



## **Town Council Special Meeting**

**May 01, 2025 at 1:00 PM  
Howey-in the-Hills Town Hall  
101 N. Palm Ave.,  
Howey-in-the-Hills, FL 34737**

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### **MINUTES**

Mayor Wells called the Town Council Special Meeting to order at 1:05 p.m.  
Mayor Wells led the attendees in the Pledge of Allegiance to the Flag.  
Councilor Reneé Lannamañ delivered an invocation.

### **ROLL CALL**

Acknowledgement of Quorum Present and Proper Notice Given

### **MEMBERS PRESENT:**

Mayor Pro Tem Tim Everline | Councilor Jon Arnold | Councilor Reneé Lannamañ (via Zoom until 1:38pm when she arrived in person) | Councilor David Miles | Mayor Graham Wells

### **STAFF PRESENT:**

Sean O'Keefe, Town Manager | Tom Wilkes, Town Attorney | Rick Thomas, Police Chief | Public Works Director, Morgan Cates | Victoria Roszkiewicz, Executive Assistant to the Town Manager | John Brock, Deputy Town Manager / Town Clerk

### **WELCOME AND INTRODUCTION OF GUESTS**

None

### **AGENDA APPROVAL/REVIEW**

**Motion made by Councilor Miles to approve the meeting's agenda while moving agenda item #3 to appear before agenda item #1; seconded by Mayor Pro Tem Everline. Motion approved unanimously by voice vote.**

### **Voting**

**Yea:** Mayor Pro Tem Everline, Councilor Arnold, Councilor Lannamañ, Councilor Miles, Mayor Wells

**Nay:** None

### **PUBLIC QUESTION & COMMENT**

*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. The general Public Question & Comment period will be limited to a maximum of thirty (30) minutes unless extended by the Presiding Officer.*

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.*

None

### **PUBLIC HEARING**

None

### **OLD BUSINESS**

None

### **NEW BUSINESS**

3. Discussion: **Eminent Domain** (*this item was moved up to appear before Agenda Item #1 in the Agenda Approval section of the meeting*)

During a detailed discussion, the Town Council reviewed the topic of eminent domain and its potential future use as the Town continues to plan for infrastructure expansion and utility needs. Town Attorney, Tom Wilkes, provided an overview of the condemnation process, explaining the difference between "quick take" and "slow take" procedures under Florida law. He emphasized that, while quick take allows a government agency to take property early in the process in exchange for a deposit of appraised value, it triggers costly litigation and long-term financial exposure. Conversely, the slow take allows the Town to pursue condemnation litigation without immediately taking title, offering the ability to withdraw if the final price proves too high, although the Town would still be responsible for the property owner's attorney and consultant fees. Mr. Wilkes stressed that Florida's eminent domain statutes are intentionally structured to protect private property owners and impose significant financial obligations on the condemning authority, including covering both sides' legal and expert costs.

Councilor Miles, who requested the item for discussion, explained that the Town is nearing capacity on its current wastewater infrastructure and must begin long-term planning for additional capacity. He noted that options could include acquiring a utility system, building a new facility, expanding partnerships, or connecting to neighboring municipalities like Groveland, Tavares, or Leesburg. He referenced an upcoming study from Woodard & Curran and outlined the Town's limited undeveloped land holdings, further underscoring the need for strategic planning. Councilor Miles also provided insight into past utility plant construction costs and predicted the Town may need to plan for \$20–30 million in water and wastewater investments over the next decade.

Other council members expressed both support and caution. Councilor Arnold advocated for pursuing cooperative approaches with potential utility partners rather than adversarial ones like eminent domain, suggesting the Town explore options like partial ownership or partnership. Mayor Pro Tem Everline and Councilor Lannamañ voiced concern about entering into significant debt during an uncertain economic climate, referencing current real estate slowdowns, rising insurance and HOA costs, and trends of overbuilding across Florida. However, they agreed that capital planning must begin promptly, and that water and wastewater infrastructure should be prioritized.

Town Manager, Sean O'Keefe, emphasized that staff is still compiling local capacity data and awaiting the results of the contracted wastewater study, and that conversations with the Central Lake Community Development District (CDD) regarding potential acquisition should be initiated carefully. He echoed the

need to weigh long-term community benefits against short-term costs and urged that any plan reflect strategic foresight, particularly while land, rates, and infrastructure value remain relatively favorable.

Ultimately, the discussion was not intended to produce a decision but to gauge Council perspectives and prepare staff for long-range capital planning. The Council acknowledged the urgency of the issue and the need to incorporate wastewater capacity expansion into the upcoming strategic, capital, and budgetary plans.

1. Consideration and Approval: **Resolution 2025-007 - Amending the Town's Purchasing Policy**

The Town Council held an extensive discussion regarding the adoption of Resolution 2025-007, which proposed amendments to the Town's purchasing policy. Town Manager, Sean O'Keefe, provided an overview of the policy revisions, emphasizing clarifications requested at a prior meeting, including the use of "aggregate" to define total expenditures over time and the addition of a "\$0.01" increment to eliminate ambiguity in spending thresholds. Mayor Pro Tem Everline raised concerns about the Town Manager's purchasing authority up to \$50,000 and the ability for department directors to make discretionary purchases within budget limits, potentially without Council review. Mayor Pro Tem Everline advocated for a reduced threshold requiring Council approval for significant expenditures to ensure fiscal oversight. Councilor Miles and others defended the current policy structure, citing trust in staff and the efficiency of allowing department heads and the Town Manager to operate within approved budget parameters. A broader conversation ensued about line-item budgeting, the need for specificity in the budget document, and the process of budget amendments.

Mayor Wells and Public Services Director, Morgan Cates, clarified that significant purchases not specifically included in approved budget line items would require budget amendments and Council approval. Mr. Cates explained his practice of seeking approval before reallocating funds for alternate capital purchases. Mayor Pro Tem Everline also questioned language related to bid corrections, expressing concern that post-bid clarifications could allow favoritism; Mr. O'Keefe and Councilor Miles responded that such provisions were standard and intended to prevent disqualification over obvious clerical errors.

**Motion made by Councilor Miles to approve Resolution 2025-007 while amending 4.01(A) from "\$5,000.00" to "\$5,000.01"; seconded by Councilor Arnold. Motion approved unanimously by roll call vote.**

**Voting**

**Yea:** Mayor Pro Tem Everline, Councilor Arnold, Councilor Lannamañ, Councilor Miles, Mayor Wells  
**Nay:** None

2. Consideration and Approval: (First Reading) **Ordinance 2025-001 - CIP Amendment**

Mayor Wells read Ordinance 2025-001 out loud by title only:

**AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA AMENDING THE CAPITAL IMPROVEMENTS ELEMENT IN CHAPTER 8 OF THE TOWN'S COMPREHENSIVE PLAN BY UPDATING THE FIVE-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS TO INCLUDE ESTIMATED CAPITAL IMPROVEMENTS FOR FISCAL YEAR 2024-2025 THROUGH FISCAL YEAR 2029-2030 PURSUANT TO THE REQUIREMENTS OF CHAPTER 163 OF THE FLORIDA STATUTES; PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.**

The Town Council held a detailed discussion on the first reading of Ordinance 2025-001, which proposes amendments to the Capital Improvements Element (Chapter 8) of the Town's Comprehensive

Plan. These amendments update the Five-Year Schedule of Capital Improvements to reflect projects planned for FY 2024-25 through FY 2029-30, in accordance with Florida Statutes Chapter 163.

Town Manager, Sean O’Keefe, reviewed the changes since the last version, including restoration of previously discussed projects (such as the water tower and wastewater treatment plant), consolidation of others (like the municipal complex and second access roads), and the addition of new Council-requested projects (including Water Treatment Plant #1 and a community center). A new project, Boat Ramp Dock replacement, was added at the request of Public Services Director, Morgan Cates. The revised CIP now totals approximately \$54 million, up from the previously discussed \$24 million, reflecting the expanded project scope.

Mayor Wells emphasized the need to distinguish between the CIP and the budget, noting that inclusion in the CIP should not imply budgetary approval. He advocated for pushing several general fund items to later years, including the municipal complex and the finger pier replacement, while transferring the Boat Ramp Dock replacement’s funding source from the general fund to the infrastructure fund. Councilor Miles expressed concern about reducing funds available for road work, highlighting the Council’s previous commitment to allocate \$300,000 annually to road reconstruction. He noted that splitting the infrastructure and transportation funds may jeopardize progress on overdue road repairs.

A robust debate followed regarding current and projected revenues, fund balances, and priorities. Mr. Cates provided cost estimates for road projects: N. Citrus Ave. (\$350,476), Gardenia St. (\$155,720), and E. Holly St. (\$148,100), noting the Town did not currently have sufficient funding to complete all three this year. Council reached consensus to proceed with N. Citrus Ave. and Gardenia St. during FY 2025, postponing E. Holly St. to FY 2026. The idea of bundling future infrastructure projects, roads, sidewalks, and docks, into a single financed package was introduced and received general support for consideration during the upcoming budget cycle.

Mr. Cates also noted safety concerns with the deteriorating boat dock and stressed its prioritization over some road projects due to public safety risks. Council agreed to retain \$100,000 for dock replacement in FY 2026, funded via the infrastructure fund. One finger pier will be replaced in the current year using general funds, with the remaining work pushed to FY 2027.

Administrative updates to the CIP included removing or reclassifying completed or grant-dependent projects, such as the Sara Maude Mason Nature Preserve improvements, and clarifying narrative language. The final motion incorporated all amendments discussed, including shifting several projects between years, adjusting figures for inflation, and reassigning funding sources.

**Motion made by Mayor Pro Tem Everline to approve the first reading of Ordinance 2025-001, with the amendments discussed in the meeting; seconded by Councilor Arnold. Motion passed unanimously by roll call vote.**

#### **Voting**

**Yea:** Mayor Pro Tem Everline, Councilor Arnold, Councilor Lannamañ, Councilor Miles, Mayor Wells  
**Nay:** None

Town Clerk, John Brock, explained that the second reading for the Ordinance would occur during the second May Town Council Meeting (scheduled for 05/27/2025).

3. Discussion: **Eminent Domain** (*this item was moved up to appear before Agenda Item #1 in the Agenda Approval section of the meeting*)

### **DEPARTMENT REPORTS**

4. Town Manager

During the department reports section of the meeting, Town Manager, Sean O’Keefe, provided a detailed update regarding controversy surrounding the use of the Town’s electronic sign to promote the upcoming mansion event. He noted that, although the council had discussed allowing promotion on the sign at a previous meeting, the Police Department’s sign, funded through grants, could not legally be used for private events. Additionally, the Friends of the Library(FOL), who had funded a substantial portion of the Town's sign, previously agreed it would not be used for private entities. After internal discussion and a conversation with Steve Weimer from the FOL, who approved the use as a one-time exception due to the Founder's Day tie-in, a slide was added. Council and staff acknowledged this exception should not set a precedent and expressed concerns about opening the sign to outside organizations, as doing so could lead to an influx of problematic requests. Council members and staff also discussed formalizing a written policy to avoid future conflicts or misunderstandings.

The Town Manager then addressed the broader issue of the mansion’s event, indicating that, despite repeated attempts by staff to encourage cooperation and compliance, there had been ongoing code and zoning violations. These include failure to file for special event permits, noncompliance with food truck regulations, and violations of the historic overlay and Historic Resource Management Plan. The Town has refrained from enforcement to avoid conflict, but staff emphasized that they had taken minimal steps, such as requiring a hold harmless agreement and traffic plan, to mitigate public health and safety risk. Still, the required documentation had not been returned. Staff recommended that, following the event, the Town meet with the mansion’s management to review and potentially revise the applicable code, overlay, and zoning regulations to create enforceable clarity moving forward.

Town Council members expressed frustration about repeated issues, conflicting information, and the precedent being set by selectively ignoring code violations. They emphasized the need for fairness and consistency in enforcement. Councilor Arnold questioned why enforcement wasn’t addressed earlier, given the known annual nature of the mansion’s event. Councilor Miles urged a quiet and respectful resolution, while Councilor Lannamañ asked whether more formal policies should be adopted to avoid legal exposure. There was general agreement that future discussions with the mansion’s management should aim to resolve these ambiguities cooperatively. Mayor Pro Tem Everline suggested revisiting how the Town handles event scheduling and partnerships, proposing that a separately branded Town event might reduce future friction.

**Joshua Husemann, 671 Avile Pl.** – Resident Joshua Husemann expressed concern that the Town appeared to be selectively enforcing its code to avoid conflict with the mansion, asserting that fairness requires consistent enforcement regardless of the property or entity involved.

#### **COUNCIL MEMBER COMMENT**

5. Mayor Pro Tem Everline

None

6. Councilor Arnold

None

7. Councilor Miles

None

8. Councilor Lannamañ

None

9. Mayor Wells

Mayor Wells thanked everyone for attending the Special Town Council Meeting.

**ADJOURNMENT**

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

The Meeting adjourned at 4:42 p.m. | **Attendees: 16**

ATTEST:

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Graham Wells, CMC, Mayor

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John Brock, Town Clerk