



MINUTES OF THE HOWEY-IN-THE-HILLS TOWN COUNCIL
HELD MAY 24, 2021

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.
Mr. Jim Steele read a poem.

Members Present:

Martha MacFarlane, Mayor
George Lehning, Councilor
Marie V. Gallelli, Councilor
Rick Klein, Councilor
Ed Conroy, Mayor Pro-Tem (Virtual)

Staff Present:

Sean O’Keefe, Town Administrator
John Brock, Town Clerk
John Ernest, Public Services Director
Thomas Wilkes, Town Attorney (Virtual)
Rick Thomas, Police Chief
Azure Botts, Code Enforcement Officer
Thomas Harowski, Town Planner (Virtual)
Pat Miller, Parks & Rec Chair (Virtual)

Roll Call was performed, and it was determined that a quorum was present.

AGENDA APPROVAL

Motion made by Councilor Gallelli to approve the agenda, but to move Agenda item #8 after Agenda item #10; Councilor Lehning seconded the motion. Motion was approved unanimously by voice vote.

CONSENT AGENDA

- 1. The approval of the minutes and ratification and confirmation of all Town Council actions at the April 26, 2021 Town Council Meeting.**

Motion made by Councilor Lehning to approve the minutes; Councilor Gallelli seconded the motion. Motion was approved unanimously by voice vote.

NEW BUSINESS

- 2. Presentation: Maryann Krisovitch, Education Director for Lake County Water Authority (LCWA) presentation on water conservation.**

Maryanne Krisovitch gave a presentation on water conservation and showed a video about water conservation. Town Clerk Brock was asked to post the video on the Town’s website for citizens to be able to view.

3. Consideration: Purchase price of 211 E Laurel Ave.

Mayor MacFarlane explained that the Town is selling the property at 211 E Laurel. The bid on the property was \$45,100 and the appraisal came back \$41,500. Previous Mayor, Chris Sears, was the individual that bid on the property and offered \$45,100. He has come back to ask if the town would consider reducing its price to \$41,500 to match the appraisal. Councilor Lehning stated that he was not sure why the Town Council would lower the price and Councilor Gallelli agreed. Mr. Sears said that he figured that he would ask in hopes of the lower price, but he intended to purchase the property even if it was still at the original agreed-upon price. The Town Council decided not to make any motions on this topic and to leave the sale price of the property at the originally agreed-to price of \$45,100.

4. Presentation: Police Department Personnel – New Officers.

Police Chief, Rick Thomas, announced and presented the four new Police Officers that would be starting in Howey-in-the-Hills. Chief Thomas presented Michael Whitaker (Full-Time Officer-SRO at Lake Hills School), Billy Johns (Full-Time Officer), Johnny Bonds (Part-Time Officer), and Zachary Corman (Part-Time Officer).

5. Discussion and First Reading: Ordinance 2021-003.

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA, PERTAINING TO LAND USE; AMENDING, REVISING, OR CREATING (AS THE CASE MAY BE) THE FOLLOWING SECTIONS OF THE TOWN'S LAND DEVELOPMENT CODE, EACH TO THE EFFECT INDICATED:

- 2.02.01 – to limit veterinary facilities with outdoor kennels to agricultural districts;**
- 4.03.01 – to make the preliminary-site-plan approval process optional, not required;**
- 4.06.02 – to allow metal roofing on residential structures;**
- 5.01.07 – to require concrete anchors on fence posts;**
- 5.02.08 – to specify restrictions on temporary carports and covers;**
- 6.02.10, 6.02.11, 6.02.12, and 6.02.13 – to specify supplemental standards for gasoline stations, bars and cocktail lounges, automobile sales, and animal hospital or veterinary clinics;**
- 7.02.02 – to clarify requirements for landscape buffers;**
- 7.03.00 – to clarify that landscape medians in residential areas are encouraged, not required;**
- 8.02.00 – to add specifications and requirements for lot widths, lot orientations, corner lots, and double-frontage lots;**

8.02.03, 8.02.10 and 8.05.01 – to add requirements regarding streets, drainage, and water and sewer utilities for new land developments;

9.01.01 – to specify membership requirements for the planning board;

9.04.00 – to create a design review board and specifying its membership and roles and responsibilities; AND

7.04.00 and 7.06.00 – to revise and provide regulations and restrictions pertaining to landscape irrigation and to repeal section 7.06 and its subsections;

PROVIDING FOR CONFLICTING ORDINANCES, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Mayor asked Town Planner Tom Harowski to explain the LDC omnibus amendments. Mr. Harowski gave a summary of the Ordinance and the Omnibus of amendments to the LDC. Mr. Harowski also stated that a citizen had made a comment about an inconsistency in the Ordinance between Section 8.02.07 and Section 7.03 as to the size of medians. It was decided that it should be eight (8) feet.

Councilor Lehning commented on the section adding anchors to fencing posts and stated that cement anchors should not be required in agricultural zones (areas using pasture fence). It was decided this should be changed.

Public Comment:

None

Motion made by Councilor Gallelli for the Town Council to approve the Ordinance and move it to a 2nd Reading and Public Hearing with the following amendments; amending the median width in Section 8.02.07 from ten feet to eight feet to be consistent with Section 7.03, and to amend Section 5.01.07 on anchoring fence posts to include language reading “in residential and commercial zoning districts” so that fences in agricultural districts would not be required to embed each post in concrete; Councilor Klein seconded the motion. Motion approved unanimously by voice vote.

6. Consideration and Approval: SRO for new LifeStream School, Lake Hills School, and Lake Success Academy.

Mayor MacFarlane explained that the Lake County School Board had asked the town to supply SROs for the schools within town borders, including Lake Hills School (which the Town already does), a new LifeStream School that will be opening next to Lake Hills School, and possibly Lake Success Academy (for which the Lake County Sheriff’s Office currently provides an SRO). Mayor MacFarlane asked Town Administrator, Sean O’Keefe, to explain the contracts. Mr. O’Keefe explained that he and Chief Thomas had looked at the cost to the town for an SRO and

they came up with the amount that we should charge the county for each provided officer. It was mentioned that the cost that the Town charged the county last year did not completely cover the cost of the SRO to the Town. Councilor Lehning was concerned that, by agreeing to go forward with this contract, the Town would be taking the risk of costs going up during the year.

Public Comment:

Berniece Hower, 444 Bellissimo Place – Mrs. Hower was in support of the Town providing the SROs for the schools.

Beth Flack, 607 S. Florida Ave – Mrs. Flack asked how many more people the Town would be hiring. Chief Thomas said that the Town would potentially be hiring two additional officers.

Motion made by Councilor Lehning to approve the SRO contract with LCSB and supply SROs for the three schools; Councilor Gallelli seconded the motion. Motion was approved unanimously by roll call vote.

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| Councilor Lehning | YES | Councilor Klein | YES |
| Mayor Pro-Tem Conroy | Not physically present | Councilor Gallelli | YES |
| Mayor MacFarlane | YES | | |

7. Consideration and Approval: Re-writing the Ordinance banning live poultry so that it covers residential property.

Mayor MacFarlane asked Code Officer, Azure Botts, to explain this discussion point. Officer Botts explained that the current Ordinances that the Town has that relate to prohibiting the raising of poultry does not cover residential, just agricultural districts. Because of the way the current Ordinance is written, the Town cannot enforce the prohibition of raising chickens on residential property. This would require an LDC change.

Motion made by Councilor Lehning to direct town staff to create an Ordinance to prohibit owning and raising of poultry in residential zones and to allow it in agricultural zones; Councilor Klein seconded the motion. Motion was approved unanimously by roll call vote.

8. Discussion: Define “Historic Tree”

Mayor MacFarlane explained that state law gives more latitude to municipalities in regulating the trimming and cutting down of “Historic Trees.” Mayor MacFarlane asked Code Officer Botts if the town would need to identify specific, individual trees to be named “Historic,” or could types of trees of certain sizes be deemed “Historic.” Officer Botts said that currently the Town

Council has not defined the issue either way. Town Planner Harowski explained that the LDC did have a definition of this in Chapter 1 in the definition section. Police Chief Thomas suggested that the town needed some clarification on this topic from Town Attorney Tom Wilkes. Mayor MacFarlane agreed, saying that the Town needed to consult with both Mr. Wilkes and Mr. Harowski. Code Officer Botts said she would send a copy of the State Statute to Mr. Wilkes and Mr. Harowski. The Town Council agreed to discuss this topic again during the second June Town Council Meeting.

Public Comment:

None

9. Discussion: Police Department Report.

Police Chief Thomas discussed that there had been some recent thefts and he encouraged citizens to lock their cars, houses, and sheds. He also wanted to encourage the public to call 352-343-2101, option 4 for non-emergency issues. Chief Thomas also congratulated Captain Chester for receiving the Officer of the Year award from the Rotary Club of Leesburg.

10. Discussion: Property Maintenance Ordinance Review (Original Agenda Item #8)

Mayor MacFarlane asked Code Officer Botts to explain the proposed changes. Officer Botts explained that the suggested changes would be to adopt the International Property Maintenance Code (IPMC), which is created by the International Code Council (ICC). Code Officer Botts explained the pros and cons of the IPMC and what it would look like if the Town was using this code as a standard for the community. The suggested proposal is that the Town looks at its current Ordinances and identify which Ordinances are conflicting with or duplicating the IPMC, in order to remove those when the Town adopts the IPMC.

Councilor Lehning asked how much it would cost to adopt this code. Code Officer Botts explained there is no cost to adopt it, other than the \$14 cost to download the PDF of the current code. She also said that the code is designed primarily to protect renters and to protect the community from things that can be seen from the outside of buildings (such as chipped or peeling paint).

Mayor Pro-Tem Conroy asked about enforcement of this code and how the Town could get away from our current Special Magistrate process, which does not seem to work. Mayor MacFarlane stated that she had already been in communication with the Town's legal counsel about moving to a Town Fine/Fee system, rather than a Magistrate system.

The Council stated that, as a next step for this topic, they want the Planning & Zoning Board to review the IPMC and to make a recommendation.

Public Comment:

None

Old Business:

None

Council Member Reports:

Mayor Pro-Tem Conroy

Mayor Pro-Tem Conroy wanted to know about the budget planning process and when those meetings would occur.

Councilor Lehning

Councilor Lehning stated that he wanted Police Chief Thomas to make a presentation about the Police Department and its inner workings for the Town Councilors. Mayor MacFarlane committed to a future Work Session on this topic.

Councilor Gallelli

Councilor Gallelli thanked the citizens that had adopted the Town's Bump Outs. Councilor Gallelli reminded everyone about the upcoming Memorial Day Weekend Ceremony at Taylor Memorial Cemetery.

Councilor Klein

Councilor Klein asked if the Town was making any headway in securing a grant for repair of the Sara Maude Park. Town Administrator O'Keefe said that the grant application process had not been started at this time.

Mayor MacFarlane

Mayor MacFarlane stated that the Town has been notified by the Town Attorneys that there is a possible conflict of interest due to the Gray Robinson Attorney firm also representing Lennar Development. Our Attorneys do not work with Lennar, however, other attorneys in the firm do.

Mayor MacFarlane addressed the town's upcoming budgetary process schedule. Town Directors will be required to submit a draft of the budget before the 3rd week in June. Budget Workshops will be scheduled on a morning with the Town Council. This first budget workshop will be planned to occur right after the 4th of July.

Public Comments

Fran Wagler, 408 W. Central Ave. - Mrs. Wagler announced upcoming Special Events to include

the Memorial Day Essay Contest, Memorial Day Weekend Ceremony/Event, and the Paint the Signs on the Police Fence Event on June 19th at 10 a.m., followed by an Ice Cream Social. Mrs. Wagler thanked the Howey Garden and Civic Club which took over planting flowers for the Memorial Day event. The Club has also committed to adopting the last Town Bump Out.

Doug Hower, 444 Bellissimo Place – Mr. Hower mentioned that Howey-in-the-Hills should be prepared for federal buses to drop off immigrants in the middle of town as part of a larger resettlement plan.

ADJOURNMENT

There being no further business to discuss, a motion was made by Councilor Gallelli to adjourn the meeting; Councilor Lehning seconded the motion.

The Meeting adjourned at 8:23 p.m. | **Attendees: 33**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk