

MINUTES OF THE HOWEY IN THE HILLS TOWN COUNCIL  
HELD MAY 11, 2020

Mayor MacFarlane called the Town Council Meeting of May 11, 2020 to order at 6:00p.m.

Mayor MacFarlane led the Pledge of Allegiance to the Flag.

**NEW BUSINESS**

**Consideration and Approval to add three shut off valves on Mission Lane.**

**Mayor MacFarlane** gave background on previous water situations and areas affected.

**Councilor McGill** asked if this was the only area being considered and if it included Magnolia.

**Mayor MacFarlane** explained this was the most critical area and it would include everything from Laurel North. She also commented it was included in the Public Services budget with an estimate just under \$15,000.

**CITIZEN COMMENTS**

**Sal Gallelli, 1104 North Tangerine** was in favor of installing the shutoff for better control of the water system is pretty old.

**Councilor McGill seconded by, Mayor Pro-Tem Conroy moved to approve the addition of three shut off valves on Mission Lane. Motion passed 4-0 with a roll call vote.**

**Consideration and Approval to replace the Town Hall file server.**

**Mayor MacFarlane** gave background on the file server and the urgency for backups.

**Mayor Pro-Tem Conroy** asked how much it was going to cost.

**Mayor MacFarlane** explained it was just under \$7,000 and all of the past information would be migrated over without issue.

**Councilor McGill seconded by, Councilor Scott moved to approve the replacement of the Town Hall file server. Motion passed 4-0 with a roll call vote.**

**Consideration and Approval to execute the Urban County Cooperation Agreement relating to the Community Development Block Grant Program. (Lake County, FL)**

**Mayor MacFarlane** gave background on the agreement and the reasons for giving consent to Lake County to manage.

**Mayor Pro-Tem Conroy** asked if there were any funds that would be available to Howey.

**Mayor MacFarlane** explained Howey was not eligible and that by assigning consent to Lake County the town would not be losing anything.

### **CITIZEN COMMENTS**

**Marie Gallelli, 1104 North Tangerine** acknowledged giving the grant access back to Lake County since the Town doesn't qualify and there'd be no benefit.

**Sharon Couture, 412 East Revels** asked for clarification regarding qualifications. Mayor MacFarlane explained the requirements and that the Town did not qualify.

**Councilor Scott seconded by, Mayor Pro-Tem Conroy moved to execute the Urban County Cooperation Agreement relating to the Community Development Block Grant Program. (Lake County, FL) Motion passed 5-0 with a roll call vote.**

**Consideration and Approval to bill Builders the new landscaping rate during improvement phase of development, not to exceed 120 days, beginning June 1, 2020.**

**Mayor MacFarlane** gave background on the current water consumption and rates by builders and the research conducted on the topic.

**Mayor Pro-Tem Conroy** asked where the funds go and shared concerns that setting the rate now could cause a possible loss based on future construction.

**Mayor MacFarlane** explained she was referring to capping it at the rate everyone pays, not the base rate.

**Councilor McGill** questioned why they would be charged the same rate as residents and not a higher rate.

**Mayor MacFarlane** explained the question on the table was if a break could be considered for the builders.

**Councilor Scott** clarified the water usage included saving the landscape and not just keeping the dust down.

**Councilor McGill** expressed it is the builders responsibility to keep the dust down and maintain landscape, not the Town's responsibility.



## **CITIZEN COMMENTS**

**Patricia Miller, 201 South Lakeshore** mentioned watering of the earth was an OSHA requirement.

**Sal Gallelli, 1104 North Tangerine** was not in favor of giving the builders a break in cost. He expressed the builders are making money.

**Beth Flack, 607 South Florida** agreed with Sal Gallelli and mentioned it is the cost of doing business.

**Donna Klein, 701 North Lakeshore** felt the town should work with builders to promote growth.

**Sharon Couture, 412 East Revels** asked if there was a projection report showing usage and also agreed it was a cost of doing business.

**Berniece Hower, 444 Bellisimo** shared the residents get a break for 90 days and she felt it was only fair to extend that to the builders.

**Councilor Nebel** seconded by, **Mayor Pro-Tem Conroy** moved to approve the new landscaping rate during improvement phase of development, not to exceed 120 days, beginning June 1, 2020. Motion failed 0-5 with a roll call vote.

## **Consideration and Approval of the updated Purchasing Policy.**

**Mayor Pro-Tem Conroy** provided the background and updates applied to the policy.

**Chief Thomas** explained the policy was out of date and the changes brought current to meet the requirements of Florida statute.

## **CITIZEN COMMENTS**

**Sal Gallelli, 1104 North Tangerine** does not feel we always look for the best price and that it is taken for granted.

**Mayor Pro-Tem Conroy** seconded by, **Councilor Scott** moved to approve the updated Purchasing Policy. Motion passed 4-1 with a roll call vote. (Councilor McGill voting no).

**Discussion: Ordinance 166 – suspend enforcement for 6 months, until the ordinance can be revised.**

**Mayor MacFarlane** explained the background and that this is a very convoluted ordinance that needs to be clarified for enforcement.

**Councilor Nebel** shared this has been a fight for 20 years and it is frustrating. He feels it is almost a dead-end road.

**Councilor Scott** commented he thought Mayor MacFarlane had worked on it last year and come to a resolution.

**Mayor MacFarlane** confirmed she did work on it, but some of the citizens at a P&Z meeting did not feel the new recommendations were enforceable so it was never officially presented.

**Councilor McGill** would like to keep enforcement in place until something is decided. He would also like to review what Mayor MacFarlane and the citizens worked on last year that was not presented.

**Mayor Pro-Tem Conroy** believes it should be left in place until it can be looked at properly.

#### **CITIZEN COMMENTS**

**Patricia Miller, 201 South Lakeshore** believes the changes/updates that were worked on last year should be presented to the Town Council to decide and make suggestions.

**Clay Ormsbee, 301 North Lakeshore** believes the town needs direction and it is very confusing to some people. They want to comply but are confused. He offered to assist with the project in September.

**Donna Klein, 701 North Lakeshore** believes the code should be more concise. In the long run it will be beneficial.

**Sal Gallelli, 1104 North Tangerine** commented it is a sticky situation with selective code enforcement.

#### **Discussion: Town Hall staffing.**

**Mayor MacFarlane** shared there were two items to discuss. The first item is the possibility of a full time finance person to realign Town Hall staff duties and provide better documentation. The second item is that the Mayor would like a motion to work with the Town Clerk on either the separation agreement or termination due to issues with performance. Several broad issues were shared with the Town Council regarding the deficiencies. It was also shared that Mayor MacFarlane spoke with the Town Clerk and offered the option of stepping into the Utility Clerk position. It was noted the Town Clerk preferred the separation agreement.



**Mayor Pro-Tem Conroy** suggested a period of time to accept the separation agreement or terminate if the offer is not accepted.

**Councilor Scott** commented this did not make sense because the Town Clerk had good reviews on her evaluation the year prior.

**Councilor Nebel** commented that is not accurate because she has been criticized on her job performance for the past year.

**Mayor MacFarlane** shared items have been discussed with the Town Clerk during her entire time as her supervisor. The Town Clerk had been offered assistance and refused.

**Councilor Scott** commented he felt Town Hall was understaffed for the last four years.

**Councilor McGill** commented he felt the Town Clerk is a wife and a mother and is being wrongfully attacked. He also asked about progressive discipline and how it was handled. He commented there are no emails to prove it.

**Mayor MacFarlane** clarified the actions that had previously been taken and that she had suggested several alternative options to the Town Clerk. She also indicated it had all been tracked and documented. She stated this was about personnel reasons and the current issues at hand, not last year.

### **CITIZEN COMMENTS**

**David Miles, 33 Camino Real** we fully support the Mayor to remove the Town Clerk. She has not been doing her job for the past year.

**Donna Klein, 701 North Lakeshore** supports the Mayor's decision and felt since the Town Clerk did not gain her certifications it is better to part ways.

**Kathy Ormsbee, 301 North Lakeshore** fully supports the Mayors decision in moving the town forward if the Town Clerk has not been doing her job.

**Martha Meyers, 705 Santa Cruz** supports the Mayor's judgement about Town Hall.

**Sal Gallelli, 1104 North Tangerine** thinks it is a mistake to let the Town Clerk go and believes it is due to political circumstances and division.

**Patricia Miller, 201 South Lakeshore** gives the Mayor her full support to take whatever action is necessary.

**Sharon Couture, 412 East Revels** noted there are obvious issues as presented by Mayor MacFarlane and while she is sad to see the town divided like this, business is business. This is not personal.

**Clay Ormsbee, 301 North Lakeshore** commented since the Town Clerk is not fulfilling her responsibilities we are at a crossroad and he fully supports Mayor MacFarlane in her decision.

**Mitzie Hubbard, 201 East Orchid** fully supports Mayor MacFarlane's decision and trusts her judgement.

**Joyce Herrington, 106 Island Drive** fully supports Mayor MacFarlane's decision and trusts her judgement. There have been too many missteps and performance issues.

**Perry Davis, 223 Messina Place** commented he feels the Town Clerk was in a position she was not trained for and believes firing her gives her a reason to sue the town. He suggested Mayor MacFarlane resign.

**Beverly Abdenour, 401 East Camelia Way** likes the Town Clerk but supports the Mayor's decision regarding Town Hall.

**Melissa Tschuschke, 513 North Florida** disagrees with the Mayor and supports the Town Clerk.

**Daneen Hon, 203 West Holly** fully trusts the Mayor and her decision. She also commented on Councilor Scott and Councilor McGill attacking an innocent person via email.

**Elisa Swieboda, 100 West Myrtle** does not believe the Town Clerk should be fired.

**Janice McLain, 109 South Lakeshore** believes Mayor MacFarlane is doing a fabulous job and she fully supports her decision regarding the Town Clerk.

**Mayor Pro-Tem Conroy** seconded by, **Councilor Nebel** moved to approve the Mayor working with the Town Clerk on a separation agreement or termination. Motion passed 3-2 with a roll call vote. (Councilor McGill and Councilor Scott voting no).

## **OLD BUSINESS**

### **Discussion/Update: Venezia Sidewalk Path**

**Mayor MacFarlane** provided the background information and presented current updates to consider for the next budget year.

**Councilor Scott** commented until there is money there is no point looking at it.

**Mayor Pro-Tem Conroy** mentioned putting it under the Parks and Recreation budget and to create a plan.



**Mayor MacFarlane** commenting looking to fund it next year but expressed uncertainty due to the unknown impact of COVID-19.

### **CITIZEN COMMENTS**

**Berniece Hower, 444 Bellisimo** commented it was a nice idea and suggested it connect to the sidewalk in the avenue.

**Doug Hower, 444 Bellisimo** commented they worked on the committee with the Town Planner but no one showed up. He mentioned it was thoroughly reviewed and discussed and suggested when the time comes to review all of that documentation from the sidewalk committee.

### **REPORTS**

**Town Hall** – Mayor MacFarlane provided updates about the audit and finance reports.

**Finance** – No comments.

**Police Department** – No comments.

**Public Services** – Mayor MacFarlane shared Public Services was looking forward to working on the valves for Mission Lane and the quote for an engine change on Well #4.

**Code Enforcement** – Mayor MacFarlane shared Code Enforcement are beginning to approach residents to talk one on one and address issues, rather than just sending out letters. They are continuing to build relationships with residents.

**Library** – Mayor MacFarlane shared the library construction is underway and the library has reopened following social distancing guidelines.

**Councilor McGill** asked why Code Enforcement was not adequately reflecting what they were doing on the report.

**Mayor MacFarlane** expressed it was her understanding they were and she would follow-up.

**Town Attorney** – No comments.

#### **Council Members:**

**Councilor Nebel** commented on the Mayor's patience and hard work for the town.

**Mayor Pro-Tem Conroy** yielded his time to Councilor McGill.

**Councilor McGill** asked about George Brown's employment status. He said they are both part time positions and he understands Mayor MacFarlane created a new position for George Brown and by doing so abused her power.

**Mayor MacFarlane** commented it was the same as she stated in the March 9, 2020 Town Council meeting. She restated Officer Brown is a full time employee with the town. His time is split 70/30 code enforcement and police force, and he is receiving benefits. She said it was not a whole new position. It's a normal process in business when departments grow or contract, to address it by making sure that the job descriptions are appropriate to the position. She stated she did not create a position but addressed discrepancies as the position of Mayor is allowed to do.

**Councilor McGill** questioned why the Recall political signs were still up when the election date was cancelled. He stated he was being targeted by residents who still had signs displayed.

**Mayor MacFarlane** said she believed all signs were down.

**Councilor McGill** questioned the Mayor asking him to be more specific with his agenda items and stated she had not been clear regarding the Town Clerk on the agenda. He also commented on the attorney bills and that the recall process was going to cost the citizens of the town and that it was not a free ride.

**Mayor MacFarlane** discussed the lot on Laurel to sell and reviewed the advice coming in. The lot prices on East Myrtle, North Temple, East Palmetto, East Croton range from \$27,500 to \$48,000. An appraisal will cost a little bit of money, or they could also go with a real estate CMA, which is basically a market comparison or market analysis. All agreed to use comps rather than appraisal.

**Mayor MacFarlane** asked about the meeting scheduled for Memorial Day and all agreed the meeting should be cancelled.

**Councilor Scott** restated he believes terminating the Town Clerk is the wrong decision.

### **CITIZEN COMMENTS**

**Fran O'Keefe Wagler, 409 West Central** discussed Founder's Day which will be on May 8, 2021 and reminded everyone to place it on the calendar since this year's event was cancelled due to COVID-19. She also mentioned an Eagle Scout project that was completed to benefit the town. She also confirmed the next Eagle Scout ceremony.

**Marcus Flamingo, 229 Messina Place** expressed his concerns about blinking lights and children and golf carts crossing the roadway. He also believes the Town Clerk was treated unfairly.

**Mayor MacFarlane** shared they are still waiting on FDOT's final decision and she did not have a timeline.

The Meeting adjourned at 8:53 p.m.

  
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Mayor Martha MacFarlane