



Town Council Meeting
November 13, 2023 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 | John Brock, Town Clerk | George Brown, Police Lieutenant | Tom Wilkes, Town Attorney | Tom Harowski, Town Planner | Matt McDonald, Code Enforcement Officer

AGENDA APPROVAL/REVIEW

**Motion made by Councilor Lannamañ to approve the meeting's agenda; 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 October 23, 2023 Town Council Meeting.
2. The approval of the minutes and ratification and confirmation of all Town Council actions at the October 30, 2023 Town Hall Meeting.

Councilor Miles stated that he wanted to make sure that his reference to a Laurel on the bottom of page 5, in Item #4 (in the October 23, 2023, Town Council Minutes), was in fact a reference to a Laurel Oak.

**Motion made by Councilor Lannamañ to approve the Consent Agenda; 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

PUBLIC HEARING

3. Consideration and Approval: (Second Reading) **Ordinance 2023-012 - Land Development Code (LDC) Omnibus**

Martha MacFarlane, Mayor, read Ordinance 2023-012 out loud by title only:

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING SECTIONS OF THE TOWN'S LAND DEVELOPMENT CODE AS FOLLOWS: AMENDING SECTION 5.02.06 TO SPECIFY THE MINIMUM SETBACK FROM PROPERTY LINES FOR FLAGPOLES; AMENDING SECTION 2.03.03 TO REQUIRE TWO-CAR GARAGES FOR TOWNHOMES AND TO SPECIFY THE MINIMUM SQUARE FOOTAGE OF THE GARAGE AND THE MINIMUM LENGTH AND WIDTH OF THE RELATED DRIVEWAY; AMENDING SECTION 5.02.06 TO SPECIFY THE TIME PERIOD FOR TEMPORARY PERMITS FOR MOVABLE MODULE STORAGE UNITS; AMENDING SECTION 7.09.02 PERTAINING TO TREE PRUNING; AMENDING SECTION 7.10.00 AND ITS LIST OF APPROVED TREES AND PLANTS; AMENDING SECTION 7.10.01 TO ADD AN ITEM TO THE PROHIBITED PLANT LIST; AMENDING SECTION 7.11.01 REGARDING TREE PROTECTION; AMENDING SECTION 7.08.01 REGARDING LANDSCAPING REQUIREMENTS; ENACTING NEW SECTION 5.01.10 TO DEFINE "WORKSHOPS;" ENACTING NEW SECTION 7.04.04 TO IMPOSE CERTAIN REQUIREMENTS AT STREET INTERSECTIONS TO PRESERVE VISIBILITY FOR MOTORISTS; AMENDING SECTION 1.12.00 TO ENACT A NEW DEFINITION AND TO MODIFY CERTAIN EXISTING DEFINITIONS; AMENDING SECTION 7.12.01 REGARDING REQUIREMENTS FOR TREE REMOVAL; ENACTING NEW SUBSECTIONS 8.05.02.L AND 8.05.04.F REGARDING POTABLE AND RECLAIMED WATER SYSTEMS; ESTIMATING THE ECONOMIC IMPACT OF THE ORDINANCE ON PRIVATE BUSINESSES; PROVIDING FOR SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Councilor Miles stated that the three changes to the Ordinance that the Town Council had agreed to during the 10/23/2023 Town Council Meeting still needed to be changed in the Ordinance, as the Ordinance copy in the packet did not reflect those changes.

The three changes that needed to be made to the draft were:

1. Line 54 – Maximum building height changed from 2.5 stories to 30 feet.
2. Line 59 – Impervious Surface should be changed from 40% percent to 50%.
3. Page 5 line 127 – Remove Laurel Oak from the footnote and remove the change that said three trees, leaving it as “*Live Oaks and Southern Magnolias are the two approved...”.

Town Planner, Tom Harowski, explained changes that had been discussed in prior meetings. Mr. Harowski also noted that, on line 336, the Town would need to state the approximate value of the Estimated Impact of the Ordinance. Mr. Harowski suggested that \$6,000 should be used for the Estimated Impact. The Town Council decided that the value should be listed as \$7,000.

Mayor MacFarlane opened Public Comment for this item only. Seeing no public comment, the Public Comment portion of the Public Hearing was closed.

Motion made by Councilor Miles to approve Ordinance 2023-012 with the amendments that had been made during the 10/23/2023 Town Council Meeting and requested addition of \$7,000 to the Economic Impact that had been blank on line 336; 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

OLD BUSINESS

4. Consideration and Approval: **Final Subdivision Plans - Hillside Groves, Phase 1**

Councilor Miles made a motion for approval of the final subdivision plan for Phase 1 of The Reserve at Howey-in-the-Hills Planned Development (now known as Hillside Groves) subject to the following five conditions:

1. **As implied in section 11.1 of the Development Agreement, the plats for the development shall indicate that all parks and open spaces are dedicated to the HOA, not the Town, and**
2. **Contrary to what is implied in the Development Agreement, all lines, pumps, lift stations, valves, meters, and other equipment and facilities installed within the boundaries of the development for potable water, wastewater, and reclaimed water are to be dedicated or deeded to the Town, not the HOA, and**
3. **In its next application for approval of a final subdivision plan for any part of the development, the developer or landowner must include detailed site plans for the facilities, equipment, and furnishings to be constructed and installed on the following parcels designated as future “parks” in Phases 1, 3, and 4:**
 - **In Phase 1, Tract R, a 1.21-acre parcel;**
 - **Also in Phase 1, Five other parcels designated for parks, including a 1.29-acre adjacent to parcel 151 and four others, each less than 1.0 acre;**
 - **In Phase 3, the 2.26-acre parcel near the intersection of Road B and the power line, plus the 1.2-acre parcel adjacent to lots 387 and 388; and**
 - **In phase 4, four parcels, each at 0.16 to 0.18 acre; and**
4. **The alleys associated with Roads I and J, G and L, W and X, Q and T, R and U, and S and V shall be constructed as through-ways, not as dead-ends; and**
5. **The ingress and egress lanes for Road A at State Road 19 shall be paved with widths sufficient for four lanes (two each way) as follows:**
 - **If FDOT will not permit two ingress lanes, one ingress lane will be striped with hash marks or other markings sufficient to remove it as a travel lane; and**
 - **The ingress lane or lanes will be separated from the two egress lanes by a concrete median 18” in width for a suitable distance for traffic separation and safety.**

Mayor MacFarlane stated that she would second the motion, but she did not agree with condition #4 about the alleys.

Bill Ray (from Ray and Associates Planning and Environmental Services), the traffic engineer from the project’s traffic consultant company, and Justin Williams (from Connelly & Wicker Inc) came forward to speak for the applicant. Mr. Ray stated that they did not disagree with the first two items in Councilor Miles’ motion.

In regard to motion item #3, Mr. Ray stated that, at a future time, the applicant would come forward with the specific site plans for the parks and would come back to the Town Council for approval. Councilor Miles stated that he wanted to see the plans for all the parks prior to the approval of phase 2 final subdivision plans. Mr. Williams asked if the developer could modify motion item #3 to state that the developer would bring in the amenity/park plans for phase 1 and the phase they were coming into at the time, rather than all amenity/park plans for all phases when submitting Final Subdivision Plans for phase 2.

Councilor Lehning stated that the meeting's agenda for this item should state that the Town Council was only considering "Phase 1" of the Final Subdivision Plans for Hillside Groves, not the entire project.

Councilor Lehning stated that he was not in favor of parks being directly next to houses. Councilor Miles stated that parks should be placed away from homes.

Councilor Miles explained his motion item #4 and that he wanted the alleyway roads to continue on through to the other side and not dead end.

Mayor MacFarlane stated that she disagreed with Councilor Miles' motion item #4.

Councilor Lannamañ asked the developer's traffic engineer if he had an issue with putting in the second entrance lane and median, but yellow striping the 2nd lane so that it would not be used. The traffic engineer stated that the Florida Department of Transportation (FDOT) would not allow that.

Councilor Miles stated that, in his motion item #5, he has asked the developer to put a concrete barrier (18" wide) between the in-and-out lanes. Councilor Miles also asked them to pave a second entrance lane and put yellow stripes on it, so that the Town would not need to do that in the future.

Mr. Williams produced an email from FDOT, dated September 2022, stating that the developer could only construct a single lane entrance into the development.

Town Attorney, Tom Wilkes, stated that, if the Town Council wanted to approve item #5 of Councilor Miles' motion, then they should instruct the Town Manager and Town Engineer to work with FDOT (and advocate the Town's position with FDOT) to see if the conditions of item #5 were possible and if FDOT will allow them.

Mr. Ray wanted to know who the responsible entity would be for the timely processing of the driveway permitting with FDOT.

Mayor MacFarlane opened Public Comment for this item.

Sandy Russ, 6183 Lake View Dr, Yalaha, Fl. – Mrs. Russ stated that she was opposed to this development for three reasons: 1) The density of the development is too high; 2) The commercial component of the PUD is unknown; 3) Number Two Road cannot handle the traffic from this development. Mrs. Russ wants each Town Councilor that gives a Yes vote to this development to have to give the reason for their vote.

Brittany Lerch, 25926 Bloomfield Ave., Howey-in-the-Hills (unincorporated Lake County) – Mrs. Lerch wanted to know when the letter the Town received from Assistant County Manager Frederick Schneider regarding Number Two Road would be discussed. Mrs. Lerch stated that even the current levels of traffic on Number Two Road are too high and it was dangerous. Mrs. Lerch shared a picture of a trash truck on Number Two Road.

Eric Gunesch, 448 Avila Pl. – Mr. Gunesch did not think the Town should approve without knowing what would be going into the commercial area of the PUD. Mr. Gunesch stated that he believed that the irrigation for the development was inadequate, and that parking would be a major issue.

Terri Blessing, 24913 Blue Sink Rd., Howey-in-the-Hills (unincorporated Lake County) – Mrs. Blessing stated that she thought that letting traffic out onto Number Two Road was not good and that the high level of density in this development was an issue.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline took issue with the development being originally approved in 2005. Mr. Everline was concerned about the Traffic Study and when it was completed. Mr. Everline stated that he thought the applicant’s submittal package was incomplete and that the consideration of this item should be pushed back.

Mayor MacFarlane closed Public Comment for this item.

Mayor MacFarlane made a motion to amend Councilor Miles’ motion, removing Item #4, amending item #3 (such that, in its application for approval of the final subdivision plan for Phase 2, the developer or landowner must include detailed site plans for the facilities, equipment, and furnishings to be constructed and installed on parcels designated as future “parks” [if any] in Phase 2. In its applications for approval of the final subdivision plans for Phases 3 and 4, the developer or landowner must include detailed site plans for the facilities, equipment, and furnishings to be constructed and installed on the following parcels designated as future “parks” in Phases 3 and 4, respectively), and that the Town Manager and Engineer would try to get approval with FDOT for Councilor Miles’ motion item #5; seconded by Councilor Lannamañ. Motion passed by roll-call vote.

Voting

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

Nay: Councilor Miles, Councilor Lehning

Councilor Miles’ restated, amended motion for approval (which was seconded by Mayor MacFarlane) of the final subdivision plan for Phase 1 of The Reserve at Howey-in-the-Hills Planned Development (now known as Hillside Groves) subject to the following conditions:

- 1. As implied in section 11.1 of the Development Agreement, the plats for the development shall indicate that all parks and open spaces are dedicated to the HOA, not the Town, and**
- 2. Contrary to what is implied in the Development Agreement, all lines, pumps, lift stations, valves, meters, and other equipment and facilities installed within the boundaries of the development for potable water, wastewater, and reclaimed water are to be dedicated or deeded to the Town, not the HOA, and**
- 3. In its next application for approval of a final subdivision plan for any part of the development, the developer or landowner must include detailed site plans for the facilities, equipment, and furnishings to be constructed and installed on the following parcels designated as future “parks” in Phase 1:**
 - Tract R, a 1.21-acre parcel;**
 - Five other parcels designated for parks, including a 1.29-acre adjacent to parcel 151 and four others, each less than 1.0 acre.**

In its application for approval of the final subdivision plan for Phase 2, the developer or landowner must include detailed site plans for the facilities, equipment, and furnishings to be constructed and installed on parcels designated as future “parks” (if any) in Phase 2. In its applications for approval of the final subdivision plans for Phases 3 and 4, the developer

or landowner must include detailed site plans for the facilities, equipment, and furnishings to be constructed and installed on the following parcels designated as future “parks” in Phases 3 and 4, respectively:

- In Phase 3, the 2.26-acre parcel near the intersection of Road B and the power line, plus the 1.2-acre parcel adjacent to lots 387 and 388; and
 - In phase 4, four parcels, each at 0.16 to 0.18 acre; and
4. The ingress and egress lanes for Road A at State Road 19 shall be paved with widths sufficient for four lanes (two each way) as follows:
- If FDOT will not permit two ingress lanes, one ingress lane will be striped with hash marks or other markings sufficient to remove it as a travel lane; and
 - The ingress lane or lanes will be separated from the two egress lanes by a concrete median 18” in width for a suitable distance for traffic separation and safety.

Voting

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

Nay: Councilor Miles, Councilor Lehning

NEW BUSINESS

5. Presentation: **Groveland Wastewater Connection**

TJ Fish, Public Works Director for the City of Groveland, gave his presentation for the City of Groveland to partner with the Town of Howey-in-the-Hills and supply wastewater treatment services to the Town.

Mayor MacFarlane opened Public Comment for this item.

Tim Everline, 1012 N Lakeshore Blvd. – Mr. Everline asked if the Town entered into an agreement with Groveland for treatment capacity, why would the Town not be entitled to its reclaimed water. Mr. Fish stated that it could be possible for the Town to negotiate for the reclaimed water that came from its wastewater treatment.

6. Consideration and Approval: **Resolution 2023-012 - Dispatch Service**

Tom Wilkes, Town Attorney, introduced and explained this item. Mr. Wilkes stated that four other municipalities would be signing similar Resolutions and would also be signing a joint letter asking the Lake County Board of County Commissioners to address this situation.

Mayor MacFarlane opened Public Comment for this item only. Seeing no public comment, Mayor MacFarlane closed Public Comment for this item.

Motion made by Councilor Miles to approve Resolution 2023-012 and sign the joint letter; 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

7. Consideration and Approval: **Speaker Form / Public Comment Structure**

Mayor MacFarlane asked Councilor Lannamañ to introduce and explain this item. Councilor Lannamañ stated that the Town had previously used a speaker forms and thought that they worked very well in the Town Hall meeting. Councilor Miles asked how to handle people that are participating online.

It was decided that this issue would be revisited at an upcoming meeting.

Mayor MacFarlane opened Public Comment for this item.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline that that he believed that requiring the use of the speaker forms would remove spontaneity from public participation and he was not in favor of it.

Councilor Miles agreed with Mr. Everline stating that it would stifle public comment.

Beth Flack, 607 S. Florida Ave. – Mrs. Flack asked that if there could be a time in future meetings where people that had spoken in public comment could have their questions or comments addressed.

DEPARTMENT REPORTS

8. Town Hall

The department report was included in the meeting's packet.

9. Police Department

Lt. George Brown stated that the Police Chief was scheduled to return from his leave on the day after the meeting.

10. Code Enforcement

The department report was included in the meeting's packet.

11. Public Works

The department report was included in the meeting's packet.

12. Library

The department report was included in the meeting's packet.

13. Parks & Recreation Advisory Board / Special Events

None

14. Town Attorney

None

15. Finance Supervisor

The department report was included in the meeting's packet.

16. Town Manager

Sean O'Keefe, Town Manager, thanked the Town residents for attending the Town Veteran's Day event. Mr. O'Keefe reminded Town residents of upcoming events and meetings.

COUNCIL MEMBER REPORTS

17. Mayor Pro Tem Gallelli

Mayor Pro Tem Gallelli recommend that residents send an email to thall@howey.org and ask to get added to an email list of people who get notified monthly about library events.

18. Councilor Lehning

Councilor Lehning asked for a status update on the proposed rezoning of the Asma Parcel, which was adjacent to the Howey Mansion. Mr. Brock explained that the Planning and Zoning Board voted to recommend denying the application and that the item should come before the Town Council for a first reading during the December meeting.

Councilor Lehning stated that he wanted a Development Matrix during a previous meeting, but that he would like to have a meeting with the Town Manager to assist with the creation of this Development Matrix.

Councilor Lehning asked for a status update on the comments that had been submitted that would be used to amend the Town's Comprehensive Plan.

Town Attorney, Tom Wilkes, stated that the Ordinance for amending the Comprehensive Plan would come to the Town Council in December or January. Councilor Lehning stated that there were other issues that were not being addressed in the current package. Councilor Lehning stated that he wanted this done within the next 90 days.

Councilor Lehning wanted to thank Mr. and Mrs. Miles for their work in organizing the Garden and Civic Club's Yard Sale.

19. Councilor Miles

Councilor Miles asked for a date for a Town Council Workshop on wastewater matters. This workshop was scheduled for Tuesday December 12, 2023, from 2 p.m. to 4 p.m.

Councilor Miles discussed the letter that each Town Councilor had received from Howey Market LLC. Councilor Miles wanted to know why the Central Lake CDD was not allowing the Howey Market to get connected to wastewater treatment service.

Councilor Miles stated that the Town Manager had given him two letters from Lake County concerning Number Two Road. Councilor Miles stated that it is the responsibility of the County to widen Number Two Road. Councilor Miles stated that he would like to see the Town Manager send a response to the two Lake County representatives asking them what they were doing to improve the right-of-way and widen Number Two Road.

20. Councilor Lannamañ

Councilor Lannamañ thanked all the Town residents that participated in the recent Town Hall event.

Councilor Lannamañ welcomed the Police Chief back from his leave of absence.

Councilor Lannamañ stated that she had recently attended a Lake County League of Cities Luncheon and wanted residents and fellow Councilors to watch out for the State taking away Home Rule rights.

Councilor Lannamañ wanted everyone to be aware that DR Horton had sold all the Venezia Townhome units and has a waiting list.

Councilor Lannamañ asked about a potential Meeting in the Shade to address the Police Chief's issues with the Town Manager. Mayor MacFarlane stated that a meeting like that was on hold, that the Town's law firm would be investigating the allegations.

21. Mayor MacFarlane

Mayor MacFarlane congratulated Corporal Hamelink and former Code Officer Botts for catching and reporting an individual to the Florida Department of Environmental Protection for pouring paint into the ground, rather than disposing of it properly.

Mayor MacFarlane asked the Town Manager to research a letter that the Town had signed sometime in the past, which had given away the Town's ability to apply for certain CDBG grants. Mayor MacFarlane wanted Mr. O'Keefe to research if the Town can get these rights back and if it would help in securing wastewater funding.

Mayor MacFarlane reminded everyone that the \$4.25 million in state appropriations that the Town had secured would only cover construction costs, not design costs. Mayor MacFarlane wanted the Town Councilors to be aware that in an upcoming meeting the Town would need to approve Water Treatment Plant design costs.

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.

Andi Everline, 1012 N. Lakeshore Blvd. – Mrs. Everline stated that she did not believe that the Police Department's shutting down of a section on Lakeshore Blvd on Halloween was done well or was safe. Mrs. Everline stated that the Town needed to look into a different option for next year's Halloween.

Tim Everline, 1012 N. Lakeshore Blvd. – Mr. Everline stated that he thought the Town needed to get its Comprehensive Plan Amendments completed soon.

Mr. Everline stated that one of his neighbors had received a Code Enforcement letter and that the Howey Men's Club had volunteered their time to bring their neighbor's yard into compliance.

Brittany Lerch, 25926 Bloomfield Ave., Howey-in-the-Hills (unincorporated Lake County) – Mrs. Lerch wanted to address Councilor Miles' comments on Number Two Road. Mrs. Lerch was requesting that the Town remove the entrance onto Number Town Road from the Hillside Groves neighborhood.

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 9:30 p.m. | **Attendees: 45**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk

DRAFT