



Town Council Meeting
December 11, 2023 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 | Mayor Martha MacFarlane (via ZOOM)

STAFF PRESENT:

Sean O'Keefe, Town Manager | Rick Thomas, Police Chief | Morgan Cates, Public Works Director | Fred DeVito, Finance Supervisor | Tom Harowski, Town Planner | Tom Wilkes, Town Attorney | John Brock, Town Clerk

**Motion made by Councilor Lannamañ to allow Mayor MacFarlane to participate and vote via Zoom;
Seconded by Councilor Miles. Motion approved unanimously by voice vote.**

Voting

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

Nay: None

AGENDA APPROVAL/REVIEW

Motion made by Councilor Lannamañ to approve the Meeting's Agenda, but to pull items 4 & 5 from Consent Agenda and discuss them separately; seconded by Councilor Miles. 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 November 27, 2023 Town Council Meeting.
2. The approval of the minutes and ratification and confirmation of all Town Council actions at the November 13, 2023 Town Council Meeting.
3. The approval of the minutes and ratification and confirmation of all Town Council actions at the November 1, 2023 Town Council Workshop.

Motion made by Councilor Miles to approve Consent Agenda Items 1 through 3; 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

4. Consideration and Approval: **Milestone Audit Assistance Contract Approval**

Councilor Lannamañ stated that she had asked for this item to be discussed and asked if Milestone Audit was June Lorah's company.

Councilor Miles explained that this contract hires Ms. Lorah to assist the Town with preparing information for the Town's audit reports.

Councilor Lannamañ asked Finance Supervisor, Fred DeVito, his opinion on this item. Mr. DeVito stated that he believed that it would be in the Town's best interest to hire Ms. Lorah for another year. Mr. DeVito stated that the base cost of this contract was the same as the previous year.

Councilor Miles stated that he had also asked to pull this item, and that the cost could run as high as \$22,000, which would be about 50% of what it would cost to hire an in-house Accounting Technician. Councilor Miles would like to see these functions of this contract brought in-house over the next couple of years.

Motion made by Councilor Miles to approve item #4; 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

Town Clerk, John Brock, pointed out that Public Comment had been skipped for this item. Town Attorney, Tom Wilkes, explained that the Town Council should still take Public Comment for this item and if the comments warranted it, the Town Council could still make a motion to reconsider the item.

Mayor Pro Tem Gallelli opened Public Comment for item #4.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that, if you were to add another staff member, not only are you adding the cost of the salary, but the benefits as well.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that he thinks this is a lot of money. Mr. Tuite pointed out that Mr. Binney’s letter was dated 12/08/2023.

Mayor Pro Tem Gallelli closed Public Comment for this item.

Mayor Pro Tem Gallelli asked if the Town Council would like to make another motion on this item, otherwise the item would stand as approved. No additional motion was made.

5. Consideration and Approval: **Binney Accounting & Assurance Services - Auditing Agreement**

Councilor Lannamañ asked Town Manager, Sean O’Keefe, to explain this agenda item. Mr. O’Keefe explained that Mr. Binney has been the Town’s Auditor for the past four years and that this would be the fifth year. Mr. O’Keefe stated that it would be appropriate to put this contract out for a Request for Proposal (RFP) during the upcoming summer.

Councilor Miles explained that he supported Mr. O’Keefe’s statement and that this was common practice.

Mayor Pro Tem Gallelli opened Public Comment for item #4.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that he did not understand or agree with a 5-year contract for auditors.

Mayor Pro Tem Gallelli closed Public Comment for this item.

Motion made by Councilor Miles to approve the Binney Accounting & Assurance Services contract for this year, but that the Town would have to issue an RFP during the off-season for the next 5-year period; 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

PUBLIC HEARING

6. Consideration and Recommendation: (FIRST READING) **Ordinance 2023-009 Comprehensive Plan FLU Amendment and Rezoning - ASMA Parcel**

Mayor Pro Tem Gallelli read Ordinance 2023-009 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING THE FUTURE LAND USE ELEMENT OF THE TOWN’S COMPREHENSIVE PLAN TO CHANGE A FUTURE-LAND-USE DESIGNATION FROM “MEDIUM DENSITY RESIDENTIAL” TO “NEIGHBORHOOD COMMERCIAL,” AND AMENDING THE TOWN’S ZONING MAP TO CHANGE ZONING FROM “MEDIUM DENSITY RESIDENTIAL-1” (MDR-1) TO “NEIGHBORHOOD COMMERCIAL,” IN BOTH CASES FOR A 0.69-ACRE(+/-) PARCEL LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF STATE ROAD 19 (PALM AVENUE) AND CITRUS AVENUE AND LEGALLY DESCRIBED IN ATTACHMENT A TO THE ORDINANCE; PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Mayor Pro Tem Gallelli asked the Town Planner to introduce this item. Tom Harowski, Town Planner, reviewed his Staff Report with the Town Council.

Councilor Miles stated that there was a sewer line that runs down Camino Real Blvd., which was less than 200 feet from the proposed project. Councilor Miles stated that the applicant should be required to hook up to the sewer line, assuming that Central Lake CDD would provide capacity for this property.

Mayor Pro Tem Gallelli asked the applicants to introduce themselves. The group representing the applicant included Brent Spain (applicant's Land Attorney), Nick Asma (one of the owners of the property), Nicole Gargas (applicant's Civil Engineer), and Neal Asma (another owner of the property). Mr. Spain gave his presentation to the Town Council.

Mayor Pro Tem Gallelli opened Public Comment for this item.

Larry Morris, 800 Citrus Ave. – Mr. Morris stated that there was already a lot of traffic in this area. Mr. Morris did not agree with the determination that the project would only create 50 trips a day. Mr. Morris stated that he thought the landscaping would limit the visibility of SR 19 from Citrus Avenue. Mr. Morris was not in favor of this project.

Rodney Tate, 1003 N. Hamlin Ave. – Mr. Tate stated that he did not think this was the right place for this sort of development. Mr. Tate stated that if the Town Council allowed this, they would end up regretting this decision.

Ron Morris, 53 Camino Real Blvd. – Mr. Morris stated that he had been a Councilor for the City of Bushnell and that he thought the biggest negative for this project was the additional traffic that will happen at the intersection of SR 19 and Citrus Avenue. Mr. Morris asked the Town Council to deny this Ordinance.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline reminded the Town Council that the Planning and Zoning Board had voted to recommend refusing this Ordinance. Mr. Everline reminded the Council that the Howey Mansion is a historic site. Mr. Everline stated that traffic would be an issue.

Alan Hayes, 111 Island Dr. – Mr. Hayes stated that he was a Planning and Zoning Board member and that he was not in favor of this project.

Peter Tuite, 300 E Croton Way – Mr. Tuite stated that the Town Council should not change the zoning of the Future Land Use Element.

Jill Sage, 904 Camino Real Blvd. – Ms. Sage stated that changing the zoning to commercial would be terrible for the aesthetics of this area. Ms. Sage stated that she thinks the Town Council should vote this down due to aesthetics and real estate values.

Amy Bitterling, 402 Camino Real Blvd. – Mrs. Bitterling was not in favor of this rezoning and stated that it should stay residential.

Tom Ballou 1005 N. Tangerine Ave. – Mr. Ballou stated that he had almost gotten into an accident that evening. Mr. Ballou stated that this building would ruin the neighborhood. Mr. Ballou stated that he did not think that the owner's other buildings were kept up very well.

Ellen Yarckin, 800 N. Citrus Ave. – Ms. Yarckin stated that she was on the Planning and Zoning Board. Ms. Yarckin stated that she thought the applicant's attorney was twisting facts. Ms. Yarckin stated that her house (which was across the street from this proposed building) was historic. Ms. Yarckin thinks the Town Council needs to listen to the public and the Planning and Zoning Board.

Joshua Husemann, 671 Avila Pl. - Mr. Husemann reminded everyone that, if this isn't rezoned, they could still get two homes on this site.

Sue Garner, 900 N. Citrus Ave. – Mrs. Garner stated that she didn't think five people in the Town would want this. Mrs. Garner thinks that the Town Council should listen to the residents.

Mayor Pro Tem Gallelli closed Public Comment for this item.

Mayor Pro Tem Gallelli allowed Mr. Spain time to address the items that the public had brought up during their comments. Mr. Spain addressed several of these issues, including parking issue and what code would limit the use of the property to.

Mr. Spain spoke about the intersection of N. Citrus Ave. and SR 19. Mr. Spain suggested that his client may be willing to help facilitate an improvement of the intersection allowing it to meet at a 90-degree angle.

Mr. Spain suggested that, if the Town Council were to grant his client's request, they would be happy to enter into a Development Agreement with the Town which would commit his client to certain types of uses for the parcel, possible size of the building, or an architectural style and features for the proposed commercial building. Mr. Spain stated that his client would like the ability to explore that option.

Councilor Miles stated that he thought the Amendment to the Future Land Use Element of the Town Comprehensive Plan and the issue of rezoning should be split and reviewed as two separate Ordinances. Mr. Wilkes stated that this was a possible thing that could happen but was not necessary.

Councilor Miles wanted to know if this lot could be split and if multiple residential homes could be built on this lot. Councilor Miles wanted the Town Planner to determine if the lot could be split and two houses built, prior to the next reading of this Ordinance.

Councilor Miles stated that there was a large oak and 2 small oaks that were on the parcel that would need to be preserved.

Councilor Miles asked if their property was rezoned, whether a retail business like Dollar General could be built there. The applicant stated that they would be willing to enter into a Development Agreement with the Town to restrict the use of the property.

Councilor Miles stated that, if this were to go through, he would insist that the project connect to sewer.

Councilor Lannamañ had questions about the aesthetics of the proposed building and what sort of roof it would have. Councilor Lannamañ stated she would like to see a rendering of the south view of the building.

Councilor Lehning stated that he was going to vote against this due to the intersection of SR 19 and N Citrus Ave being terrible and that this project would just add to the public safety issue.

Mayor MacFarlane was concerned about the possibility of light pollution from the building and wanted to know if security would allow the lighting of the building to be dimmed at night. Mr. Asma stated that they would commit to dark sky standards with timers on the lights.

Mayor Pro Tem Gallelli asked if the Town were to enter into a Development Agreement with the property owner, and then if the owner were to sell the parcel, would the agreement run with the land. Mr. Asma stated that it would.

Mayor Pro Tem Gallelli stated that she did not believe this use was compatible with the existing neighborhood.

Councilor Miles reiterated that he would like to see this item broken up into two separate Ordinances, since one part was a legislative issue, and the other part was a quasi-judicial issue. Mr. Wilkes stated that, if it was the Council's desire, the item could be broken up into two Ordinances for the second reading. The Council did not make a decision about whether to split up the Ordinance.

OLD BUSINESS

None

NEW BUSINESS

7. Presentation: **The Town Code of Core Values for Civility and Ethics**

Town Clerk, John Brock, made the annual presentation on the Town's Code of Core Values for Civility and Ethics.

8. Discussion: **Pine Park Design Update**

Town Manager, Sean O'Keefe, presented the current design for Pine Park.

Councilor Miles stated that he would like to know the cost of the proposed park. Mr. O'Keefe stated that he did not have an estimate from the Town Engineer, just the Concept Plan.

Mayor Pro Tem Gallelli asked if Parks Impact fees could be used for the park design and construction of the park. Mr. O'Keefe stated that this would be funded with Parks Impact fees.

Councilor Miles asked about the sidewalk nearest to SR 19.

Town Planner, Tom Harowski, suggested that this parking lot could also be used for a trail head for a bike trail.

Councilor Lannamañ stated that the Venezia HOA may not want this park to be connected to their neighborhood.

Councilor Miles stated that he would like the sidewalk in it to be built along SR 19 and have the State pay for the sidewalk construction.

Mayor Pro Tem Gallelli opened Public Comment for this item.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline reminded the Town Council that the Town would need to complete these improvements before July 2024.

Joshua Husemann, 671 Avila Pl. – Mr. Husemann stated that, as a Parks and Recreation Board member, they had discussed in their last meeting that everything outside of a red dotted line would have to be built in conjunction with Venezia HOA. The entrance and the parking lot would be the first phase of the park.

9. Discussion: **Capital Improvement Plan (CIP)**

Motion made by Councilor Miles to postpone this item to the January 11, 2024, Town Council Meeting; 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

DEPARTMENT REPORTS

10. Town Hall

Councilor Miles asked about the builder that had previously been on the list for bad debt. Town Clerk, John Brock, stated that builder had not paid up and the Town had written off that bad debt, but would still not allow him to pull a permit within Town without paying his debt.

11. Police Department

The report was included in the meeting's packet.

12. Code Enforcement

The report was included in the meeting's packet.

13. Public Works

The report was included in the meeting's packet.

14. Library

The report was included in the meeting's packet.

15. Parks & Recreation Advisory Board / Special Events

None

16. Town Attorney

None

17. Finance Supervisor

None

18. Town Manager

Sean O'Keefe, Town Manager, thanked the Christmas Festival sponsors, Lt. Brown, Hannah VanWagner, and the Town's staff for their work on making the Christmas Festival a success.

Mr. O'Keefe stated that a letter has been sent to Lake County Assistant County Manager, Fred Schneider, in response to his correspondence about the state of Number Two Road. Mr. O'Keefe was working to set up a meeting with him.

Mr. O'Keefe stated that the Town Engineer has been working with the Florida Department of Transportation (FDOT) to set up a meeting to discuss the proposed intersection in front of Hillside Groves.

Mr. O'Keefe gave an update on the Citrus Avenue Right-of-Way (ROW) status. Mr. O'Keefe stated that the Town was working to get a surveyor for the project.

Mr. O'Keefe stated that the Town Engineer was still searching for a firm to complete the core drilling samples. Two firms had failed to deliver a quote for this project.

Councilor Miles asked the size of the Town's Engineering Firm. Mr. O'Keefe stated that it was a one-person firm. Councilor Miles suggested that the Town may need a larger engineering firm, or our current engineer may need to hire additional assistance.

Mr. O'Keefe gave an update on the Florida Department of Emergency Management (FDEM) grant submittal for new lift station backup pumps. The Public Works Director has submitted additional information to FDEM but the Town was waiting for their evaluation of the submitted grants.

Mr. O'Keefe gave an update on the Lake County Sherriff Dispatch status. The Sherriff's office will continue to provide dispatch services with no additional cost to the Town for the foreseeable future.

COUNCIL MEMBER REPORTS

19. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli asked if the Town had received the money from FEMA in refence to Hurricane Ian. Mr. O'Keefe stated that the Town had not received any reimbursement for Hurricane Ian yet.

Mayor Pro Tem Gallelli asked if Hillside Groves had started any work yet. Mr. Brock stated that the developer was working on getting their mass-grading permit, which would be issued by Public Works.

20. Councilor Lehning

Councilor Lehning asked if the Town Manager sets the priorities for the Town's consultant. Councilor Lehning then asked where the amendments to the Town's Land Development Code (LDC) fall on that list. Mr. O'Keefe stated that it was at the top of the list.

Town Attorney, Tom Wilkes, stated that the Town's Comprehensive Plan Amendment would be going before the Planning and Zoning Board in December and that the Ordinance to amend the Town's Comprehensive Plan would then come before the Town Council in January. Mr. Wilkes stated that the proposed amendment to the Town's LDC should come before the Town Council for review in January. Councilor Lehning asked that the proposed LDC amendments be sent to the Town Council and the Planning and Zoning Board for review at the same time.

21. Councilor Miles

Councilor Miles asked the other Councilors to read the 6-page critique for the wastewater workshop that the Central Lake CDD had sent to the Town, prior to the meeting (Town Council Workshop) the next day, December 12, 2023.

22. Councilor Lannamañ

Councilor Lannamañ stated that she thought the Town Christmas Festival was a success and thanked Lt. Brown for his hard work as the Events Committee Chair.

Councilor Lannamañ stated that she would like to see the Water Tower refurbishment added to the CIP.

Councilor Lannamañ stated that the Town’s 100-year anniversary was coming up and that the Town needed to start preparing for that event.

Councilor Lannamañ congratulated Chief Thomas and his wife for being shown on the cover of the Tavares Neighbor magazine.

23. Mayor MacFarlane

Mayor MacFarlane asked the Town Manager about the CDBG grant information that she had been requesting. Mr. O’Keefe stated that he was attempting to speak the Lake County’s specialist, Amy Elliot about this issue.

Mayor MacFarlane asked for an update on the City of Deland Public Record Request that she wanted the Town Manager to make. Mr. O’Keefe stated that he had not received the information from the City of Deland yet.

Mayor MacFarlane stated that the proposed Noise Ordinance, that she had requested over the summer, needed to come before the Town Council within the next 90 days.

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.

Rodney Tate, 1003 N. Hamlin Ave. – Mr. Tate was concerned about the recent break-ins that had occurred within the Town. Mr. Tate was concerned that when he called the non-emergency line for the Howey-in-the-Hills Police Department he had to leave a voicemail message. Mr. Tate stated that he believed that the Police Department should have someone answering the non-emergency phone line 24 hours a day.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline stated that he believes that the Comprehensive Plan amendment Ordinance that was discussed during the meeting protects the Town. Mr. Everline stated that he did not feel like the Town Councilors were listening to the community’s comments. Mr. Everline stated that he did not believe the packet for the meeting was being released soon enough and he wanted to see them come out the Wednesday before the meeting.

Banks Helfrich, 9100 Sams Lake Rd., Clermont Fl. – Mr. Helfrich spoke on the theme of a mental health epidemic.

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 9:16 p.m. | **Attendees: 53**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk