

MINUTES OF THE HOWEY IN THE HILLS TOWN COUNCIL  
HELD OCTOBER 26, 2020

Mayor MacFarlane called the Town Council Meeting of October 26, 2020 to order at 6:00p.m.  
Mayor MacFarlane led the Pledge of Allegiance to the Flag and moment of silence.

Invocation

Roll Call

Present: Mayor MacFarlane, Pro-Tem Conroy, Councilor Nebel, Councilor Rick Klein, and Councilor Gallelli

**CONSENT AGENDA**

- 1. The approval of the minutes and ratification and confirmation of all Town Council actions at the October 8, 2020 Water Rate Study Workshop, the October 12, 2020 Town Council Meeting, and the October 19, 2020 Town Council Charter Review Workshop.**

*Councilor Gallelli seconded by, Councilor Klein moved to approve the October 8, 2020 Water Rate Study Workshop, the October 12, 2020 Town Council Meeting, and the October 19, 2020 Town Council Charter Review Workshop. Motion passed 5-0 with a roll call vote.*

**NEW BUSINESS**

**2. Discussion and Action: Charter Ordinance.**

ORDINANCE NO. 2020-005: AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO THE TOWN CHARTER; PROVIDING FINDINGS OF TOWN COUNCIL REGARDING THE CURRENT CHARTER AND A PROPOSED REVISED CHARTER; ADOPTING A NEW CHARTER FOR THE TOWN AND REPEALING THE FORMER CHARTER IN ITS ENTIRETY; AUTHORIZING AND DIRECTING THE FILING AND PUBLICATION OF THE NEW TOWN CHARTER; DECLARING THE LEGAL AUTHORITY FOR ENACTMENT OF THE ORDINANCE; CALLING FOR A REFERENDUM FOR ELECTORS OF THE TOWN TO VOTE ON WHETHER TO APPROVE THE NEW CHARTER; PROVIDING THE BALLOT TITLE AND BALLOT SUMMARY FOR THE REFERENDUM; PROVIDING FOR OTHER RELATED MATTERS.

**Pro-Tem Conroy seconded by Councilor Nebel made a motion to amend the Administrative functions of the Town Clerk/Finance Director.**

Sec. 8. Administrative.

Each department and office under the direction and supervision of the Mayor shall be administered by an executive officer appointed by the Mayor, with the approval of the Council, and subject to the direction and supervision of the Mayor. Executive Officers of the Town shall include Town Clerk/Finance Director, Director of Public Works and Chief of Police. The Town

Council may provide for other executive officers by ordinance. Should the Council employ a Finance Director separate from the Clerk, then the duties set out below in (b)(vi) to (ix) and (x) will become the responsibility of the Finance Director.

**The motion to amend the Administrative functions of the Town Clerk/Finance Director was unanimously passed with a roll call vote.**

**Pro-Tem Conroy seconded by Councilor Gallelli made a motion to amend the qualifications of Mayor.**

Sec. 5. Office of the Mayor.

(b) Qualification of Mayor. The Mayor shall be an elector of the Town and shall have been a member of the Town Council for a period of no less than one year prior to appointment to the office, unless approved otherwise by a vote of four-fifths of its members. If the office of Mayor becomes vacant or is forfeited, the Town Council shall select a new Mayor to serve the unexpired portion of the then current term.

**The motion to amend the qualifications of Mayor was unanimously passed with a roll call vote.**

**Pro-Tem Conroy seconded by Councilor Nebel made a motion to amend the Public Works Director overseeing Code Enforcement.**

(c) Public Works Director. The Public Works Director shall be responsible for the management and operation of the Public Works Department as set forth by the policy and procedure manual. The duties of the Public Works Director shall include but are not limited to construction improvements and repair and maintenance of Town facilities (including roads, drainage, parks, playgrounds, water and wastewater systems, cemetery and other public facilities). The Public Works Director shall report directly to the Mayor.

**The motion to amend the Public Works Director overseeing Code Enforcement was unanimously passed with a roll call vote.**

**Pro-Tem Conroy seconded by Councilor Nebel made a motion to amend the Charter to clarify provisions to Town limits.**

ARTICLE 1. TOWN BOUNDARIES; CORPORATE AUTHORITY.

Sec. 1. Town created, boundaries.

The corporate limits of the Town of Howey-in-the-Hills are the lands described in Section 1 of Chapter 16479, Laws of Florida, Acts of 1933, plus all lands annexed by or to the Town thereafter, less all lands de-annexed by or from the Town thereafter, plus the lands described in



Chapter 94-372, Laws of Florida. A description of the Town boundaries shall be updated from time to time and shall be on file with the Town Clerk.

**The motion to amend the charter to clarify the charter provision to town limits was unanimously passed with a roll call vote.**

**Pro-Tem Conroy seconded by Councilor Klein made a motion to approve the Town Charter with the discussed amendments in Ordinance 2020-005. The motion passed unanimously with a roll call vote.**

#### **Citizen Comment**

None

#### **3. Discussion: Conflict on Town hall website of water fees/fines ordinances.**

**Mayor MacFarlane** mentioned that there is an outdated fees and fines schedule on our website as well as conflicting information on municode and what is published on our website. **Councilor Nebel** noted that years ago due to the expenses of publishing the Town opted to advertise information on the Town website. He is in favor of publishing everything via municode and ensuring that everything is updated. **Mayor MacFarlane** did mention that the Town has the option to withdrawal from municode and publish everything on the Town website. **Councilor Gallelli** asked **Tom Wilkes** what other Towns utilize for publication. He recommended to remove the rates and fees from publication on municode by stipulating that the rates will be approved by resolution from Town Council and published on the Town's website. **Councilor Klein** asked if there was a company that we could contract to do this. **Mayor MacFarlane** said she thinks that someone is familiar with the Town would be able to review the ordinances and fee/rate schedules. **Pro-Tem Conroy** recommended utilizing municode for all publications, but would recommend removing all fee/rate structures and publishing them all on the Town website. **Graham Wells** mentioned that municode ascertains every single section of what a Town's ordinance will affect and codifies every ordinance. **Councilor Klein** asked what municode provides to the residents. **Mayor MacFarlane** said that it allows for transparency and quick retrieval for all codes of the Town. She said that she would come up with a plan and present it to the Town Council.

#### **Citizen Comment**

**Sal Gallelli, 1104 N. Tangerine** questioned the rates for water. **Mayor MacFarlane** said that all the fees are the same.

#### **4. Discussion and Action – Transcripts for past meetings.**

**Mayor MacFarlane** mentioned that there several back logged meeting minutes. She would like to do the minutes from the meetings that are the newest and work backwards to get the gap filled to get the transcriptions published to the Town's website. **Councilor Nebel** recommended hiring a part-time law student to do this. **Mayor MacFarlane** would like to use a transcriptionist service due to the fast turnaround. **Councilor Klein** said that he would be a proponent of using this service as a permanent resource as well. **Mayor MacFarlane** said that the best service she has found is Rev.com. **Graham Wells** mentioned that transcribing old minutes is very difficult. He asked if the agenda could be utilized as a format to open and close the identified items and if the recording is available a public record request could be made for the recording. **Tom Wilkes** said he believes that this suggestion could be done to include what actions were taken. Any further discussions would not be in the minutes but be made available by retrieving the recording of the minutes.

#### **Citizen Comment**

None

#### **5. Discussion and Action – Timing for resumption of late fees/penalties for Utility Bills.**

**Mayor MacFarlane** mentioned that there are about \$20,000.00 in unpaid utility bills. **Councilor Gallelli** asked if people were attempting to pay or if they just having been paying for months. **Mayor MacFarlane** said that the majority of the people were not making payments at all. **Councilor Klein** asked what the process was for other companies. **Mayor MacFarlane** said that it is a lengthy process with notifications and solicitations for payment. **Pro-Tem Conroy** recommended starting the fee implementation the first of December and allow only one opportunity for amnesty. **Mayor MacFarlane** recommended starting the implementation of notification of late fees effective for the January 2021 billing cycle.

#### **Citizen Comment**

None

#### **6. Discussion and Action – Resolution 2020-006 for Sergeant First Class Michael C. Aten.**

##### **RESOLUTION 2020-006**

**A RESOLUTION OF THE TOWN OF HOWEY-IN-THE-HILLS, LAKE COUNTY, FLORIDA SUPPORTING THE DESIGNATION OF A PORTION OF STATE ROAD 19 (S.R.19) IN MEMORY OF FORMER TAVARES RESIDENT SEARGEANT FIRST CLASS MICHAEL C. ATEN, U.S. ARMY RETIRED; PROVIDING AN EFFECTIVE DATE.**

**Whereas**, the designation of roads, bridges, or other transportation facilities for honorary or memorial purposes is a long-standing practice in Florida; and



**Whereas**, the Florida Legislature has the authority to designate transportation facilities for honorary or memorial purposes based on recommendations from a city or county commission, individual state agency or civic groups; and

**Whereas**, Sergeant First Class Michael C. Aten, U.S. Army Retired, was born in Eustis, Florida, graduated from Mount Dora High School and lived in Tavares; and

**Whereas**, Sergeant First Class Michael C. Aten, U.S. Army, Retired, served his country for 26 years before retiring in July 2012, including two years of service in Iraq; and

**Whereas**, Sergeant First Class Michael C. Aten, U.S. Army, Retired, was a member of the Combat Veteran's Motorcycle Association, Chapter 20-4 and the American Legion, Post 25 of Mount Dora; and

**Whereas**, on January 3, 2020, Michael C. Aten was killed in a motorcycle accident leaving behind a loving family and many friends; and

**Whereas**, Section 334.071, Florida Statutes, allows for the erection of markers contingent on the appropriate city or county commission passing a resolution in support of the particular honorary designation.

**Now Therefore, Be it Resolved**, by the Town of Howey-in-the-Hills, Lake County, Florida:

1. The above going recitals are true and correct and incorporated herein.
2. The Howey Town Council supports the designation of that portion of State Road 19 (S.R. 19) between Lane Park Cutoff Road to the Howey-in-the-Hills intersection at Mission Inn in honor of Sergeant First Class Michael C. Aten, U.S. Army, Retired, and request the Florida Department of Transportation place appropriate markers designating said road.
3. The Mayor of the Town of Howey-in-the-Hills is hereby authorized to request the Florida Legislature designate this portion of roadway and may bind the Town in any documents necessary in order to implement this honorary designation.

4. This Resolution shall be come effective immediately upon its adoption  
**Councilor Nebel seconded by Councilor Klein made a motion to approve Resolution 2020-006. The motion passed unanimously with a roll call vote.**

#### **Citizen Comment**

None

#### **OLD BUSINESS**

##### **7. Discussion: Schedule next water rate public workshop.**

Town Council members agreed the next water rate public workshop would be held on November 5<sup>th</sup> at 5:30 p.m.

#### **REPORTS**

**Town Hall – Leanda Chinama** reported about offering AFLAC services to employees as supplemental insurance. This service would be at no cost to the Town. She also reported about

outsourcing payroll services thus allowing the accountant to focus on pertinent financial responsibilities and assist the Town through his expertise in financial accounting.

**Finance – Mayor MacFarlane** talked about the finance report that was sent out. She said that she will continue to work on the reporting process.

**Police Department – Chief Thomas** gave an update that all charges against himself Officer Brown, and Mayor MacFarlane have been dropped. He also mentioned the upcoming Halloween festivities.

**Public Services –** Report was submitted for review. **Mayor MacFarlane** said the department was working on the Talichet project and conducting a comprehensive review of meters to validate the database and confirm billing is accurate.

**Code Enforcement – Officer Brown** is working on code enforcement violations.

**Library – Frances O’Keefe, 409 W Central Ave** mentioned that the certificate of occupancy was received. mentioned the library extension. A walk thru was done to identify items for the punch list. Several items need addressed and the building should be completed by the end of this month. She said that she is looking for boy scouts ages of 11-17 as well as adults to be Scout Masters and Assistant Scout Masters. She noted that the troop meets at the community church.

**Town Attorney –** No comments.

**Council Members:**

**Mayor Pro-Tem Conroy** thought it was a great meeting.

**Councilor Nebel** had no further comments.

**Councilor Gallelli** was complementary of the Town Clerk’s efforts to bring supplemental insurance to the employees.

**Councilor Klein** said the meeting was well represented and talked about his efforts regarding funding for the Sara Maude Park.

**Mayor MacFarlane** said that the next meeting would be held in person at the Town Hall but would also be available via Zoom.

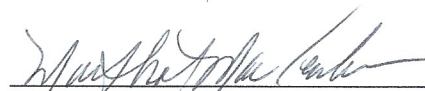
**ADJOURNMENT**

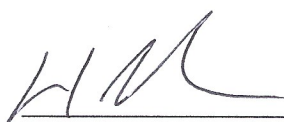
**Councilor Nebel, seconded by Councilor Klein moved to adjourn the meeting.**

**Attendees: 24**

The Meeting adjourned at 7:57 p.m.

ATTEST:

  
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Mayor MacFarlane

  
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R.H. Thomas  
Chief of Police