



Town Council Meeting

August 14, 2023 at 6:00 PM

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

AGENDA

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 | Mayor Pro Tem Marie V. Gallelli | Mayor Martha MacFarlane

MEMBERS EXCUSED ABSENT:

Councilor George Lehning

STAFF PRESENT:

Sean O'Keefe, Town Administrator | John Brock, Town Clerk | George Brown, Police Lieutenant | Tom Wilkes, Town Attorney | Morgan Cates, Public Works Director

AGENDA APPROVAL/REVIEW

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

Voting

Yea: Councilor Lannamañ, Councilor Miles, 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 24, 2023 Town Council Meeting.

Motion made by Councilor Lannamañ to approve the Consent Agenda; 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

2. Discussion: **Wastewater Update**

Councilor Miles stated that he had passed out two Position Papers on wastewater during recent meetings. He summarized the most recent Position Paper that he had handed out during the July 24, 2023 Town Council Meeting. Councilor Miles' Position Paper outlines three options for the Town to increase its capacity to deliver wastewater services. These options are:

- 1) The Town would build a publicly owned treatment plant using a 13.5-acre tract along Number Two Road owned by the Town, after the land donation described below is accepted.
- 2) The Town would invest in the privately owned plant to expand it in 435,000-gallon increments. The private owner would own the plant and land, but the Town would own the rights to an amount of capacity in the plant based on the investment amount with the private owner.
- 3) The Town would buy the existing privately owned plant and expand it. Councilor Miles stated this option was not feasible since the private owner had stated the plant was not for sale and use of the Town's eminent domain powers would be prohibitively expensive.

Councilor Miles stated that the Town Council would need to decide whether to build its own wastewater treatment plant or to pay to expand the privately owned wastewater treatment plant managed by the Central Lake CDD. Councilor Miles did not recommend using taxpayer dollars to expand the privately owned wastewater plant.

Councilor Miles also suggested that there was an opportunity for the Town to purchase a 10-acre parcel on the North side of Town that could be used for a new town hall, police station and park.

Mayor MacFarlane suggested that the Town may have an option to connect to either Tavares or Groveland. Councilor Miles did not recommend either of those two options due to the cost of running pipelines out to either Tavares or Groveland.

Councilor Lannamañ asked for resident Larry Morris (800 Citrus Ave.) to speak about the Central Lake CDD and their wastewater treatment plant. Mr. Morris stated that the Central Lake CDD's wastewater treatment plant was outdated and was not state of the art. Mr. Morris said that he thought the best option for the Town was for it to build its own wastewater treatment plant.

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 300 E Croton Way – Mr. Tuite had questions about the Central Lake CDD wastewater treatment plant. Mr. Tuite said that the Town was a little town and could not afford to build everything it was talking about. Mr. Tuite stated he was not in favor of the Town drilling to the Lower Floridan Aquifer.

Mayor MacFarlane closed Public Comment.

NEW BUSINESS

3. Discussion: Fire Station Location

Sean O'Keefe, Town Manager, introduced this item. Mr. O'Keefe explained that there had been some discussion about where the Town should try to sell 2 acres to the Lake County Fire Department for them to build a new fire station on. The previous proposal had been for the Town to sell the Lake County Fire Department 2 acres off of the land the Town owned on Number Two Road. There was a more recent suggestion that the Town may want to sell the 2 acres it owned on State Road 19 (which was currently identified with the purpose of creating a park called Pines Park.) Mr. O'Keefe stated that there was no clear consensus as to what the Town Council wanted to do.

Mr. O'Keefe stated that, if the Town chose to keep the 2 acres on State Road 19 and build a park on it, the Town would need to build the park within 11 and a half months or that land would revert to its previous owners.

Councilor Miles noted that the 2 acres being discussed (Pine Park), were donated in 2014 by the developer of the Venezia subdivision for a park or another public purpose such as a police station. As Mr. O'Keefe pointed out, if not used by the Town for a public purpose within ten years, it reverts to the donating developer. Therefore, using it for a fire station site seems appropriate if the construction could be started within 11 months. The parcel is over 700 feet from the nearest house in Venezia with wetlands surrounding it on that side of SR 19. On the other side of SR 19, is the Town Cemetery and commercial zoning. It is also located at the southern terminus of the spine road through the Reserve Development, allowing easy access to properties along No. 2 Road. He then asked what had been done by the Town in the last 9 years to develop a park on the site.

