ordinance 2024-004 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO FIREWORKS; CREATING CHAPTER 93 OF THE TOWN'S CODE OF ORDINANCES, ENTITLED "FIREWORKS"; DECLARING FINDINGS OF THE TOWN COUNCIL; PROVIDING DEFINITIONS; SPECIFYING UNLAWFUL ACTS AND MEANS OF ENFORCEMENT; SPECIFYING THE CONDITIONS AND REQUIREMENTS UNDER WHICH THE TOWN MAY GRANT A PERMIT FOR A PUBLIC DISPLAY OF FIREWORKS; PROVIDING FOR SEVERABILITY, CONFLICTS AMONG ORDINANCES, CODIFICATION, AND AN EFFECTIVE DATE.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that one of the individuals that originally complained about the fireworks at the Howey Mansion had stated that he was not in favor of an ordinance, that he did not want his rights taken away. Mr. Everline was not in favor of an ordinance that took away or limited individuals rights.

Mr. Wilkes gave a quick summary of the Ordinance and stated that, for normal people not putting on professionally fireworks displays, the State of Florida limited their personal fireworks to just three days (Independence Day, New Years Eve, and New Years Day). The Town ordinance reaffirmed that, but also just restricted the hours on those three days.

Tom Ballou, 1005 N. Tangerine Ave. – Mr. Ballou stated that he thought the gentleman that set off the professional display of fireworks for the Howey Mansion event had received a permit from the County. Mr. Ballou was not in favor of this ordinance.

Mayor MacFarlane closed Public Comment for this item.

Councilor Miles asked for further information on the State Statute regulating fireworks. Mr. Wilkes stated that the State Statute did not restrict the hours on the three days that fireworks can be used, but the Town's proposed Ordinance did restrict the hours on those days.

Councilor Miles stated he was concerned about a teenage child getting jail time for fireworks, but he likes that the Ordinance further regulates professional fireworks displays within the Town.

Councilor Lehning was concerned about the professional fireworks mortars and the noise that they cause.

Councilor Lehning stated that he would like to know how many people in the county have been arrested for shooting off fireworks in the last 10 years.

Councilor Lehning stated that he did not want any language in this Ordinance stating that the Town was allowing kids to shoot off fireworks, for fear that children would hurt themselves doing it.

Motion made by Councilor Miles to approve this Ordinance to its second reading, subject to the Town Attorney making changes to section 93-2 B; 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

7. Discussion: **Number Two Road Letter**

Town Manager, Sean O’Keefe, reviewed a letter that Lake County Board of County Commissioners Chairman Kirby Smith had sent to the Howey-in-the-Hills Town Council in reference to Number Two Road and the proposed development of Mission Rise and the Reserve (Hillside Groves). Mr. O’Keefe read out loud a paragraph from Commissioner Smith’s letter:

Based on the size and mixed-use components of these projects (Mission Rise and Hillside Groves), and the existing road conditions of Number Two Road, the Board of County Commissioners is requesting that the Town limit access to Number Two Road for emergency vehicles only, to include the installation of a gate equipped with an approved public safety access opening system.

This would allow for the provision of emergency services from a secondary access point to the residents of The Reserve and Mission Rise, while limiting the degradation of Number Two Road from high vehicular traffic that should otherwise be directed to SR 19. Alternatively, the Board requests that the Town require the access point from the development to Number Two Road to be designed and constructed as "right-turn" exit only, so that residential traffic is directed back to SR 19. This alternative would also help to alleviate the increased traffic by preventing new residents from using Number Two Road as a bypass to CR 48.

Mr. O’Keefe stated that the Town Staff was still of the opinion that the original plans for both developments were sufficient and appropriate for the design of the developments. Mr. O’Keefe stated that, from talking to County Staff, this was a request and not a mandate from the County. It was up to the Town Council to either adopt the County’s suggestions or go with the original plans. Mr. O’Keefe stated that, as long as the applicant follows all the applicable rules, the County cannot deny the exit onto Number Two Road.

Councilor Miles stated that he had submitted a suggested draft for a response from the Town that he would like to see the Town Manager submit.

Mayor MacFarlane stated she believed that the Town needed to maintain control within the Town’s borders. Mayor MacFarlane stated that she does not think it is good to restrict a 700+ home development to a single entry and exit point. Mayor MacFarlane stated that she believes that the Town should send a response that acknowledges the letter and tells the County that the Town will continue to work with them.

Mr. O’Keefe stated that it seemed that there was a consensus from the Town Council that he should acknowledge the letter and let the County know that the Town was going forward with the original plans for the developments.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that he thought the Town was creating a problem by effectively ignoring the County and could be opening up the Town to a lawsuit. Mr. Everline suggested that the Town create a moratorium on building and meet with the County to decide what to do.

Frank Martinez, 10400 Woodland Hills Ct., Howey-in-the-Hills (unincorporated Lake County) – Mr. Martinez stated that, on behalf of the County residents who would be impacted by Mission Rise, he did not want to see any traffic on Orange Blossom.

Mayor MacFarlane closed Public Comment for this item.

Councilor Lehning wanted to know if the County had been brought into the loop on the design process. Mr. O’Keefe stated that the developer had submitted its connection plans for Number Two Road to the County over two years ago and the County’s staff had said that they have no basis to deny the developer’s requested permits.

Councilor Miles stated that he wanted a strongly written response to the County. Councilor Miles stated that he did not think the County would send a letter like this to Leesburg, and that it was demeaning.

DEPARTMENT REPORTS

8. Town Manager

Sean O’Keefe, Town Manager, gave an update on the drilling of wells 5 & 6.

COUNCIL MEMBER REPORTS

9. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli asked about Peak Park and stated that she did not want any more money spent on that project. Mayor Pro Tem Gallelli also stated that she would like to see funds diverted from some other project to repair the Town’s historic firetruck.

10. Councilor Lehning

Councilor Lehning asked about when the Town Council would see the proposed Noise Ordinance brought back to them. Mr. Wilkes apologized and stated that the Town Council should see the Noise Ordinance soon.

11. Councilor Miles

Councilor Miles stated that he had asked the real estate agent that the Town has been using to determine if the Lynch family would be willing to move forward with their donation of 5 acres of land based off of how much the Town had already spent on the core studies of Peak Park.

12. Councilor Lannamañ

Councilor Lannamañ asked how much the Town had spent on Peak Park already. Mr. O’Keefe stated that roughly \$50,000 had been spent on the proposed Peak Park land (the Town’s old landfill). Mr. O’Keefe further stated that the expenditure had been made to clear the site of trees and brush and to do the appropriate coring studies to see if the site could be used as a park.

Councilor Lannamañ wanted to know if some of the \$50,000 had paid for a road to the site. Mr. O’Keefe stated that there was no road to the site yet and, if the Town were to move forward with the project, a road would need to be created.

Councilor Lannamañ stated that she thought this was a lot of money to be spent on seeing if a park could be created, especially when the Town had Pine Park with its needing to have a driveway connected to keep that land. Councilor Lannamañ agreed with Mayor Pro Tem Gallelli and did not want to see any more money spent on Peak Park.

Councilor Lannamañ asked for an update on wastewater. Councilor Miles stated that the Town has been in negotiations with the Central Lake CDD for the last two months to acquire more wastewater treatment capacity through the Central Lake CDD. Mr. O’Keefe stated that the Town Council should see a proposed contract from the Central Lake CDD soon. Councilor Lannamañ asked about other wastewater options, including collaboration with the City of Groveland. Mr. O’Keefe stated that the Clean Water Study that Woodard and Curran would complete for the Town should help with an alternative analysis.

Mayor Pro Tem Gallelli reiterated that she would like no more money to be spent on Peak Park going forward.

Councilor Lehning stated that he did not want to see a vote on wastewater options without getting the study from Woodard and Curran and also wanted to know any risk associated with the Central Lake CDD wastewater treatment plant.

13. Mayor MacFarlane

Mayor MacFarlane asked Councilor Lehning for an MPO update. Councilor Lehning suggested having FDOT come to the Town Council and give a presentation during a future Town Council meeting.

Mayor MacFarlane asked if the Town has had any success on getting a loan for the construction of the Sara Maude Mason Nature Preserve Boardwalk. Mr. O’Keefe stated the Finance Supervisor was reviewing the loan repayment mechanism and researching how the loan could be repaid.

Mayor MacFarlane suggested that the Town get a sign and address for Pine Park.

Mayor MacFarlane wanted the Public Works Department to evaluate the signage (including stop signs) in the Venezia neighborhood.

Councilor Miles stated that the Central Lake CDD did state in December that they had discovered additional wastewater treatment capacity of approximately 413,200 gallons or 1,652 ERUs. Councilor Miles stated that he wanted to pursue the Town acquiring some or all of that additional wastewater treatment capacity.

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.

John Manning, Business Owner of 101 S. Palm Ave. (Howey Market) - Mr. Manning asked if the ERUs would be allowed to be used for the Downtown Sewer Project and about the Town’s needs for sewer capacity.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that he was disappointed with the Town Council for not following the Planning and Zoning Board’s recommendation for the denial of two variances for the Publix commercial development. Mr. Everline was concerned whether the Hillside Groves commercial development would big enough to be able to financially construct a roundabout.

Andi Everline, 1012 N. Lakeshore Blvd. – Mrs. Everline stated that she believes there was a huge problem with traffic on Obrien Rd.

Banks Helfrich, 9100 Sams Lake Rd., Clermont – Mr. Helfrich spoke about the theme of supporting small businesses.

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 7:48 p.m. | **Attendees: 35**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk