

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



**REGULAR SESSION  
MONDAY SEPTEMBER 9, 2019  
TOWN HALL**

Having been duly advertised as required by law, Vice-Mayor Mitchell Mack called the Regular Session meeting to order at 7.44pm. The invocation and Pledge of Allegiance were conducted the Budget Workshop immediately.

**Members Present:**

Robert Natale, Mayor  
Mitchell Mack, Vice-Mayor  
Kimberly Kobera  
Gayle Sikkema

**Absent:**

Stephen Cross

**Staff Present:**

Graham Wells, Town Clerk  
Jane Whaley, Deputy Clerk  
Wally Hoagland, Police Chief  
Tom Wilkes, Town Attorney

Roll Call was performed, and it was determined that a quorum was present. Mayor Natale asked how the meeting was noticed; Clerk Wells said that it was posted on the website and both bulletin boards. He welcomed Attorney Tom Wilkes and the Town's Citizens.

**CITIZENS QUESTIONS AND COMMENT**

There were no citizens questions or comments.

**AGENDA REVIEW**

Vice-Mayor Mack requested a discussion to be added for the fencing and the purchase of a new police car.

**MINUTE APPROVAL**

Approval of Minutes for July 15, 2019 Budget Workshop  
Approval of Minutes for July 29, 2019 Budget Workshop  
Approval of Minutes for August 12, 2019 Regular Meeting  
Approval of Minutes for August 29, 2019 Emergency Meeting

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

**For: Kobera, Mack, Natale, Sikkema**

**Absent: Cross**

**MOTION CARRIED 4-0**

**PUBLIC HEARING**

**FINAL READING OF ORDINANCE 2019-11 – ANNEXATION AND REZONING OF PARCEL AK #37710967, TREMENDOUS QUALITY GROWERS, LLC.**

**ORDINANCE NO. 2019-11**

**AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE BOUNDARIES OF THE TOWN OF ASTATULA IN ACCORDANCE WITH THE PROCEDURE SET FORTH IN SECTION 171.044, FLORIDA STATUTES, TO INCLUDE WITHIN THE TOWN LIMITS APPROXIMATELY 37+/- ACRES OF PROPERTY AND AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF ASTATULA, FLORIDA, BY CHANGING THE ZONING CLASSIFICATION FROM LAKE COUNTY A (AGRICULTURE) TO TOWN OF ASTATULA R-1 (SINGLE FAMILY LOW DENSITY RESIDENTIAL) FOR PROPERTY LOCATED SOUTH OF TENNESSEE AVENUE AND EAST OF CR 561 IN ASTATULA, FLORIDA, AND MORE PARTICULARLY DESCRIBED BELOW; FINDING CONFORMITY WITH STATE STATUTES AND THE COMPREHENSIVE PLAN OF THE TOWN OF ASTATULA, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

The Title was read by Vice-Mayor Mack. There being no discussion from citizens or Council, the Mayor requested a motion.

**MOTION by Councilman Mack to approve Ordinance 2019-11; SECONDED by Councilwoman Sikkema**

**A Roll Call vote was taken**

<b>Mack</b>	<b>YES</b>
<b>Kobera</b>	<b>YES</b>
<b>Sikkema</b>	<b>YES</b>
<b>Natale</b>	<b>YES</b>
<b>Cross</b>	<b>Absent</b>

**MOTION CARRIED 4-0**

**NEW BUSINESS**

**FIRST READING OF ORDINANCE 2019-14 - REPEAL OF ORDINANCE 1977-A AND SETTING COMPENSATION FOR THE MAYOR AND COUNCIL.**

**ORDINANCE NO. 2019-14**

**AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, REPEALING ORDINANCE 1977-A RELATING TO PAY FOR TOWN COUNCIL MEMBERS; ADOPTING A NEW COMPENSATION SCHEDULE FOR THE MAYOR AND COUNCIL MEMBERS; PROVIDING FOR SEVERABILITY, CODIFICATION, AN EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES.**

The Title was read by Councilwoman Sikkema. Clerk wells confirmed that this was the same ordinance from the prior meeting keeping the rates of pay at the current level with no increase.

**MOTION by Councilman Mack to approve Ordinance 2019-14 and send it for second reading; SECONDED by Councilwoman Kobera**

**For: Kobera, Mack, Sikkema**

**Against: Natale**

**Absent: Cross**

**MOTION CARRIED 3-1**

**FIRST READING OF ORDINANCE 2019-18 – REPEAL OF ORD. 1995-B NOISE ORDINANCE.**

**ORDINANCE NO. 2019-18**

**AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA PERTAINING TO HEALTH SAFETY AND WELFARE; REPEALING ORDINANCE NO. 1995-B PERTAINING TO NOISE REGULATIONS; PROVIDING FOR SEVERABILITY AND REPEALING ALL CONFLICTING ORDINANCES; PROVIDING AN EFFECTIVE DATE.**

Ordinance 1995-B has been reviewed by the Town's legal counsel and is deemed to be unenforceable. The Town Council now desires to repeal the Ordinance in its entirety. A new Ordinance will be worked on that will be enforceable and brought to Council at a later date. The title was read by Councilwoman Sikkema.

**MOTION by Councilman Mack to approve Ordinance 2019-18 and send it for second reading; SECONDED by Councilman Mack**

**For: Kobera, Mack, Natale, Sikkema**

**Absent: Cross**

**MOTION CARRIED 4-0**

**APPLICATION FOR CLASS 'C' SPECIAL EVENT PERMIT FOR MAGILLA ENTERTAINMENT.**

Ordinance 2019-04 was approved by Council to regulate special events in the town. Magilla Entertainment are airing a series on the Discovery Channel called "Dirty Mudder Truckers" and want to do the filming at the Central Florida Sports Park, AKA The Mudhole. They will be filming a MEGA truck racing competition.

The event will not be open to the public but still requires a Class C permit to be issued by the town. The PUD at the property allows for this type of event but is limited to only Friday, Saturday and Sunday. The applicant is requiring filming in daylight hours on other week days which requires Council approval. The full schedule is outlined on the application. Following some discussion, the Mayor requested a motion.

**MOTION by Councilwoman Sikkema to approve the Special Event; SECONDED by Councilwoman Kobera**

**For: Kobera, Mack, Natale, Sikkema**

**Absent: Cross**

**MOTION CARRIED 4-0**

**APPROVAL FOR THE MAYOR TO SIGN THE CLOSING DOCUMENT FOR THE LOAN FROM USB.**

United Southern Bank is loaning \$350,000 to the Town in two lines of credit for the purpose of completing the Community Center. The loan documents have been reviewed by staff and the Town's Attorney. Resolution 2019-15 was approved authorizing the Town Mayor to sign all the required documents and to take all other actions necessary and required to complete and close the two bank loans. It is a requirement of the Town that Council approve all contracts before they are signed by the Mayor.

**MOTION by Councilman Mack granting approval for the mayor to sign the closing documents for the loan from USB; SECONDED by Councilwoman Sikkema**

**A Roll Call vote was taken**

**Mack YES**  
**Kobera YES**  
**Sikkema YES**  
**Natale YES**  
**Cross Absent**

**MOTION CARRIED 4-0**

**DISCUSSION ON THE FIRE HYDRANT REQUIREMENT FOR VISTAS OF ASTATULA.**

Clerk Wells gave some background on the issue that the subdivision created (Vistas of Astatula) is not within the required distance from a fire hydrant and even if they were to pay for 600 feet of pipe to be laid and a hydrant connected estimated at \$25,000 to \$30,000, the flow would fall well short of the 1,000 gallons per minute that is required by the Land Development Regulations. The LDR's also require the developer to pay to have the utility upgraded to produce the level of flow required. He added that he had talked to the Fire Marshall, Attorney and the Engineers to try to figure out a solution.

Councilman Mack said that it was a substantial burden to put on this small developer. His recommendation is to issue a variance, not waive the hydrant requirement but to extend the distance from the hydrant and require him to put a sprinkler system inside the mobile homes. The town system is not in compliance so we cannot ask him to upgrade it.

There was considerable discussion about various ways that the variance could be written to enable him to build or place the two mobile homes and to sell the remaining lots. It was left for the Clerk to talk with the planner to come up with a solution that would work for the developer and be acceptable to the Town. This may be a requirement to install a quick response sprinkler system in the home as has been approved in other parts of the town where there are no hydrants.

**OLD BUSINESS**

**UPDATE ON THE NEW COMMUNITY BUILDING. LETTER FROM DEO - VICE-MAYOR MACK**

Councilman Mack stated that the DEO has approved the release of funds for the project. Jay Grollman from Bessolo had reached out to the contractor to request a rebate for the panels being removed on the sides of the building where split face block was being installed as a bid alternate. The contractor came back with a credit value but said that he had missed an element for the lighting required for \$17k for the parking lot and wanted to offset that against the credit. This had been passed to Fred Fox who stated that DEO would not approve it as written.

Councilman Mack's recommendation was to accept the reduction for the sides but that the contractor would have to eat the \$17k as it was his error and not the Towns. He also recommended not accepting the additional saving presented by the contractor to change the style of panels on the rear of the building. Mayor Natale concurred and said that the contractor should stand before the board and make his case.

Councilman Mack said that the split face brick was a bid alternate that the Town was going to pay for, but the lighting was part of the specifications in the main bid. The Mayor acknowledged that the contractor could have just netted off the amount and given the town a lower credit figure and that he wanted to be honest and upfront. This has caused the issue, but he stated that if you have an honest contractor; that's the type of people that you would want to work with. However, the town cannot move forward and needs to either find a different solution and reject the contractor's proposal. With that said, Councilman Mack made a motion.

**MOTION by Councilman Mack to respond to Signature Constructions proposal but only accepting bid alternate #2 adjustment, saving of \$39,089; SECONDED by Councilwoman Kobera**

**For: Kobera, Mack, Natale, Sikkema**

**Absent: Cross**

**MOTION CARRIED 4-0**

### **UPDATE ON THE PLAYGROUND FENCING AT JOE SWAFFAR PARK**

Councilman Mack said that council had requested at the last meeting to approach Allstate Fencing whose business was in Astatula to quote for the project. They came in at \$5,894 installed as they do not just sell the product. The price was for the original specification but with one additional gate and installation. Originally it was going to be installed by Public Works Staff.

When asked if a vote was required, Councilman Mack said that it could not be voted on as it was not an agenda item but wanted permission to move ahead and bring it back to Council for approval at the next meeting. The Mayor concurred.

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

Finance Officer Wells gave an overview of the revenues and expenditures for August for all three funds along with the closing bank balances at August 31, 2019.

He stated that August was a three pay-period month, which caused the personal expenditures and corresponding FICA and pension contributions for Town Hall, and particularly the police department to be over budget on the month. There was also a \$1,500 rebate from Blue Cross on the health insurance. Councilman Cross at the last meeting asked whether the report could be adjusted to add the \$9,864 to the budget side for the AED's so that it balances out. This had been done and shown in blue on the report.

Mr. Wells went over the bank balances and stated that although the General Fund showed \$219,318.55, he had paid out \$91,000 in September leaving a balance of \$128,000 which was in line with the cashflow forecast.

General Fund:	219,318.55
Impact Fees:	94,312.00
Transportation Fund	105,327.00
Infrastructure Fund	378,634.66
CDBG Fund	25.00
Cash Drawer	150.00

## **COUNCIL DEPARTMENT & COMMITTEE REPORT**

***Economic Development – Councilwoman Sikkema*** – Councilman Mack gave an update on a potential new development; Little Lake Harris Estates which was platted for sixty lots in 2006 but never completed. The original plans have been sent to the developers engineer to be modified and updated and the property will likely be developed.

***Public Works – Vice-Mayor Mack*** – NONE

***Public Safety/Code Enforcement – Councilwoman Kobera*** – NONE

***Office Finance – Councilman Cross*** – ABSENT

***Office – LDR's, Ordinances, Legal – Mayor Natale*** – NONE

## **STAFF REPORTS**

***Town Attorney – Tom Wilkes*** – NONE

***Police Department – Chief Hoagland*** – Gave an update on the activities that the PD was planning to include an event for Halloween.

***Town Clerk – Graham Wells*** – Stated that the \$35,000 remaining from the loan from the Infrastructure fund has been repaid. He also asked for those who wanted to attend Lake League of Cities ethics class on October 11.

## **REVIEW**

- a. Items for Workshops and possible dates
- b. No items were put forward for the next Council meeting
- c. Review of items needing Special Meetings and possible dates

**COUNCIL MEMBER MISCELLANEOUS COMMENTS – NONE**

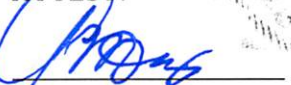
## **ADJOURNMENT**

There being no further business Mayor Natale adjourned the meeting at 9:13 pm.

Respectfully submitted,

  
Mitchell Mack, Mayor

ATTEST:

  
Graham Wells, Town Clerk

