

**TOWN OF ASTATULA  
MAYOR AND TOWN  
COUNCIL MINUTES**



**REGULAR SESSION  
MONDAY APRIL 8, 2019  
TOWN HALL**

Having been duly advertised as required by law, Vice-Mayor Mitchell Mack called the Regular Session meeting to order at 7.01pm. Councilwoman Sikkema gave the invocation and Vice-Mayor Mack led the Pledge of Allegiance.

**Members Present:**

Mitchell Mack, Vice-Mayor  
Kimberly Kobera  
Gayle Sikkema  
Stephen Cross

**Absent:**

Robert Natale, Mayor

**Staff Present:**

Graham Wells, Town Clerk  
Zachary Broome, Town Attorney

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

**CITIZENS QUESTIONS AND COMMENT**

There were no citizens questions or comments.

**AGENDA REVIEW**

There were no amendments to the agenda.

**PRESENTATION**

Ms. Trish Gardner from Wreaths Across America made a brief presentation of the organizations goal to honor all our veterans. She asked permission that on Saturday December 14, 2019 they may lay wreaths on the eighty-five veteran grave sites in the Astatula cemetery. She said that they do this so that no veteran is forgotten, believing that each veteran died twice; once when they take their last breath and a second time when they are forgotten.

They require nothing from the Town, but permission and they will take care of everything; the fundraising and the laying of the wreaths. Residents can sponsor a wreath for \$15.00 with \$5.00 coming back to the Town. The opinion of Council was that it was a great idea and would welcome them to come in December. The Town would also advertise it on the Town's website.

## **MINUTE APPROVAL**

Approval of Minutes for March 11, 2019 Regular Council Meeting  
Approval of Minutes for February 27, 2019 Planning Workshop

Clerk Wells went over a couple of minor changes and typos.

**MOTION by Councilman Cross to approve the minutes shown above; SECONDED by Councilwoman Sikkema**

**For: Cross, Mack, Kobera, Sikkema**

**Absent: Natale**

**MOTION CARRIED 4-0**

## **NEW BUSINESS**

### **RESOLUTION 2019-02 ADOPTING NEW RULES OF ORDER**

**A RESOLUTION OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING THE RULES OF ORDER FOR TOWN COUNCIL MEETINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

*At the March Council meeting, the Rules of order were discussed, and the following revisions agreed upon:*

*Workshops could be call called by a Council Member without a majority vote of the Council. 4 (a)*

*Workshops would be noticed by the Town Clerk giving a minimum of 72 hours' notice. 4 (b)*

*Contracts and Agreement were to be added to the requirement of a Roll Call Vote. 13 (d) (4)*

Councilman Cross read the Resolution by title and made the following motion:

**MOTION by Councilman Cross to approve Resolution 2019-02; SECONDED by Councilwoman Kobera**

**A Roll Call vote was taken**

**Cross YES**

**Mack YES**

**Sikkema YES**

**Kobera YES**

**Absent:**

**Natale**

**MOTION CARRIED 4-0**

## **PROCLAMATION DESIGNATING APRIL AS WATER CONSERVATION MONTH**

The proclamation was requested to be adopted by the Town by the St. Johns River water Management District. The Town of Astatula and the State of Florida has designated April, typically a dry month when water demands are most acute, Florida's Water Conservation Month, to educate citizens about how they can help save Florida's precious water resources.

Vice-Mayor Mack read the proclamation aloud and entertained a motion to accept it.

**MOTION by Councilman Cross to accept the proclamation; SECONDED by Councilwoman Kobera**

**For: Cross, Mack, Kobera, Sikkema**

**Absent: Natale**

**MOTION CARRIED 4-0**

## **STATEWIDE MUTUAL AID AGREEMENT - DEPARTMENT OF EMERGENCY MANAGEMENT**

*The Statewide Mutual Aid Agreement (SMAA) has been updated for 2018. To make sure that all of the counties are working under the most recent version of the agreement, the Florida Division of Emergency Management is requesting that all counties update their agreements to the 2018 version.*

*The 2018 update includes the following provisions:*

*Allowing the SMAA to be used for smaller events; no declaration of a state of emergency is needed for the agreement to be activated. This allows for a formal mutual aid process for the entities within Florida to use.*

Following discussion and explanation from attorney Broome, Vice-Mayor Mack requested a motion.

**MOTION by Councilman Cross to accept the agreement; SECONDED by Councilwoman Sikkema**

**A Roll Call vote was taken**

**Cross YES**

**Mack YES**

**Sikkema YES**

**Kobera YES**

**Absent:**

**Natale**

**MOTION CARRIED 4-0**

**PROPOSAL TO APPLY FOR A TECHNICAL ASSISTANCE GRANT TO HELP FORMULATE THE TOWN'S MASTER PLAN.**

*As the Town is starting to piece together a twenty-year Master Plan for the Town, a grant can be sought for technical assistance in creating the plan. The grant if awarded is paid through the Department of Economic Opportunity and would cover the entire cost of preparing the document. The letter from Parks Consulting Group outlines the purpose and process for obtaining the grant and also what is required of the Town.*

Clerk Wells informed Council of a similar project that Parks Consulting did for the Town of Montverde. The grant was for \$26,000 and included such things design standards for new subdivisions, construction, trails, streetscapes and parks. The council decide what they want in the plan and he professionally put's it together. There must be a minimum of three workshops to develop the content for the master plan.

Mr. Parks would make the application on behalf of the town and if successful the grant money would fund the plan, paid to the town and then onto the planner. There is no cost to the town at all. This would also not affect any of the existing grants that the town has open. Mr. Cross asked why we were not using out own planner Tim Green. Clerk Wells responded that Mr. Parks approached us and not the other way around. Consensus was that this should be treated as a separate project outside of the normal planning that Mr. Green provides.

Mr. Cross did want Mr. Green to review the final plan to ensure that there were no conflicts with the Towns code or comprehensive plan. If approved by council then the Clerk would let Mr. Parks know to proceed and have all applications and documents reviewed by Council and signed by the Mayor. There being no further discussion a motion was requested.

**MOTION by Councilwoman Kobera to accept the proposal to apply for the technical assistance grant; SECONDED by Councilman Cross**

**A Roll Call vote was taken**

**Cross            YES**

**Mack            YES**

**Sikkema        YES**

**Kobera          YES**

**Absent:**

**Natale**

**MOTION CARRIED 4-0**

**MANAGEMENT CONTROL AGREEMENT FOR POLICE DEPARTMENT**

*This is a Town of Astatula internal agreement between the Police Department and the Town pertaining to the provision of IT and computing services by the Town to the Police Department and the regulation and access of criminal justice information. This compliance document is required by the FDLE Audit.*

Attorney Broome gave a detailed overview of what the agreement covered, and Sgt. Brown went over the process to bring the Police Department into compliance with the requirements outlined in the FDLE audit. The agreement would be in place for three years. There being no questions Vice-Mayor Mack requested a motion.

**MOTION by Councilwoman Kobera to accept the Management Control Agreement for the Police Department; SECONDED by Councilwoman Sikkema**

**A Roll Call vote was taken**

**Cross YES**

**Mack YES**

**Sikkema YES**

**Kobera YES**

**Absent:**

**Natale**

**MOTION CARRIED 4-0**

**DISCUSSION OF THE REQUIREMENTS OF ORDINANCE 2013F NOW THAT THE CONTRACT WITH PROCHAMPS HAS NOT BEEN RENEWED**

*The town has been using Property Registration Champions, LLC for many years to handle and administrate the registrations of foreclosed properties in the town. They charge the mortgagee \$200.00 and pass \$100.00 to the Town. As of the March Council meeting it was voted upon to not renew their contract, however the requirement to have the properties registered by this ordinance remains in force.*

Clerk Wells asked Council what they wanted to do going forward. If they wanted to control it in house, then we would have to adjust the fee schedule and provide application forms; or they could just repeal the current ordinance.

Mr. Cross felt that the ordinance was put in place during the property downturn when there was a lot of foreclosed properties and that they could now be dealt with through normal code enforcement. The attorney wanted to look at the ordinance before making a determination to repeal. The repeal of the ordinance would be done by a new ordinance which would require two readings.

**REVIEW OF THE SPECIAL EVENTS ORDINANCE AS IT PERTAINS TO THE ENFORCEMENT OF SPECIAL EVENTS HELD AT THE CENTRAL FLORIDA MOTORSPORTS PARK.**

*There is no evidence either by signed copy or minutes that Ordinance 2012E was ever adopted. In any event it would have been repealed by Ordinance 2013C. The issue is that the content of Ord. 2013C does not allow the Town to enforce the regulations contained in the PUD (Ord. 2012A) granted to the Central Florida Motorsports Park. There have been many complaints about the Park and the hours of activity and noise. Councilman Mack believes that verbiage in Ord. 2012E should be turned into a current ordinance repealing Ord. 2013C. This will enable enforcement to bring the park into compliance.*

Councilman Mack added that the PUD ordinance 2012A requires that Special and Recurring Events be defined by separate ordinance. They were defined in Ordinance 2012E but not in the current Ordinance 2013C. Councilman Cross asked if a special event permit was applied for, for last Saturday's event and if not, the event should have been shut down immediately.

Attorney Broome outlined the difference between a violation of the terms of the PUD and a code enforcement violation. Vice-Mayor Mack suggested that this be discussed further at a special council meeting to give sufficient time to get the new ordinance right. Attorney Broome was charged to review the content of the new ordinance and bring it for first reading on April 25<sup>th</sup> following the planning meeting. It was agreed that the first draft be available to Council by Thursday April 18<sup>th</sup> to give enough time for review.

## **OLD BUSINESS**

### **APPROVAL OF REVISED CONTRACT FOR GREENLEE KURRAS RICE BROWN AND GARNER FOR ACCOUNTING SERVICES.**

*At the March Council meeting, the agreement was discussed, and the following revisions agreed upon:*

- 1. The standard verbiage for public records was to be added.*
- 2. A clause stating: The accountant will immediately notify Council of any anomalies, impropriety or concerns with regards to the Town's financial control and administration was to be added.*
- 3. A 30-day notice of termination was to be added.*

*All revisions have been added and are in the agreement before Council.*

There being no discussion a motion was put forward by Councilwoman Sikkema.

**MOTION by Councilwoman Sikkema to accept the agreement; SECONDED by Councilman Cross**

**A Roll Call vote was taken**

**Cross YES**

**Mack YES**

**Sikkema YES**

**Kobera YES**

**Absent:**

**Natale**

**MOTION CARRIED 4-0**

### **UPDATE ON THE REVISED INTERLOCAL AGREEMENT WITH LAKE COUNTY FOR THE PERMITTING OF THE FIRE SUPPRESSION SYSTEM FOR COUNTY MATERIALS - ATTORNEY BROOME**

Attorney Broom said that the agreement was approved by the Lake County BCC at their meeting at the end of March. The Town is waiting on receiving the executed copy to give to County Materials and Fire Inspector Kerry Barnett.

#### **UPDATE ON THE SPRING CLEANUP – CLERK WELLS**

Clerk Wells said that it went well but with a much smaller contingent from Astatula Baptist Church than was promised. The girl scouts did a great job along with Mr. Arlie Farley and his children and he thanked everyone who attended and assisted the cleanup. The Town filled four huge dumpsters totaling 14,760 pounds of debris.

#### **UPDATE ON THE COMMUNITY BUILDING – VICE-MAYOR MACK**

Vice-Mayor Mack informed Council that the State had blessed the bid pack and we would be going out for bid later this month. There were a couple of items that they would not fund. Councilwoman Sikkema has been gathering information on what is being charge by other cities for the rental of their buildings and suggested having a workshop nearer the time to come up with a fee schedule.

#### **UPDATE ON THE FEMA REIMBURSEMENT – VICE-MAYOR MACK**

An additional payment of c\$9,000 had been notified for the damage to Town Hall and the public works building.

#### **BUDGET AND FINANCE REPORT REVIEW**

The Clerk provided an analysis on the final February finance report by revenue and expenses and the bank balances which were the same as the report presented last month. On the preliminary report for March we had not at the time of the report received any Ad Valorem or Garbage revenue. This would be added and discussed in the final report in May.

He brought up that the impact fees received in March were cumulatively \$19,346 more than was budgeted for and added that there was \$10,200 for the sale of Madison. Without these two we would be looking at a deficit of just over \$31,000. It was hoped that the ad valorem taxes would negate this once they arrive. March is the final month to pay the taxes, so it is expected to be a higher amount.

He went over the expenditures on page two. The overspend on Protective inspections was a factor of a better month on Building Permits. He went over the overspend by the Police Department by line item and confirmed that the \$318 overspend on 513 was due to the audit work that Pat had done. All other departments were operating within their budgets.

On the bank balances he explained that the General Fund had gone down by \$59,029 on the month due to a corresponding payment of \$56,350 made to Lake County for impact fees. Payments for County impact fees are made in the following month that they are collected.

The Clerk went over the updated cashflow forecast from February 1, 2019 up to the first new amount of Ad Valorem which will be received in November. The current General Fund bank balance looks very rosy but with the Ad Valorem being received early in the year, those monies will be required to fund the expenditures going forward leaving only an estimated \$18,000 at the end of October.

### **COUNCIL DEPARTMENT & COMMITTEE REPORT**

***Economic Development – Councilwoman Sikkema*** – NONE

***Public Works – Vice-Mayor Mack*** – informed Council that he had taken on Michael Tisdell as the Public Works employee. He will be part time 30 hours Monday – Thursday and will continue as a reserve officer in the PD. An advantage is that he has been background checked and has had the physical examination which saved the Town over \$300.

***Public Safety/Code Enforcement – Councilwoman Kobera*** – Went over the calls for service and the statistics for February and March.

***Office Finance – Councilman Cross*** – NONE.

***Office – LDR's, Ordinances, Legal – Mayor Natale*** – ABSENT

### **STAFF REPORTS**

***Town Attorney – Zachary Broome*** – Reported on his conversation with the County Attorney about the parcel that was annexed into the Town in 2005 with the wrong parcel description. He suggested that a voluntary annexation by the owner would be the route to cure the issue and that the County were fine with that. Councilman Mack added some background information and Councilman Cross said that we should waive any fees associated with the annexation. The applicant would submit the application without payment and Council would vote to waive the fees at that point. Discussion took place on how the Conditional Use Permit would be handled as part of the annexation.

***Police Department – Sgt. Brown*** – Councilman Mack gave an overview of the recent issue at the Central Florida Motorsports Park. Councilman Cross said that the owner of the property should be contacted to outline the Town's displeasure and put him on notice that we will get aggressive in ensuring that the events are properly controlled.

At this time, Vice-Mayor asked for a motion to extend the meeting for five minutes.

**MOTION by Councilman Cross to extend the meeting by five minutes; SECONDED by Councilwoman Kobera**

**For: Cross, Mack, Kobera, Sikkema**

**Absent: Natale**

**MOTION CARRIED 4-0**



**Town Clerk – Graham Wells** – gave an update on the application for a grant from Firehouse Subs to purchase AED’s for the police vehicles. The grant was denied due to them having more applications than money so quotations would be brought to Council at the May meeting to purchase the AED’s from impact fee money.

The Clerk advised Council that NOVA Engineering has given the Town thirty days’ notice to terminate the contract providing permitting services to the Town. Dallas Foss, their plan reviewer and inspector has been let go and as their other planners were out of Tampa, they were not able to continue. Councilman Cross said that a RFQ should be prepared to engage a new permitting firm.

**REVIEW**

- a. Items for Workshops and possible dates – ***April 25<sup>th</sup>, 2019 Master Plan Workshop at 6 pm.***
- b. No items were put forward for the next Council meeting.
- c. Review of items needing Special Meetings and possible dates - ***Special Events Ordinance and Repeal of Ordinance for Foreclosure Maintenance after Planning Workshop on April 25.***

**COUNCIL MEMBER MISCELLANEOUS COMMENTS – NONE**

**ADJOURNMENT**

There being no further business Mayor Natale adjourned the meeting at 9:11 pm.

Respectfully submitted,

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Robert C. Natale, Mayor

ATTEST:

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Graham Wells, Town Clerk