Councilor Lannamañ stated that she was definitely not interested in selling the Pines Park land to Lake County with the purpose of a fire station being built at that location.

Public Works Director, Morgan Cates, gave a short synopsis of the recent history of the Parks and Recreation Board's effort to develop Pines Park.

Mayor MacFarlane thinks that the next step to building a park on the Pines Park land would need to create a design for the park.

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that he thinks the Pines Park area was flood prone.

Brian Balik, 604 Mission Lane – Mr. Balik suggested creating an off-road cycling trail park on the Pines Park land and volunteered to help create it.

Fran Wagler, 409 W. Central Ave. – Mrs. Wagler stated that if a fire station were to be built on the State Road 19 land, it would lower the insurance rates of nearby homeowners.

Mayor MacFarlane closed Public Comment.

Councilor Lannamañ wanted to know what happened to the prospective offer from Lake County to buy the 2 acres off Number Two Road from the Town for \$100,000. Mr. O'Keefe stated that the County was still considering that, but that moving forward, 3 acres would be the new minimum size for a new fire station.

Councilor Miles wanted to know if the Council was interested in further negotiation to buy the 10-acre parcel on the north side of the Town. Councilor Miles stated that he wanted to know if the other

Councilors wanted to further negotiate for the land in the north or if the other Councilors just wanted to continue with the status quo.

Mayor MacFarlane stated that she thinks the Town still needs to offer the land off of Number Two Road to Lake County Fire Department for sale, but that we would need to give them a deadline to decide if they are interested in purchasing the land. Mayor MacFarlane thinks that the Town needs to give the county the first right of refusal on the land off of Number Two Road. Both Mayor Pro Tem Gallelli and Mayor MacFarlane stated that the Town should allow the County to purchase two or three acres on the Number Two Road site.

Mayor MacFarlane stated that she would only be interested in utilizing the proposed 10-acre north parcel if it was for a purpose that would not generate any additional traffic on Citrus Avenue.

Councilor Lannamañ stated that she wants to wait to see what the County's interest is in the land off of Number Two Road and that she did not want the Town to move forward with looking to buy any additional land at this time.

Councilor Miles summarized the other Town Councilors' responses as suspending any further action and utilizing the 9 acres on Number Two Road for purposes other than a wastewater treatment plant (such as a fire station, police station, and town hall.) Councilor Miles stated that, since he had not been able to convince the rest of the Town Council that it was necessary to do anything, he would like to suspend any further action on his part to pursue solving the Town's wastewater problem.

4. Discussion: **Capital Improvement Plan (CIP) Update**

Sean O'Keefe explained that the Town typically did a full update of this topic in November or December. John Brock, Town Clerk, reminded the Town Council that they had stated during their last CIP update cycle that they wanted to start earlier in the year and have the CIP update cycle run more concurrently with the Town's budget cycle.

Mr. O'Keefe did remind the Councilors that they had placed over \$16.5 million worth of projects in the upcoming fiscal year.

Mayor MacFarlane opened Public Comment for this item only.

Andi Everline, 1012 N. Lakeshore Blvd. – Mrs. Everline stated that she did not believe the Marianne Beck Memorial Library needed any further expansion.

Mayor MacFarlane closed Public Comment.

5. Consideration and Approval: **Resolution 2023-004 - Florida Retirement System (FRS)**

John Brock (Town Clerk and Human Resources Manager for the Town) gave a presentation on the benefits of the Town joining the Florida Retirement System and was available for questions.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline spoke about the growth of town staffing dollars. Mr. Everline was not in favor of the Town joining FRS. Mr. Everline stated that the Town Manager would benefit the most from joining FRS and he did not think it was appropriate for him to suggest the Town join FRS.

James Southall, (the Town's Public Utilities Supervisor) – Mr. Southall, a 15-year employee of the Town, spoke in favor of the Town joining FRS.

Joshua Husemann, 671 Avila Place – Mr. Husemann spoke in favor of the Town joining FRS.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that, historically, municipalities offered pensions to their employees and that he was in favor of the Town joining FRS.

Mayor MacFarlane closed Public Comment.

Public Works Director, Morgan Cates, spoke in favor of the Town joining FRS and that it was the right thing to do for the employees.

Motion made by Mayor Pro Tem Gallelli to approve Resolution 2023-005; seconded by Mayor MacFarlane. Motion failed by roll-call vote.

Voting

Yea: Mayor MacFarlane

Nay: Councilor Lannamañ, Councilor Miles, Mayor Pro Tem Gallelli

6. Consideration and Approval: **Resolution 2023-006 Solid Waste Rates**

Sean O’Keefe, Town Manager, introduced and explained this item. Mr. O’Keefe stated that the Town Council had already accepted an increase of 5.1% cost to the Town from the GFL (the Town Solid Waste hauler).

Councilor Miles stated that the Town’s administrative overhead will also go up by 5% by October 1, 2023 (due to just wage increases).

Mayor MacFarlane opened Public Comment for this item only.

Peter Tuite, 300 E Croton Way – Mr. Tuite was concerned about the cost of solid waste pickups going up again.

Ann Griffin, 215 E Laurel Ave. – Ms. Griffin stated that the City of Mount Dora provided for just once a week pickup, and that the Town should do that as well in an effort to lower costs.

Mayor MacFarlane closed Public Comment.

Motion made by Mayor Pro Tem Gallelli to approve Resolution 2023-006; seconded by Councilor Miles. Motion approved unanimously by roll-call vote.

Voting

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

Nay: None

7. Consideration and Approval: **Water Rates FY 2024**

Sean O’Keefe, Town Manager, explained that, by previous Town Ordinances, the Town was allowed to increase the water rates in the Town once a year by the municipal cost index percentage which was currently at 6.694924%.

Councilor Miles made a motion to increase the Town’s water rates by 6.69%. Mayor MacFarlane seconded the motion.

Councilor Lannamañ wanted to know if the rate increase would pertain to both potable and irrigation water rates and that she was not in favor of the raise in the Town's irrigation water rates. Mr. O'Keefe stated that the rate increase was being proposed for all of the Town's water rates.

Councilor Lannamañ stated that she would not be in favor of raising the irrigation rates in the Town at all as the irrigation meters should be getting reclaim water, instead of potable water.

Councilor Miles stated that he wanted to change his motion and Mayor MacFarlane removed her second for his motion. Councilor Miles then made a motion to raise the potable water rates by 6.69% and the irrigation rates by just half that amount, by 3.34%. There was no second for this motion.

Mayor Pro Tem Gallelli made a motion that the Town would raise potable water rates by 6.69% and irrigation rates by just 2.0%. There was no second for this motion.

Public Works Director, Morgan Cates, reminded the Town Council that everyone in the Town was using potable water to irrigate their lawns unless they had their own irrigation well.

Mayor MacFarlane wanted more information on the amount of water usage in the Town in both potable and irrigation lines and how raising just one set of rates would affect the Town.

Mayor MacFarlane opened Public Comment for this item only.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline asked about last year's rate increase.

Peter Tuite, 300 E Croton Way – Mr. Tuite spoke about CUP permits that were submitted for lake water usage in and around the Town.

Motion made by Councilor Miles to table this item until the next scheduled Town Council meeting; seconded by Mayor MacFarlane. Motion passed unanimously by voice vote.

Voting

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

Nay: None

Mayor MacFarlane called for a short 5-minute break at 8:47 PM.

DEPARTMENT REPORTS

8. Town Hall

Mayor MacFarlane noted that the Town Hall report was included in the meeting's packet. Councilor Miles noted that there was an error in the spreadsheet showing the Building Permits for the Town. John Brock, Town Clerk, stated that this would be fixed prior to the next month's department report.

9. Police Department

Mayor MacFarlane noted that all the Department reports had been included in the meeting's packet.

10. Code Enforcement

Mayor MacFarlane noted that all the Department reports had been included in the meeting's packet.

11. Public Works

Mayor MacFarlane noted that all the Department reports had been included in the meeting's packet.

12. Library

Mayor MacFarlane noted that all the Department reports had been included in the meeting's packet.

13. Parks & Recreation Advisory Board / Special Events

None

14. Town Attorney

None

15. Finance Supervisor

None

16. Town Manager

None

COUNCIL MEMBER REPORTS

17. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli wanted to know when the Town Planner would be reporting back to the Town Council with a compilation of all the recommended changes to the Town's Land Development Code and Comprehensive Plan. Mr. O'Keefe explained that Mr. Harowski was currently working on compiling the submissions.

Mayor Pro Tem Gallelli asked if the audit was complete. Mayor MacFarlane responded that it was. Mayor Pro Tem Gallelli also asked about the status of the process to get the State's appropriation money for the Town new Water Treatment Plant. Mr. O'Keefe explained that there was a packet that was due into the state by August 31st and that he was currently working on the packet.

Mayor Pro Tem Gallelli confirmed that, when the Town Council cancelled the Oktoberfest event, there was approximately \$40,000 of unallocated money and that \$15,000 was going to be used to fix potholes in roads around the Town. Mayor Pro Tem Gallelli asked for an update on the Citrus Ave project. Mr. Cates stated that the County right of way department was working on it for the Town.

18. Councilor Lehning

Councilor Lehning was not in attendance at the meeting.

19. Councilor Miles

Councilor Miles presented a letter that he wanted the Town Manager to send out to County residents located off E. Revels Road that were contiguous to the Town's borders. This letter would offer water services from the Town and ask them if they would like to annex into the Town. Councilor Miles wanted the other Town Councilors to review his letter and send suggested edits to the Town Manager.

Councilor Miles explained that he had attended the August Development Review Committee (DRC) meeting and that the developers' representative had indicated that he felt the next approval step for their

development was to be rubber-stamped by the Town. Councilor Miles was not happy with this statement. Councilor Miles brought up eight items that he wanted answers to when Hillside Groves comes before the Town Council. The eight items were: 1) Need to address improvements to Number Two Road to the west of the entrance to road A. 2) The road A collector road is over 8/10 of a mile long and plans have only 16 streetlights (8 on each side of the road). Councilor Miles would like to see this doubled to 32 streetlights. 3) There is no entrance sign to the development off of Number Two Road. 4) Along much of Road A there is no irrigation provided, with Bahia grass being used. Councilor Miles thinks it needs to be irrigated. 5) The L403 tract P had a pump station buffered only with landscaping. Councilor Miles stated that he wants it to have a 6-foot-high chain link fence (black or green coated) surrounding it. 6) Unnamed amenity on tract R, Councilor Miles would like to know what this is. 7) On the Property's northwest corner is a townhouse tract, with more than 50 units. Councilor Miles would like a second ingress/egress point that is not an emergency entrance. 8) At the south junction of Road A the commercial area is only showing 3 lanes and it should have two north and two south bound lanes (as shown the last time this item came before the Town Council).

Councilor Miles would like to see a revision to the Town's Purchasing Policy. At a minimum, it needs to reflect the new form of government, with the mayor's duties being replaced by the Town Manager. Councilor Miles wants the Town Manager to address this.

Councilor Miles wanted to have an update on Mrs. Parker's problem in Venezia (the lady with rainwater intrusion in her garage). Mr. Cates stated he had tried to call the resident numerous times and had received no response, furthermore Mr. Cates did not know her address. Councilor Lannamañ stated that this was a civil issue, and the residents would need to contact their builder directly.

Councilor Miles had two issues in relation to a Mrs. Brock (no relation to the Town's Clerk). Councilor Miles has stated that Mrs. Brock has agreed to move the right-of-way for Citrus Avenue. Councilor Miles was interested in trying to get Mrs. Brock to annex another 16-acre parcel into the Town. Councilor Miles wanted the Town Council to authorize the Town Manager to negotiate with her on those two issues. Mayor MacFarlane stated that the Town Manager already has the authorization to do that.

20. Councilor Lannamañ

Councilor Lannamañ had nothing to report.

21. Mayor MacFarlane

Mayor MacFarlane stated that since the Town Council declined to go with FRS that the Town should investigate creating a 401(a) instead of the 457(b) and making a small contribution to employees that currently were not able to contribute.

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.

None

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 9:08 p.m. | **Attendees: 44**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk