



Town Council Meeting

May 13, 2024 at 6:00 PM

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

MINUTES

Mayor Pro Tem Gallelli called the Town Council Meeting to order at 6:00 p.m. Mayor Pro Tem Gallelli 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

MEMBERS EXCUSED ABSENT:

Mayor Martha MacFarlane

STAFF PRESENT:

Sean O'Keefe, Town Manager | Tom Wilkes, Town Attorney (ZOOM) | Morgan Cates, Public Works Director | Rick Thomas, Police Chief | John Brock, Town Clerk

AGENDA APPROVAL/REVIEW

Motion made by Councilor Lehning to move items 9, 13, and 10 (in that order) forward to appear directly after the Consent Agenda and remove items 1 & 2 from 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

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 April 22, 2024, Town Council Meeting. **(THIS ITEM WAS REMOVED FROM THE AGENDA DURING THE AGENDA APPROVAL PROCESS)**

2. The approval of the minutes and ratification and confirmation of all Town Council actions at the April 8, 2024, Town Council Meeting. **(THIS ITEM WAS REMOVED FROM THE AGENDA DURING THE AGENDA APPROVAL PROCESS)**
3. Consideration and Approval: **Edward Byrne Memorial Justice Assistance Grant (COUNCILOR MILES REQUESTED TO HAVE THIS ITEM PULLED FROM THE CONSENT AGENDA AND DISCUSSED. IT WAS DISCUSSED AND VOTED ON AFTER THE CONSENT AGENDA WAS APPROVED)**
4. Consideration and Approval: **Storm Debris Removal Agreement Option Selection**

Motion made by Councilor Miles to approve the Consent Agenda (this only included item #4); seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by voice-vote.

Voting

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

Nay: None

3. Consideration and Approval: **Edward Byrne Memorial Justice Assistance Grant (COUNCILOR MILES REQUESTED TO HAVE THIS ITEM PULLED FROM THE CONSENT AGENDA AND DISCUSSED. IT WAS DISCUSSED AND VOTED ON AFTER THE CONSENT AGENDA WAS APPROVED)**

Councilor Miles asked to have this item pulled from the Consent Agenda. Councilor Miles was concerned that this grant was already signed and approved by Mayor MacFarlane prior to Town Council approving of the grant. Councilor Miles stated that he would like the Town Council to approve grants prior to the Mayor signing them.

Councilor Miles questioned if the Town Manager should be signing these grants, not the Mayor. John Brock, Town Clerk, stated that when he had asked the Town Attorney about this in the past and he was told that if the Town Council votes on a contract or grant the Mayor would typically sign it. Police Chief, Rick Thomas, stated that this particular grant has a requirement that the chief elected official must be the municipality's signee.

Councilor Miles asked about the purchasing of the vehicles and how they would be purchased. Chief Thomas explained the purchasing policy as it pertains to purchasing these vehicles. Councilor Miles stated that he would like the Town Council to give final approval of the vehicles to be purchased for this grant, prior to these vehicles being ordered.

Mayor Pro Tem Gallelli opened Public Comment for this item.

Peter Tuite, 300 E Croton Way – Mr. Tuite was concerned about the wording of the self-reporting answers to the questions about finances in the grant contract.

Mayor Pro Tem Gallelli closed Public Comment for this item.

Motion made by Councilor Miles to approve Agenda Item #3; seconded by Councilor Lannamañ. Motion passed unanimously by voice-vote.

Voting

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

Nay: None

NEW BUSINESS (ITEMS 9, 13 AND 10)

9. Presentation: **New Town Police Officers Introduction**

Police Chief Rick Thomas introduced his new officers, they included: part-time Officer Troy McDonald, full-time Officer Cameron Parker, and Police Chaplain Bill Hawley.

13. Discussion: **Board Selection Process**

Town Manager, Sean O’Keefe, explained the process of how Board Members would be selected and approved by the Town Council. Mr. O’Keefe explained that one of the few restrictions that the Town’s Charter places on the selection of Board Members is that they cannot have been previously convicted of a felony.

Mayor Pro Tem Gallelli opened Public Comment for this item only but receiving no comments closed Public Comment.

10. Consideration and Approval: **Parks and Recreation Board Member Selection**

Mayor Pro Tem Gallelli asked all three candidates for the two open Park and Recreation Board Member positions to get up and speak about themselves and why they would be a good fit. All three candidates, Teresa Pileggi, Meredith Bright, and Eric Gunesch spoke about their background and why they should be appointed to the Parks and Recreation Board.

It was stated that applicant Eric Gunesch had previously been convicted of a felony. Mr. Gunesch said that his voting rights had been restored since he served his time, and that he should be allowed on the Board. Councilor Lannamañ asked Mr. Gunesch if he had proof of his voting rights being restored. Mr. Gunesch stated that he did not have proof of this with him.

Mayor Pro Tem Gallelli opened Public Comment for this item.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that he was concerned that someone anonymously sent a notice to the Town notifying the Town that Mr. Gunesch had a felony conviction. Mr. Everline stated that if it is ever determined who sent in the anonymous notice about Mr. Gunesch’s felony, they should be reprimanded. Mr. Everline endorsed Mr. Gunesch and Mrs. Pileggi for the open Board positions.

Mayor Pro Tem Gallelli closed Public Comment for this item.

Motion made by Councilor Lannamañ to appoint Teresa Pileggi to the Parks and Recreation Board; seconded by Councilor Miles. Motion approved unanimously by voice-vote.

Voting

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

Nay: None

Motion made by Mayor Pro Tem Gallelli to appoint Meredith Bright to the Parks and Recreation Board; seconded by Councilor Lannamañ. Motion approved by voice vote.

Voting

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

Nay: Councilor Miles

PUBLIC HEARING

5. Consideration and Approval: (Second Reading) **Ordinance 2024-003 - Land Development Code (LDC) Amendment – Signs**

Town Manager, Sean O’Keefe, read Ordinance 2024-004 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO SIGNS; AMENDING SECTIONS 5.03.04 THROUGH 5.03.07 OF THE LAND DEVELOPMENT CODE TO REVISE REGULATIONS GOVERNING TEMPORARY SIGNAGE; PROVIDING FOR CODIFICATION, SEVERABILITY, AND AN EFFECTIVE DATE.

Town Attorney, Tom Wilkes, introduced and explained this item.

Mayor Pro Tem Gallelli opened Public Comment for this item.

Teresa Pileggi, 1115 N. Lakeshore Blvd. – Mrs. Pileggi had questions about the appropriate placement for “Open House” signs and banners.

Paul Redmond, 309 N Lakeshore Blvd – Mr. Redmond would like to see the dates of when yard signs are posted on the yard signs.

Bill Dixon, 121 E Magnolia Ave. – Mr. Dixon said that he thought this was a solid proposal.

Peter Tuite, 300 E Croton Way – Mr. Tuite had questions about what a Right of Way (ROW) was.

Mayor Pro Tem Gallelli closed Public Comment for this item.

Councilor Miles had concerns about his 2 internally lit address number signs that he had on his house. Mr. Wilkes said that Mr. Miles’ lit address numbers were allowed.

Motion made by Councilor Lehning to approve Ordinance 2024-003; seconded by Mayor Pro Tem Gallelli. Motion approved unanimously by roll call vote.

Voting

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

Nay: None

6. Consideration and Approval: (Second Reading) **Ordinance 2024-005 Capital Improvement Schedule FY2024**

Town Manager, Sean O’Keefe, read Ordinance 2024-005 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 2023-2024 THROUGH FISCAL YEAR 2028-2029 PURSUANT TO THE REQUIREMENTS OF CHAPTER 163 OF THE FLORIDA STATUTES; PROVIDING FOR CONFLICT, CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Pro Tem Gallelli opened Public Comment for this item.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that the changes that were discussed during the first reading were not changed on the 5-year schedule.

Eric Gunesch, 448 Avila Pl. – Mr. Gunesch agreed with Mr. Everline about not seeing the changes in the 5-year schedule that were made during the last Town Council meeting.

Town Clerk, John Brock, agreed with Mr. Everline and stated that during the first reading of the Ordinance 2024-005 the Town Council had voted to amend the 5-year schedule to remove funding for Peak Park and move the funding that was going to go to Peak Park to Lakeshore Improvements.

Councilor Miles stated that he wanted to see Peak Park moved back into the 5-year CIP schedule.

Eric Gunesch, 448 Avila Pl. – Mr. Gunesch suggested creating a GoFundMe account to fund Peak Park.

Peter Tuite, 3300 E Croton Way – Mr. Tuite stated that he thought the idea of a park on the old land fill land was a terrible idea and did not want to see Peak Park moved back into the 5-year schedule.

Ann Griffin, 215 E Laurel Ave. – Mrs. Griffin stated that she would also not like to see a park on the site of the Town’s old landfill.

Public Works Director, Morgan Cates, recommended leaving Peak Park on the CIP for grant purposes.

Motion made by Councilor Lannamañ to approve Ordinance 2024-005 while moving \$5,000 from Lakeshore Improvements in FY 2028 (leaving \$720,000 for Lakeshore Improvements for FY 2028) into Peak Park for FY 2029; seconded by Councilor Miles. Motion approved unanimously by roll call vote.

Voting

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

Nay: None

7. **Consideration and Approval: (First Reading) Ordinance 2024-006 - Petition for Creation of the Lake Hills Community Development District (CDD)**

Town Manager, Sean O’Keefe, read Ordinance 2024-006 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, ADOPTING ORDINANCE NO. 2024-006 TO GRANT THE PETITION FOR THE CREATION OF THE LAKE HILLS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES, CONCERNING THAT CERTAIN APPROXIMATELY 220.21 +/- ACRES OF LAND; DESCRIBING THE BOUNDARIES OF THE LAKE HILLS COMMUNITY DEVELOPMENT DISTRICT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Mayor Pro Tem Gallelli asked for representatives for the applicant to come forward, introduce themselves and give their presentation. Mark Watts (Land Use Attorney with the firm of Cobb Cole), Jeff Reader (with Reader Communities), and Dean Barberree (with Reader Communities) spoke on behalf of the applicant. Mr. Watts gave a presentation on the benefits for the creation of a Community Development District (CDD).

Mayor Pro Tem Gallelli opened Public Comment for this item.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that Strong Towns author Charles L. Marohn was against the creation of CDDs. Mr. Eveline stated that he believed there was little transparency from CDDs. Mr. Eveline stated that the Town Attorney, Tom Wilkes, was against the creation of a CDD and that the Town Council should listen to him.

Peter Tuite, 300 E Croton Way – Mr. Tuite did not want to see the Town all the creation of this CDD.

Paul Redmond, 309 N. Lakeshore Blvd. – Mr. Redmond stated that he had been in the real estate business for 20 years and that CDDs reduce the value of the property. Mr Redmond was not in favor of the creation of a CDD.

Eric Gunesch, 448 Avila Pl. – Mr. Gunesch was not in favor of the creation of a CDD.

Ann Griffin, 215 E Laurel Ave. – Mrs. Griffin said that she thought the Town Councilors should listen to the advice of their own Town Attorney.

Sandy Russ, 6813 Lake View Dr., Yalaha Fl. – Mrs. Russ stated that she did not think a CDD created any benefit for anyone but the developer.

Beth Flack, 607 S Florida Ave. – Mrs. Flack said that she thought the Town Councilors should listen to the advice of their own Town Attorney.

Mayor Pro Tem Gallelli closed Public Comment for this item.

Motion made by Mayor Pro Tem Gallelli to deny; seconded by Councilor Lehning. Motion approved unanimously by roll call vote.

Voting

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

Nay: None

OLD BUSINESS

8. Discussion: **High Density Zoning Land Use Proposal**

Motion made by Councilor Lannamañ to table this item to the next Town Council Meeting; seconded by Councilor Miles. Motion approved unanimously by voice-vote.

Voting

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

Nay: None

NEW BUSINESS

9. Presentation: **New Town Police Officers Introduction (THIS ITEM WAS MOVED TO APPEAR BETWEEN THE CONSENT AGENDA AND PUBLIC HEARING SECTIONS OF THE MEETING.)**
10. Consideration and Approval: **Parks and Recreation Board Member Selection (THIS ITEM WAS MOVED TO APPEAR BETWEEN THE CONSENT AGENDA AND PUBLIC HEARING SECTIONS OF THE MEETING.)**
11. Presentation: **N. Citrus Ave. Survey**

Public Works Director, Morgan Cates, gave a status update on the N Citrus Ave repaving project. Mr. Cates presented the results of the survey of N. Citrus Ave. Mr. Cates explained that the next step for this project was to draft legal descriptions for moving the Right of Ways around the intersection of Citrus Ave. and Camellia Way.

Mayor Pro Tem Gallelli opened Public Comment for this item.

Bill Dixon, 121 E. Magnolia Ave. – Mr. Dixon stated that he had lived in the Town for 15 years. Mr. Dixon said that he believed he was not getting any value for the high tax rates that he pays to the Town. Mr. Dixon stated that he did not believe that the Town was maintaining its roads, curbs, and trees. Mr. Dixon stated that he believed that the Town should be obligated to bring things up to a minimum standard. Mr. Dixon wanted to see all roads repaved with curbs and sidewalks. Mr. Dixon wanted to see the correct transition on the roads going from SR 19 to the Town’s side streets. Mr. Dixon stated that he thought the Town should get a new Town Attorney and that the Town Councilors needed to wake up.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that he thinks that there were many residents that did not want money spent on improving this road.

12. Discussion: **Assessment of Town's Retired Water Tower**

Public Works Director, Morgan Cates, stated that a restoration of the Town’s retired Water Tower would cost approximately \$400,000. Mr. Cates spoke about an evaluation that he had asked USGA Water complete which surveyed the water town.

Mayor Pro Tem Gallelli opened Public Comment for this item only but seeing no comments closed Public Comment.

13. Discussion: **Board Selection Process (THIS ITEM WAS MOVED TO APPEAR BETWEEN THE CONSENT AGENDA AND PUBLIC HEARING SECTIONS OF THE MEETING.)**

DEPARTMENT REPORTS

14. Town Hall

This report was included in the packet for the meeting.

15. Police Department

This report was included in the packet for the meeting.

16. Code Enforcement

This report was included in the packet for the meeting.

17. Public Works

This report was included in the packet for the meeting.

18. Library

This report was included in the packet for the meeting.

19. Parks & Recreation Advisory Board / Special Events

None

20. Town Attorney

None

21. Finance Supervisor

This report was included in the packet for the meeting.

22. Town Manager

Town Manager, Sean O'Keefe, announced dates for some future meeting and events.

COUNCIL MEMBER REPORTS

23. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli stated that the Asma Special Magistrate Hearing date and time had not been set yet.

Mayor Pro Tem Gallelli asked residents not to irrigate their yards between 10 a.m. and 4 p.m.

24. Councilor Lehning

Councilor Lehning asked Mr. O'Keefe if had received a date and time for an FDOT engineer to come and speak to the Town about the SR 19 sidewalk project. Mr. O'Keefe stated that nothing had been finalized.

25. Councilor Miles

None

26. Councilor Lannamañ

None

27. Mayor MacFarlane

Absent, no report.

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.

Eric Gunesch, 448 Avila Pl. – Mr. Gunesch thanked the Town Council for denying the CDD.

Ronald Morris, 53 Camino Real – Mr. Morris wanted to know when the Special Magistrate Hearing for the Asma property would be held.

Mr. O'Keefe stated that the hearing would be held in the Town's library and that the hearing would be advertised.

ADJOURNMENT

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

The Meeting adjourned at 10:00 p.m. | **Attendees: 59**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk

DRAFT