

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



**REGULAR SESSION
MONDAY JUNE 8, 2020
TOWN HALL**

Having been duly advertised as required by law, Mayor Mitchell Mack called the Regular Session meeting to order at 7.00pm. He gave the invocation and led the Pledge of Allegiance.

Members Present:

Mitchell Mack, Mayor

Stephen Cross

Kimberly Kobera, Vice-Mayor; was on call, then arrived 7:12pm

Gayle Sikkema

Members by Telephone:

Orita Issartel

Staff Present:

Graham Wells, Town Clerk

Wally Hoagland, Police Chief

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

CITIZENS QUESTIONS AND COMMENT

Karen Smith 13332 Orange Blossom Trail – brought up the condition of the cemetery with the mowing and trash removal. Mayor Mack pledged to get it taken care of.

Stephanie Lloyd 25923 Zinnea Lane asked if an absentee owner could serve on the Council if they go to Wisconsin for the summer months. Mayor Mack was not sure and would research it.

Sean Donnelly 14239 Tennessee Ave asked for clarification of any break given to the developer on their impact fee. Councilman Cross responded that the developer was paying their impact fees in advance to fund the requirements for the water system and the Town is not giving any waiver to pay impact fees.

Wayne Marcum 13426 Kansas Ave asked about the developers plans for the new subdivision. Mr. Stout explained that they were paying to upgrade the water system to give adequate fire flow so that individual sprinkler systems did not have to be installed in each house. The hydrant water would be converted to provide potable water. Mr. Marcum stated that the water line along Kansas was black pipe and nor suitable for potable water and suggested that the developer check it out so that people do not get sick.

AGENDA REVIEW

There were no changes requested. Item 2 of new business had been tabled to the next meeting as the developer had not responded to the questions raised by the Town Planner and Planning and Zoning Board.

PRESENTATION OF THE FY 2018-19 AUDIT BY ZACH CHALIFOUR, CPA, FROM JAMES MOORE

The Mayor introduce Mr. Zach Chalifour who went through a PowerPoint presentation. The highlights of the presentation were that there were zero material weaknesses in the controls and compliance and that the one item from the previous year had been fully corrected. Based on a three-year trend the town had increased the reserves (minimum 2-months as recommended by GFOA) from a negative 7.47%, to 13.24% which is equivalent to 1.6 months.

MEETING MINUTES

Approval of Minutes for April 13, 2020 Regular Council Meeting

MOTION by Councilman Cross to approve the minutes for April 13, 2020; SECONDED by Councilwoman Issartel

A Roll Call vote was taken due to some members being on the phone

Cross YES
Kobera YES
Sikkema YES
Issartel YES
Mack YES

MOTION CARRIED 5-0

NEW BUSINESS

RESOLUTION 2020-09 – INCREASING THE PASS-THROUGH FEES FOR MAJOR AND MINOR SITE PLAN REVIEW.

Clerk Wells explained that Resolution 20180 was adopted in October 2018 establishing a pass-through (deposit) to cover the costs incurred outside of the normal plan review fees. These were for surveyors, engineers, legal, recording fees and other costs associated, but not included with the planning or zoning application fee, so that the Town had the money upfront which would be returned to the applicant if not used.

It became apparent with the engineering review for Colina Del Lago, that the fee for Major and Minor Site Development Review is not sufficient. Resolution 2020-09 increases the fees to an amount that will not expose the Town to out of pocket costs. Mayor Mack requested questions from Council and the residents and asked for a motion to read by title only. Motion was made by Councilman Cross and Seconded by Councilwoman Sikkema. The title was read by Vice-Mayor Kobera and a motion to approve was requested.

MOTION by Councilwoman Sikkema to approve Resolution 2020-09; SECONDED by Councilman Cross

A Roll Call vote was taken.

Cross YES
Kobera YES
Sikkema YES
Issartel YES
Mack YES

MOTION CARRIED 5-0

ITEM 2 ON THE AGENDA WAS TABLED

CONSIDERATION AND APPROVAL OF TRAFFIC IMPACT ANALYSIS EXEMPTION FOR COLINA DEL LAGO.

At the December 9, 2019 Regular Council meeting, Council unanimously approved the Preliminary Plat application for Colina Del Lago subdivision, containing 60 residential lots on approximately 88.6 acres located south of Massachusetts Avenue and west of Adams Street within the Town of Astatula.

Part of the approval process for this development is a traffic impact analysis. The developer is requesting an exemption from completing an analysis, citing that given the unique layout of the gridded roadway network and its capability to diffuse trips, the impact of the project is expected to be minor. Even though the project generates a total number of peak hour trips that falls into a Tier 2 Traffic Impact Study category (26-100 trips), the impact expected to be minor and is in keeping with a Tier 1 type project.

Mayor Mack read the summary of the Planners report.

Dear Mayor Mack: I have reviewed the request made by Civil Engineering Solutions, Inc. for approval of an exemption to the full Transportation Impact Analysis and would recommend the Town Council approve the request. The section below from the MPO guidelines supports the request for the project to be considered for an exemption with total of 54 two-way trips.

An overview of the traffic study was given by the developer's project engineer Mr. David Clutts who added that the exemption request would have to be reviewed by the Metropolitan Planning Organization before final approval is given.

Mayor Mack brought a concern that he had about the ownership of the Right-of-Way on Washington Street as it went into the development and said that he would get with Mr. Clutts prior to the construction plans being put forward to Council. He also requested that striping be done to ensure that vehicles stayed in the correct lane. He opened for questions from the Council on the traffic study. Councilman Cross reiterated that the town's planner and engineer had reviewed the application and recommended its approval.

There being no further questions from Council of the public, the Mayor requested a motion.

MOTION by Councilman Cross to approve the traffic impact analysis exemption for Colina Del Lago; SECONDED by Councilwoman Issartel

A Roll Call vote was taken.

Cross YES

Kobera YES

Sikkema YES

Issartel YES

Mack YES

MOTION CARRIED 5-0

The Mayor asked the Clerk to ensure the application is sent to the MPO for approval.

DISCUSSION ON A NOISE ORDINANCE FOR THE TOWN.

Mayor Mack had been approached about some residents creating unreasonable noise in the Tennessee Avenue area with loud music and alike. He gave out a white paper created by attorneys Gray-Robinson in 2011. He had also spoken to Lake County Code Enforcement who have in the past set up a devise to measure the noise levels to the surrounding residents, however there has never been a case brought forward to the code enforcement board. They now send a deputy from the Sheriff's Department to knock on the door and ask them to turn the noise down which had a 90% success rate. This is how noise is handled in Astatula.

The Mayor asked Council for any solutions that they can think of or how they would want to regulate the noise. The last noise ordinance was repealed as it was unenforceable. Lake County wanted to develop a county-wide ordinance that all cities and towns could get behind, but the Board of County Commissioners wanted nothing to do with it.

Councilwoman Sikkema was not in favor of supporting something that was vague and ultimately unenforceable, that would get tied up in the courts and cost the town a lot of money. Mayor Mack said that he would contact the attorney to see what could be done and suggested that a workshop might be convened to discuss it.

Councilwoman Kobera left the meeting at 8:13 pm.

DISCUSSION ON CODE ENFORCEMENT

Chief Hoagland and Corporal Calhoun were present and Chief Hoagland gave an overview of the history of code enforcement in the town. Cpl. Calhoun had taken code enforcement classes and the town has for some years had a complaint-based system of enforcement. The prior Mayor and Council requested a more proactive approach as some areas of the town were getting particularly bad. This has resulted in the town being cleaned up and overall is looking better.

Cpl. Calhoun stated that his main focus is in cases where there is a safety issue to residents. An accumulation of debris attracts rats and snakes and potentially spreads disease. In the main, residents have been complimentary on the job that he has been doing.

Mayor Mack asked him if he felt that there were deficiencies in the way we were doing enforcement and any tools that he felt would make it easier or better. He responded that a ticket book would help on minor cases, where a citation fine of say \$30.00, payable to the town, could be issued to bring minor infractions such as tall grass into compliance, rather than to bring it before a special magistrate.

Karen Smith said that she has had an abnormal number of rats around her property, likely caused by some of the overgrown lots and debris.

Sean Donnelly wanted to go back from the pro-active approach to the complaint-based code enforcement that the town had before. He cited that there were plenty of snitches in the town to call out the badly kept lots and didn't want to take the officer unnecessarily away from his normal policing duties. He also felt that it took out any hint of favoritism against one neighbor or another.

A comfort break was taken at 8:47 pm and the meeting resumed at 8:52 pm.

DISCUSSION ON RURAL DEVELOPMENT – INTERNET.

Councilman Cross had brought up this subject before as the internet in the town was very bad. Mayor Mack said that a funding cycle had just closed in April and added that Astatula was grouped in with Urban service so did not qualify for and Rural funding.

BUDGET AND FINANCE REPORT REVIEW

Finance Officer Wells had provided the final report for April and stated that the Local Option Gas Tax came in on budget. The May revenues for Building Permits was \$5,200 over budget at \$8,700 with a cost on the month of \$3,400. There were five new home permits issued which also brought in \$14,700 in impact fees. The State Revenue Sharing was \$3,600 less than what was being received as a result of the Covid-19 crisis and the sales tax expectation had been adjusted down by \$4,000. There were no figures for Ad Valorem taxes or Solid Waste assessment for May at that time. Revenues were boosted by \$3,000 from the sale of a Police car and \$750 for a code enforcement fine.

All departments were under budget for expenses with the exception of Fire Control (522). This is due to the preparatory work on the well for potable water and a \$5,500 payment made in April to FRWA for permitting.

Bank balances are in good shape with the General Fund having \$78,000 more than the same period last year, albeit mitigated by \$36,000 that had to be paid to Lake County for impact fees.

April Bank Balances:

General Fund:	361,637.65
Impact Fees:	72,426.52
Transportation Fund:	138,234.43
Infrastructure Fund:	421,824.63
CDBG Fund:	25.00
Cash Drawer:	150.00

The impact fee fund was significantly lower due to the purchase of the new police vehicle. Mr. Wells counseled that the Infrastructure fund balance would now start to deplete as the grant funding for the new community building has been used up. He also warned of a significant decrease in sales, surtax and gas taxes as a result of the closedowns due to the virus.

COUNCIL DEPARTMENT & COMMITTEE REPORT

Finance – Councilman Cross – NONE

Public Works – Mayor Mack – Opportunity for grant funding to harden the new community building as a hurricane storm shelter. If successful it would fund a generator, shower room and ice machine. He also gave an update on the new water system; sampling was being finished up and once done the permit would be submitted. The new community building and town hall were already connected to the existing well which produces clean and drinkable water.

Public Safety/Code Enforcement – Councilwoman Kobera – NOT PRESENT

Office – LDR’s, Ordinances, Legal – Councilman Sikkema – NONE

Economic Development – Councilwoman Issartel – NONE

STAFF REPORTS

Town Attorney – Heather Ramos – ABSENT

Police Department – Chief Hoagland – Gave an update on the protests that have taken place in Lake County which were all peaceful. He has increased the number of officers on duty during this volatile period.

Town Clerk – Graham Wells – NONE

REVIEW

- a. Items for Workshops and possible dates – First budget workshop set for July 16 at 6 pm.
- b. Items put forward for the next Council meeting - NONE
- c. Review of items needing Special Meetings and possible dates - NONE

COUNCIL MEMBER MISCELLANEOUS COMMENTS – NONE

ADJOURNMENT

There being no further business Mayor Mack adjourned the meeting at 9:42 pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk

