



MINUTES OF THE HOWEY-IN-THE-HILLS TOWN COUNCIL
HELD JUNE 14, 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.
Mayor MacFarlane gave a quick blessing for the Town.

Members Present:

Martha MacFarlane, Mayor
George Lehning, Councilor
Rick Klein, Councilor
Ed Conroy, Mayor Pro-Tem

Staff Present:

Sean O’Keefe, Town Administrator
John Brock, Town Clerk
Thomas Wilkes, Town Attorney (Virtual)
Rick Thomas, Police Chief
Azure Botts, Code Enforcement Officer
Thomas Harowski, Town Planner (Virtual)
Tara Hall, Library Director

Excused Absent:

Marie V Gallelli, Councilor

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

AGENDA APPROVAL

Motion made by Mayor Pro-Tem Conroy to approve the agenda, but to add a presentation regarding the Town Audit by Mr. Binney, the Town Auditor, as the first item on the agenda; Councilor Klein seconded the motion.

PRESENTATION

1. Presentation: FY 2020 Town Audit.

Mayor MacFarlane asked the Town Auditor, Mr. Curt Binney, to give a presentation on the FY2020 Town Audit. Mr. Binney explained the findings of the Audit and a history of the Town’s recent Audits. Mr. Binney stated as a Governmental Auditor he is required to issue the Town four reports. The first is a report on the Financial Statements, in which it was found that they are fairly stated within the accounting principles that apply to the Town. The financial statements within the report are found to be in compliance with an “unmodified report”, so they are fairly stated. The second report is a report on internal controls. The report found there were no significant deficiencies for the Town’s internal controls. The third report is a management letter required by the Auditor General of the State of Florida. The fourth and final report is about the Town’s compliance with Florida Statute 218, and that there are no issues to report on. Lastly, Mr. Binney stated the financial accounting process in the Town of Howey-in the-Hills has really moved forward.

Public Comment:

None

CONSENT AGENDA

- 2. The approval of the minutes and ratification and confirmation of all Town Council actions at the May 24, 2021, Town Council Meeting.**

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

PUBLIC HEARING

- 3. Consideration and Approval (second 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:

1.12.00 – amending the definition of “irrigation system”;

2.02.01 – to limit veterinary facilities with outdoor kennels to agricultural districts;

Table 2.00.02 – to specify additional future-land-use designations in which planned-unit development is consistent;

4.03.01 – to make the preliminary-site-plan approval process optional, not required;

4.06.02 – to allow solar shingles and metal roofing on residential structures;

5.01.07 – to require concrete anchors on fence posts in residential and commercial zoning districts;

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;

8.02.01 – to add specifications and requirements for lot widths, lot orientations, corner lots, and double-frontage lots;

8.02.03, 8.02.05, 8.02.06, 8.02.07, 8.02.10 and 8.05.01 – to add and clarify requirements regarding streets, cul-de-sacs, drainage, and water and sewer utilities for new land developments and to revise requirements for traffic-impact analyses for new land developments;

8.04.05 – to clarify requirements for stormwater-drainage structures in new development;

8.05.01 – to clarify street-light requirements;

9.01.00 – to specify membership, quorum, and voting requirements for the Planning and Zoning 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;

RENUMBERING EXISTING SECTION 171-23 OF THE TOWN CODE OF ORDINANCES AND ENACTING A NEW SECTION 171-23 TO CLARIFY THE LANDSCAPE REQUIREMENTS ARE SET OUT IN THE LAND DEVELOPMENT CODE; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mayor MacFarlane read the Ordinance out loud.

Public Comment:

Berniece Hower, 444 Bellissimo Pl. – Mrs. Hower had a question about the process of completing a traffic analysis. Town Planner Harowski explained the process of what is required for a traffic analysis and who may review the completed process. The reports are public record documents that anyone can request.

Motion made by Mayor Pro-Tem Conroy to approve Ordinance 2021-03; Councilor Lehning 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 | YES | Councilor Gallelli | Excused Absent |
| Mayor MacFarlane | YES | | |

NEW BUSINESS

4. Consideration and Approval: Ordinance 2021-004.

AN ORDINANCE OF THE TOWN OF HOWEY-IN-THE-HILLS, FLORIDA PERTAINING TO THE COLLECTION OF SOLID WASTE; AMENDING CHAPTER 100 OF THE TOWN’S CODE OF ORDINANCES TITLED “GARBAGE, RUBBISH AND REFUSE” TO PROVIDE THAT THE TOWN MAY USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS TO REIMBURSE THE TOWN BY PLACING THE COST OF SOLID WASTE COLLECTION SERVICES ON

A PROPERTY OWNER’S TAX BILL, TO ALLOW THE TOWN COUNCIL TO ADOPT FEES FOR THE COLLECTION AND DISPOSAL OF REFUSE BY RESOLUTION, AND TO REMOVE OBSOLETE PROVISIONS; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mayor MacFarlane read the Ordinance out loud and explained that this Ordinance would assist with the project of moving Sanitation fee/ Solid Waste charges from the utility bill to the tax bill.

Public Comment:

None

Motion made by Mayor Pro-Tem Conroy to approve Ordinance 2021-004 to be moved to a second reading; Councilor Klein 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 | YES | Councilor Gallelli | Excused Absent |
| Mayor MacFarlane | YES | | |

5. Consideration and Approval: Resolution 2021-06 ICMA Program Coordinator Change.

Mayor MacFarlane explained the need for the administrator of the Town’s retirement plan to change from the Mayor to the Town Administrator. Mayor Pro-Tem Conroy reiterated a desire that the Town’s retirement plan be competitive.

Public Comment:

None

Motion made by Mayor Pro-Tem Conroy to approve Resolution 2021-06; Councilor Klein seconded the motion. Motion was approved unanimously by voice vote.

6. Consideration and Approval: RFP 2021-002 Town Marker Replacement Project.

The Mayor explained that this RFP was posted so that the Town could address issues with the Town’s three Town Markers falling apart and not looking well-kept. Mayor MacFarlane explained that the only company to put forth a proposal was Chris Sears’ company, Oak Tree Construction. This project would replace all three Town Markers, making them taller and improving the aesthetics of the markers. Mr. Sears explained that, as part of the RFP, his company would create an engineered drawing for the markers.

Councilor Lehning asked if Public Services Director, Mr. John Ernest, agreed with the price of the proposal. Mayor MacFarlane explained that Mr. Ernest did agree with it.

Public Comment:

None

Motion made by Mayor Pro-Tem Conroy to approve of the proposal submitted by Oak Tree Construction for RFP 2021-02; Councilor Klein 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 | YES | Councilor Gallelli | Excused Absent |
| Mayor MacFarlane | YES | | |

7. Discussion: Workflow of Building Services functions.

Mayor MacFarlane asked Town Administrator, Sean O’Keefe, to speak on this topic. Mr. O’Keefe explained that the Town was reviewing contracts that were coming up for renewal, and that included the contract with the Town’s Building Official. Mr. O’Keefe asked Code Enforcement Officer Botts to speak about the current workflow: how the necessity for a building permit was decided upon and who makes those types of decisions. The current workflow is that the contracted Building Official is the one that makes the final determination on who needs a building permit and that he can make up to 70% of the price of the permit. Officer Botts suggested that the Town should have a middleman that reviews the permits, a Permitting/Plans Review person; one that is not directly compensated by the permit. Police Chief Thomas explained that this would eliminate any potential conflict of interest.

Mayor Pro-Tem Conroy explained that the Town has benefitted in the past from having a contract person for this position rather than an in-house person for this position. He also stated that two years ago, the Town had a hard time finding a contractor.

Councilor Klein stated that he believed that outsourcing the Building Official, like the Town has been doing, seemed like the way to go. Councilor Klein suggested that this topic should come up for a Workshop in the future.

Public Comment:

Chris Sears, 100 Island Dr.- Mr. Sears explained that, as a building contractor, he has seen that other municipalities have a much longer waiting time for getting a permit back than the Town does. Mr. Sears explained that Lake County takes over six weeks to bring back comments for permit.

Old Business:

None

Town Reports:

Town Hall

Town Clerk Brock acknowledged that the Town's Utility Billing Clerk, Miles Wagler, had recently graduated with his Associates Degree in Business Management. Mr. Brock spoke about how many building permits had been issued during the past month. Fiscal year-to-date, there have been 48 SFR permits submitted for the Talichet neighborhood and 2 independent SFR permits. Mr. Brock also showed a list of the top 10 bad debt accounts (utility water bill) in the Town. Town Clerk Brock also reminded all the Town Councilors that their Form 1 was due to be turned in by July 1st.

Police Department

Police Chief Thomas thanked the Town Hall staff for helping Code Enforcement Officer Botts. He also explained that Officer Botts was able to help the Town get reimbursed for a cleanup effort on a house on Myrtle. Police Chief Thomas wanted to let Councilor Lehning, and the other Town Councilors, know that he is working on a presentation for them.

Code Enforcement

Code Officer Botts stated that she would be providing documentation to the Mayor's office on what Ordinances would be affected or replaced if the Town were to adopt the International Property Maintenance Code.

Public Services

Mayor MacFarlane explained that Public Services Director Ernest would not attend the meeting and encouraged the Town Council to read his report that was submitted with the meeting's packet.

Library

Tara Hall, Library Director, stated that there has been interest in usage or rental of the LEC. She also stated that the Library Board would soon take up this issue and make a recommendation to the Town Council. Director Hall explained that the Story Time activity utilization was increasing.

Parks & Recreation Advisory Board / Special Events Committee

Pat Miller, Parks & Recreation Chair, stated that during the Parks & Recreation meeting that occurred the week before, that they had reinstated park assignments and begun discussions on the Town's cemetery. Mrs. Miller reminded everyone about the Sign Painting event on July 19th.

Town Attorney

Nothing to report.

Town Administrator

Sean O'Keefe, the Town Administrator, stated that the Lake County School Board had decided to go with using Howey-in-the-Hills' PD to supply two SROs for their schools rather than three. Mr. O'Keefe also reviewed the monthly financial report that he had submitted to the Town Council. Mr. O'Keefe also stated that the proposed budget public hearing dates in September would occur at 5:05pm on Sept. 13th and Sept. 27th. They would precede the normal Town Council Meetings on those days. Mr. O'Keefe also stated that proposed Budget Workshops would occur on Tuesday July 13th at 4pm and Thursday July 29th at 9am.

Council Member Reports:

Mayor Pro-Tem Conroy

Nothing to report.

Councilor Lehning

Nothing to report.

Councilor Gallelli

Absent.

Councilor Klein

Nothing to report.

Mayor MacFarlane

Mayor MacFarlane stated that during a Florida League of Cities meeting, they discussed the ARPA plans. She stated that the Town Administrator was working to submit all necessary documentation for the Town to receive its portion of payment from the ARPA plan. The original amount that Town was told it would receive was most likely not the amount that it would receive in the end.

Mayor MacFarlane also explained that the Florida League of Cities has just launched an additional service to help small municipalities become aware of all available grants that they could apply for.

Public Comments

Beth Flack, 607 S Florida Ave. - Mrs. Flack stated that citizens next to the Talichet development would like to know who they can talk to when they have issues with Talichet. Residents that are adjacent to Talichet are having problems with the Talichet streetlights being too bright. One resident adjacent to Talichet stated his house has had damage due to work being done at Talichet and that he now has a lawyer involved. Other adjacent residents were wondering why fencing had not been put up all around Talichet yet. Another adjacent resident to Talichet was upset about water runoff from the construction site going into their yard. Also, it was believed that the construction truck traffic going down Florida Ave was going too fast and that residents on Florida Ave would appreciate more monitoring and enforcement of the speed limit. Mayor MacFarlane stated that Town Administrator, Sean O'Keefe, would be the representative that citizens should work with to get these issues addressed.

Joshua Husemann, (future resident) 671 Avila Pl. – Mr. Husemann stated that in the HOA documents that he received when he bought into Talichet that it states that fences would be put up as houses are built.

Doug Hower, 444 Bellissimo Place – Mr. Hower questioned that the balances of the Town's checking account are fairly high and may be over the insured amounts; that this was an issue given the unsure times that we are in.

ADJOURNMENT

There being no further business to discuss, a motion was made by Mayor Pro-Tem Conroy to adjourn the meeting; Councilor Klein seconded the motion.

The Meeting adjourned at 7:30 p.m. | **Attendees: 18**

Mayor Martha MacFarlane

ATTEST:

John Brock, Town Clerk