

**MINUTES OF THE HOWEY IN THE HILLS TOWN COUNCIL MEETING
HELD NOVEMBER 19, 2019**

Mayor MacFarlane called the Town Council Meeting of November 19, 2019 to order at 6:00 p.m.

Mayor MacFarlane led the Pledge of Allegiance to the Flag.

Mayor MacFarlane led the Invocation.

Present: Mayor MacFarlane, Mayor Pro-Tem Conroy, Councilor McGill, Councilor Scott and Councilor Nebel.

Also, Present: Town Clerk Burke, Public Services Director Ernest, Chief Thomas, Library Director Hall and Town Attorney Wilkes.

CONSENT AGENDA

Minutes of the September 23, 2019 Final Budget Public Hearing, October 14, 2019 Town Council Meeting and October 28, 2019 Town Council Meeting.

Mayor Pro-Tem Conroy seconded by, Councilor Scott moved to approve the September 23, 2019 Final Budget Public Hearing, October 14, 2019 Town Council Meeting and October 28, 2019 Town Council Meeting. Motion passed 5-0 with a roll call vote.

OLD BUSINESS

Consideration and Approval to execute the Retail Wastewater Service Agreement for the Bishop's Gate Property.

No Public Comment.

Councilor Scott seconded by, Mayor Pro-Tem Conroy moved to execute the Retail Wastewater Service Agreement for the Bishop's Gate Property. Motion passed 5-0 with a roll call vote.

NEW BUSINESS

Consideration and Approval of RESOLUTION 2019-013. A RESOLUTION OF THE TOWN COUNCIL OF HOWEY-IN-THE-HILLS, FLORIDA, ESTABLISHING A CHARTER REVIEW COMMITTEE TO REVIEW, RECOMMEND, AND SUBMIT PROPOSED AMENDMENTS AND/OR REVISIONS TO THE TOWN CHARTER; PROVIDING FOR COMPOSITION OF THE CHARTER REVIEW COMMITTEE; ASSIGNING ITS DUTIES AND DURATION; PROVIDING FOR PUBLIC MEETINGS AND FOR A METHOD OF PROVIDING LEGAL AND STAFF SUPPORT FOR THE COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

Mayor MacFarlane asked Town Clerk Burke who had already applied for the committee. **Town Clerk Burke** replied Sal Gallelli and Pat Miller.

Mayor MacFarlane said that it would be a five (5) Member Board with two (2) at large. **Councilor Conroy** stated that the Resolution says it will be a seven (7) Member Board with two (2) at large.

Mayor MacFarlane said that she wanted applications by December 09, 2019. That the Town needs to get started due to the 2020 election because the normal process is 120-180 days prior to the election.

Councilor Scott seconded by **Mayor Pro-Tem Conroy** moved to approve RESOLUTION 2019-013. A RESOLUTION OF THE TOWN COUNCIL OF HOWEY-IN-THE-HILLS, FLORIDA, ESTABLISHING A CHARTER REVIEW COMMITTEE TO REVIEW, RECOMMEND, AND SUBMIT PROPOSED AMENDMENTS AND/OR REVISIONS TO THE TOWN CHARTER; PROVIDING FOR COMPOSITION OF THE CHARTER REVIEW COMMITTEE; ASSIGNING ITS DUTIES AND DURATION; PROVIDING FOR PUBLIC MEETINGS AND FOR A METHOD OF PROVIDING LEGAL AND STAFF SUPPORT FOR THE COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE. Motion passed 5-0 with a roll call vote.

Consideration and Approval of RESOLUTION 2019-014. A Resolution Amending the General Fund, Police Retirement Fund, Police Advanced Training Fund, Tree Fund, Impact Fee Fund and Water/Sanitation Fund for Budget Year 2018-2019. (Budget Amendment 2019-001).

Councilor Conroy said that when he reviewed the material it doesn't show an expenditure for sanitation (garbage). **Town Clerk Burke** said that it was a mistake and that the Town expended \$163,792.87. That it would be corrected and placed on the Website.

Mayor Pro-Tem Conroy seconded by, **Councilor Scott** moved to approve RESOLUTION 2019-014. A Resolution Amending the General Fund, Police Retirement Fund, Police Advanced Training Fund, Tree Fund, Impact Fee Fund and Water/Sanitation Fund for Budget Year 2018-2019. (Budget Amendment 2019-001). Motion passed 5-0 with a roll call vote.

Review of RESOLUTION 2009-003. A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA; AMENDING CHAPTER 171, SECTION 23 OF THE CODE OF ORDINANCES AS CREATED BY ORDINANCE NO. 2003-305; ADOPTING NEW PROVISIONS TO PROVIDE FOR IMPLEMENTATION OF THE MOST RECENT WATER CONSERVATION RULES FOR LANDSCAPE IRRIGATION OF THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; PROVIDING DEFINITIONS; PROVIDING LANDSCAPE IRRIGATION SCHEDULES;

PROVIDING EXCEPTIONS TO THE LANDSCAPE IRRIGATION SCHEDULE; PROVIDING FOR VARIANCES FROM THE SPECIFIC DAY OF THE WEEK LIMITATIONS; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY, CODIFICATION; PROVIDING FOR CONFLICTS AND PROVIDING FOR AN EFFECTIVE DATE.

Mayor MacFarlane stated that the Resolution was already implemented but just wanted to do a review so that citizens were aware that there are restrictions.

Peter Tuite, 300 E Croton Way said that each year we go over our consumptive use permit (CUP) and there is no action to correct. **Mayor MacFarlane** replied that the Town is working on the corrective action plan (CAP). That the CUP in 2015 didn't calculate the correct projected growth and that the consultants are looking at getting this corrected which will help with the CUP overage. **Peter Tuite** asked if we get a usage credit for the Lake County Schools in Town. **Councilor McGill** asked what other Towns do. **Mayor MacFarlane** said that she looked at Tavares and they are hit and miss. **Councilor McGill** said that the Town can run usage reports on meters. **Mayor MacFarlane** said that not all meters can be data logged however that's being worked on now.

Marie Gallelli, 1104 N. Tangerine Ave asked if there was a way to break down irrigation times. For example, like twenty (20) minutes per zone not just for an hour.

Fran O'Keefe-Wagler, 409 W. Central Ave said that the Howey Tribune is running an article discussing water usage.

Public Services Director Ernest said that the Utility Department/Public Services would get with Library Director Hall to coordinate a time to conduct an educational class.

Discussion: Legal Cost.

Mayor MacFarlane said that the legal budget is over by 104% and asked for a motion that Councilors send in an email request.

Councilor McGill said that he brought this up in the past but that the Ordinance in the Town code says that the Town Attorney represents the entire Town Council and that they can't be restricted.

Mayor MacFarlane said that the Town Council can be restricted. She then asked **Town Attorney Wilkes** who replied yes if it is a policy set by the Town Council.

Councilor David Nebel asked what other municipalities do.

Councilor Conroy said let's try it.

Councilor McGill asked if the Ordinance would have to be changed. **Town Attorney Wilkes** said that the Ordinance he was referring to was in regard to code enforcement.

Councilor McGill said you are referring to Section 8-6 of the Code of Ordinances. **Town Attorney Wilkes** said yes.

Mayor MacFarlane said that she got the legal bills and broke out who spent what time with legal. **Councilor McGill** said that the document was false.

Councilor Conroy said that all legal request should go through the Mayor.

Bernard Alimenti, Lady Lake, said that the reason he is under legal fees isn't his fault.

Sal Gallelli, 1104 N. Tangerine Ave, said that maybe the Town should look at getting a local attorney because our current attorney charges for travel, etc.

Councilor McGill said that the policy is contradicting the Ordinance. That he would love to see examples of other municipalities. The Town Council should do more research and consider the power it gives the Mayor to say yes or no.

Mayor Pro-Tem Conroy seconded by **Councilor Nebel** moved to approve that all legal request be sent to Mayor MacFarlane for approval. Motion failed 3-2 with a roll call vote. (Councilor McGill, Scott and Nebel voting no.)

Councilor Nebel said how about you allot a certain number of hours to each Councilor to use for legal questions. **Councilor Conroy** said that it would be hard to track. **Mayor MacFarlane** said that Town Hall is already bogged down and doesn't need additional work.

Councilor McGill asked Town Attorney Wilkes if they could break down the hours on the bills. **Town Attorney Wilkes** replied yes.

Mayor MacFarlane asked if it would be at an additional cost. **Town Attorney Wilkes** replied no.

CITIZEN COMMENTS

Pat Miller, 201 S. Lakeshore Blvd read a letter on how Councilor McGill was demonstrating malfeasants.

David Miles, 33 Camino Real said that in the last ten months the legal fees have risen over 98% due to Councilor McGill.

Myron Llewellyn, 508 Bellissimo Place said that Councilor McGill is being personally attacked.

Marnie Drabik, 524 Bellissimo Place read aloud her email to the Town Council on the incident that occurred between her and another Town resident at the last Town Council

Meeting. She said that Councilor McGill and Scott were the only ones who responded and how will the Town Council ensure safety.

Jayne Spangler, 1009 N Hamlin Ave said that the Howey Food Pantry was going on at the community church and that she was the president at of the Garden/ Civic Club and that people should join.

Clay Ormsbee, 301 N. Lakeshore Blvd Thanked the Mayor for her job well done. He then asked how a resident had access to the Town Attorney and that he was appalled anyone could just spend the Town's money on legal fees.

Sal Gallelli, 1104 N. Tangerine Ave said that a group of six-eight people run this Town and that other people who are speaking up are getting beat up.

Bernard Alimenti, Lady Lake said that a lot of people don't know what's going on. That Chief Thomas and Larry Chester are incompetent and that he demanded something be done about it.

Lucien Marcus, 229 Messina Place said that he lives in Venezia and that a lot of the residents are scared to come here. Also that the attack on Marnie is a concern.

Berniece Hower, 444 Bellissimo Place said that that Police Department does a good job. That she is sorry that Marnie felt as though she was attacked but she was standing there the entire time and didn't feel as though Marnie was attacked by Mr. Miles.

George Brown, Umatilla said that a part of why he left was due to the personal attacks on his family. That the Chief of Police is a kindhearted man.

REPORTS:

Town Hall

Fran Wagler, 409 W. Central Ave said that Scout Troop 254 participated in scouting for food and the Veterans Day celebration at Blevins Park.

Finance

• Update on Finance Committee

Mayor MacFarlane said that Graham Wells, Town Clerk Burke and Russ Casson met and are doing some fact-finding analysis.

Police Department

Chief Thomas said that it was busy.

Public Services

John Ernest said that library is underway.

Code Enforcement

Mayor MacFarlane said that Code Enforcement was under Public Services. That they have reviewed applicants. Public Services Director Ernest said that they have to get certified.

Library

Tara Hall thanked Conti Pro Services for pressure washing the Library.

Town Attorney

- **Update: Contraction Feasibility Study.**

Town Attorney Wilkes said that they are looking at the effects of the contraction. Not sure of completion.

Council Members:

Councilor David Nebel said that he wasn't sure where to bring the giving tree stuff.

Mayor MacFarlane said to the library.

Mayor Pro-Tem Conroy

- **Discussion: Sun Trails Project**

Councilor Conroy said that a trail within 500 feet of your home increases the value by 6%. He then gave back up on Lake County's projected bike trail for the entire county.

Councilor McGill

- **Ordinances in Section 8. Area needs immediate attention.**

Councilor McGill said that there should be two Public Comment areas. He then said to get with Town Clerk Burke regarding public records request. He then recommended we put out an RFP for an Attorney. Mayor MacFarlane said not during a Charter Review.

Councilor McGill gave his response to the Sheriff Office Audit. He then asked if the Mayor had both of Chief Thomas's personnel file. Mayor MacFarlane replied yes.

Councilor McGill asked for an update on the comp time for Brown. Mayor MacFarlane said that it was handled. Councilor McGill asked for an update on the 11 offenses.

Mayor MacFarlane said that she wasn't going to comment. Councilor McGill asked if the incident with Member St. Clair was going to be addressed. Mayor MacFarlane said that she wasn't addressing it again.

Councilor Scott

- **Discussion: How to raise money to repair Sara Maude Mason Nature Preserve.**

Mayor MacFarlane said that she wasn't sure how to raise funds.

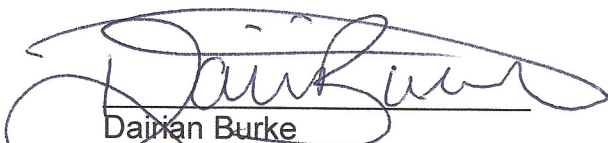
Councilor Conroy asked if Impact Fees could be used and asked to look at Ordinance as it was out of date.

Mayor MacFarlane -No Comment

The meeting adjourned at 8:20 p.m.


Martha MacFarlane, Mayor

ATTEST:


Dairian Burke
Town Clerk