

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



**REGULAR SESSION  
MONDAY MAY 10, 2021  
TOWN HALL**

Having been duly advertised as required by law, Mayor Mack called the Regular Session meeting to order at 7.04pm. He gave the invocation and led the Pledge of Allegiance.

**Members Present:**

Mitchell Mack, Mayor  
Kimberly Kobera, Vice-Mayor  
Steve Cross  
Gayle Sikkema  
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. The Mayor welcomed Mr. Issartel and Mr. Deavers.

**CITIZENS QUESTIONS AND COMMENT**

There was no public comment.

**AGENDA REVIEW**

Mayor Mack said that he would move the Audit Presentation to a time certain when the Auditor arrives.

**MEETING MINUTES**

Approval of Minutes for April 12, 2021 Regular Council Meeting

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

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

**MOTION CARRIED 5-0**

**PROCLAMATION - MOTORCYCLE AWARENESS MONTH - MR. GRIZ DEAVERS**

The Mayor stressed the importance of the awareness of motorcycles. He said that the proclamation would be put onto the website and in the bulletin board. Mr. Deavers thanked the council for supporting the proclamation and putting Motorcycle Awareness Month on the sign on CR561. Mayor Mack read the proclamation aloud and requested that the council members sign it. A copy was given to Mr. Deavers.

**NEW BUSINESS**

**PROPOSAL FOR LAW ENFORCEMENT RESPONSE TO COVID-19 AND CIVIL UNREST**

Due to the outbreak of Covid -19 and using funds sent to the Town for use in fighting the Pandemic, the Chief asked Council to consider his proposal of adding a part-time Law Enforcement Officer to assist in the ongoing fight against this disease. The addition would help the department protect its citizens while also protecting are officers while on shift due to the ongoing violence against Law Enforcement Officers in this country and the lack of immediate back-up response from other agencies.

The addition of this officer would allow coverage if an Officer within the department contracts COVID-19 or has come into contact with by someone who is. Currently there is a sick time and a quarantine time, for recovery, which puts a large strain on all personnel. Currently the Astatula Police department has four full time Officers, one part-time Officer and one part-time Officer/part time Code Enforcement Officer plus the School Resource Officer which is funded by the School Board. This gives us the limited ability to have only one officer on patrol at a time on the day and night shifts. The Chief stated that it has become increasingly dangerous for these officers and it has become necessary to have a second officer on scene as quick as possible not just for safety and protection but for witness reasons as well.

The new proposal is to have three working shifts: Day shift would work from 0600-1800 hours Mid Shift would be the supervisors shift and would work from 1600-0400 with Night shift from 1800-0600. This change will allow for two officers to be on Duty at the heightened time for crime. It will also provide a supervisor on every shift. This gives us higher accountability along with a better ability to protect the citizens and the officers.

The Chief asked for these changes to be funded out of the Cares Act money that was issued to us earlier this budget year. Part of the Cares Act funding was granted to us for reasons of Law Enforcement expenses to include payroll. He anticipated using one of his reserve officers as a temporary position for four months to take it to the end of the fiscal year. The funding requested was up to \$20,000.00 to implement this Proposal. Any extension would be included in the next budget cycle.

Councilwoman Sikkema did not like to use non-recurring funds such as the Cares Act to fund a recurring cost. Clerk Wells suggested that it can be funded from the reserves that have been generated so far this year and not touch the Cares Act money. There being no further discussion the Mayor stated that he felt strongly about the safety of our officers and asked for a motion to approve the Chiefs proposal.

**MOTION by Councilwoman Kobera to approve the Chief's proposal; SECONDED by Councilwoman Issartel.**

**A Roll Call vote was taken.**

**Cross           YES**  
**Sikkema       YES**  
**Kobera         YES**  
**Issartel       YES**  
**Mack           YES**

**MOTION CARRIED 5-0**

**FIRST READING OF ORDINANCE 2021-09, RENEWING THE LAKE COUNTY AMBULANCE MSTU.**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA, ADOPTED PURSUANT TO SECTION 125.01(1)(q), FLORIDA STATUTES, EXTENDING THE TOWN'S INCLUSION IN THE COUNTY-WIDE MUNICIPAL SERVICE TAXING UNIT FOR THE PROVISION OF AMBULANCE AND EMERGENCY MEDICAL SERVICES, AS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

The inclusion in the county-wide municipal service taxing unit for the provision of ambulance and emergency medical services has been adopted every three years by ordinance and is scheduled to expire on July 19, 2021. As the town cannot provide ambulance service and to save having to advertise and pass an ordinance every three years, the following language has been added in Section 2.

*The Town shall continue to be included in Municipal Service Taxing Unit unless and until the Town provides notice to the County of the Town's desire to not be included. In such event the Town must provide written notice to the County on or before March 1 and the Town will no longer be included in the Municipal Service Taxing Unit beginning on October 1 of the same year.*

A motion was made by Councilman Cross to read by title and seconded by Councilwoman Sikkema. The title was read by Mayor Mack. He opened public comment and there being none requested a motion to send it to second reading.

**MOTION by Councilman Cross, to move Ordinance 2021-09 to second reading; SECONDED by Councilwoman Issartel.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Kobera YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 5-0**

At 7:28 pm, a two-minute recess was requested by Mayor Mack. The meeting reconvened at 7:30 pm.

**PRESENTATION OF THE FY 2019-2020 AUDIT BY ZACH CHALIFOUR, CPA, FROM JAMES MOORE.**

Mr. Chalifour introduced himself and stated that the town has had a very solid year and was in a much stronger position than previous years. He went over details of the audit report. He commended the internal controls and stated that there were no deficiencies.

The report detail included:

Independent Auditors' Report (pages 1-2).  
 Unmodified Opinion, except Qualification for OPEB.  
 Report on Internal Control and Compliance (pages 30-31).  
 No internal control or compliance findings reported.  
 Management Letter Required by Ch. 10.550 (pages 32-33).  
 One other recommendation – New Debt and Budgetary Compliance.  
 Independent Accountants' Examination Report (page 34).  
 In compliance with specified investment statutes.

The fund balance comparisons against previous years are shown below along with the progress toward two months (16.7%) of General Fund Reserves..

| Fund Balance  | 9/30/2020         | 9/30/2019         | 9/30/2018         |
|---------------|-------------------|-------------------|-------------------|
| Non-spendable | \$ -0-            | \$ -0-            | \$ 945            |
| Restricted    | 161,761           | 183,677           | 79,679            |
| Committed     | 7,500             | 7,500             | 7,500             |
| Assigned      | -0-               | 14,000            | 35,000            |
| Unassigned    | <u>196,581</u>    | <u>133,769</u>    | <u>61,815</u>     |
| Total         | <u>\$ 366,959</u> | <u>\$ 338,973</u> | <u>\$ 184,939</u> |

Total Assigned/Unassigned Fund Bal.           \$ 196,581

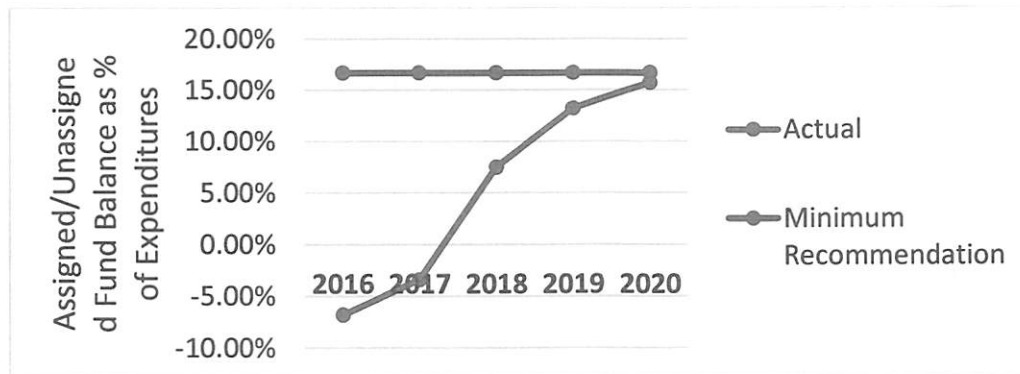
CY Expenditures and Transfers Out               \$1,253,560

Percentage Assigned/Unassigned Fund  
 Balance as a percentage of  
 Expenditures and Transfers out:               15.7% (13.2% in PY)

Percentage for Fund 001 Only                     16.5%

GFOA Minimum Rec. = 2 Months                 At least 16.7%

The unassigned fund balances have increased from a negative in FY2016 to a position just below the recommended minimum in FY2020.



The Mayor opened questions from the Board. Councilman Cross asked about whether the financial controls were sufficient. Mr. Chalifour said that having an outside accounting firm looking at the controls and providing information to the Auditor was a major benefit for a small town.

There being no further questions, the Mayor thanked Mr. Chalifour for his presentation.

**CONSIDERATION AND APPROVAL OF RESOLUTION 2021-10 BUDGET AMENDMENT.**

**A RESOLUTION OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AUTHORIZING BUDGET AMENDMENTS FOR THE TOWN OF ASTATULA FOR FISCAL YEAR 2020-2021.**

The Clerk went over the amendments which are shown below.

**General Fund:**

**539.631:** The amount of \$7,500.00 was approved by council for the drafting of a proposal for the pre-application for a CDBG grant by Pennoni Associates, Inc to extend fiber in Astatula.

**Infrastructure Fund:**

**519.640:** The Amount of \$7,960 was approved by Council at the October 12, 2020 regular meeting for the purchase of a "Heavy-Duty Low-Profile Dump" Trailer.

**521.640:** The Amount of \$8,995.00 was approved by Council at the January 11, 2021 meeting for the purchase of 10 Glock pistols, sights, and holsters. The sights were purchased with impact fees in the GF. The pistols and holsters totaling \$6,219.74 were purchased from the infrastructure fund. An amount of \$3,005.00 was realized from the sale of the .45 caliber pistols which is shown in the General Fund under disposition of fixed assets.

**533.621:** The Amount of \$2,875.00 is the architect's fees to design the Chlorination Building, approved by Council at the March 8 regular meeting.

**572.621:** The Amount of 1,239.62 was paid to the architects to close out the CDBG grant, and to have windowsills installed in the new community center.

There were no questions from the Board and Councilman Cross Made a motion to read by title; seconded by Councilwoman Issartel. Mayor Mack read the title and opened comment from the public. There being none, he requested a motion to approve the resolution.

**MOTION by Councilman Cross, to approve Resolution 2021-10; SECONDED by Councilwoman Kobera.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Kobera YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 5-0**

**CONSIDERATION AND APPROVAL TO WAIVE THE INCREASE ON THE RATES FOR SOLID WASTE COLLECTION.**

The town has a contract with WCA for solid waste collection in the town. The contract provides for an annual increase in the rates charged by WCA to the town of 70% of the CPI rate which is currently 3.4% (2.38%). The town normally passes this rate increase to the residents, however due to COVID-19, WCA did not levy an increase last year and the town did not increase the rates to residents.

WCA will be increasing the rates for the upcoming fiscal year, however it is proposed that no increase is passed on to the residents. We are still in the middle of the pandemic and although the increase to residents would be small, \$5.48 per household, the money received in COVID relief more than covers the loss in revenue to the town.

Mayor stated that accepting the proposed rate increase from WCA and not passing on the increase to the residents is what is for discussion. Councilman Cross asked what the impact was on the town. The Clerk responded that the effect was \$4,200 for the year. The \$230.41 charged on the tax bill would remain the same.

Mr. Cross stated that the increase should be passed onto the residents as it is a service provided. He asked whether the increase from WCA was contractual. The Mayor responded that it can be requested but that the council has the right to not accept the increase. He further added that with the number of complaints that the town is receiving about the service provided by WCA, a rate increase is not appropriate. Clerk Wells said that they were having issues keeping and recruiting drivers which was affecting the level of service.

The Mayor suggested that the issue be tabled to the next meeting where a representative from WCA can be present. Councilman Cross made that motion; Seconded by Councilwoman Issartel and unanimously approved.

**FURTHER DISCUSSION ON THE TOWN HAVING A STREETLIGHT INSTALLED AT CR48 AND FAIR ST. FOR SAFETY AT THE BUS PICK-UP.**

The Mayor stated that he had looked at the pick-up point on Fair Street and that it was very dark. Councilwoman Sikkema said that the Meadows HOA wanted two lights at the main entrance to the subdivision where other students are picked up. The would be willing to fund one of the lights if someone would donate the other and the Town put the light on Fair Street.

The cost to put a pole with light is approximately \$2,000 per pole. The Meadows HOA would pay the electricity cost for the lights. Councilman Cross did not have an issue with contributing towards a light but did not want to have responsibility for ongoing maintenance or power cost.

Following further discussion and input from residents, it was agreed that the Clerk would reach out to the County Public Works Director, Fred Schneider and it would be reviewed again at the next meeting.

**CONSIDERATION AND APPROVAL OF INTERLOCAL AGREEMENT WITH LAKE COUNTY FOR ADDRESSING.**

The County has been responsible for issuing addresses to new properties within the Towns limits. There is no formal agreement for this service in place and the county will no longer provide the service without an agreement being put in place. Combined with issuing of the addresses, the county also liaises with the GIS mapping department. The \$20.00 cost for each address issued, is passed onto the resident when the permits are issued.

Councilman Cross said that the agreement stated that the town would pay a plan review fee in addition to the addressing fee and that the fees on the addendum could be charged if the service was provided. The Clerk responded that the town would only pay the \$20.00 addressing fee. Some towns and cities use Lake County for their permitting and those fees apply to them and not applicable to Astatula. Clerk Wells said that he would ask the County to clarify in writing that the plan review fee is not applicable to the town.

There being no further comments from the Board, the Mayor requested a motion to approve the interlocal agreement.

**MOTION by Councilman Cross, to approve the Interlocal Agreement with Lake County for Addressing; SECONDED by Councilwoman Issartel.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Kobera YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 5-0**

**CONSIDERATION AND APPROVAL TO VACATE THE 50-FOOT EASEMENT RECORDED IN 1996, OFFICIAL RECORD BOOK 1458, PAGE 1019, LOCATED IN THE COLINA DEL LAGO PROJECT.**

The title company for Colina Del Lago require the easement to be vacated. The easement was granted by the county and therefore must be vacated by the county. The process has been given to the developer, however, there has been conflicting information about the town's roll in the vacation as the property is in the town limits. This is requested, should the title company require approval from the town to clear any cloud on the title.

The Mayor gave a detailed overview of the history of the easement and the County's recent position taken on the vacation. They had said that it was up to the town to vacate it and the town planner said that it would be vacated once the final plat is recorded. This did not satisfy the title company and the clerk reached out to our attorney for a remedy. In turn the County attorney responded with her fix which is both costly on would take three months to complete.

Councilman Cross said that he had no issue with releasing the easement if it is only inside of the subdivision, Colina Del Lago. The Clerk stated that the motion being requested was written by the attorney to allow the Mayor to take whatever action necessary to release the easement should it be required. There being no further discussion, Councilman Cross made the following motion.

**MOTION by Councilman Cross, to authorize the Town to vacate the 50-foot easement recorded in 1996, Official Record Book 1458, Page 1019, located in the Colina Del Lago project on or around the property with Alt Key 3699726, and that the Mayor is authorized to take any and all action, including preparing, signing and recording any necessary documents to process such vacation; SECONDED by Councilwoman Issartel.**

**A Roll Call vote was taken.**

|                 |            |
|-----------------|------------|
| <b>Cross</b>    | <b>YES</b> |
| <b>Sikkema</b>  | <b>YES</b> |
| <b>Kobera</b>   | <b>YES</b> |
| <b>Issartel</b> | <b>YES</b> |
| <b>Mack</b>     | <b>YES</b> |

**MOTION CARRIED 5-0**

**CONSIDERATION AND APPROVAL TO REPLACE THE TOWN HALL SERVER.**

The existing server is a 2010 model and was upgraded in 2016. The unit is at the end of its serviceable life and a near critical failure occurred on May 4th. The unit was able to be recovered without any loss of data but is only partially operational. The server urgently requires replacement before a more catastrophic event happens. The Mayor felt that \$3,000.00 will cover the cost for the specifications required.

**MOTION by Councilman Cross, to approve the replacement of the server with a maximum budget of \$3,000; SECONDED by Councilwoman Sikkema.**

**A Roll Call vote was taken.**

|                 |            |
|-----------------|------------|
| <b>Cross</b>    | <b>YES</b> |
| <b>Sikkema</b>  | <b>YES</b> |
| <b>Kobera</b>   | <b>YES</b> |
| <b>Issartel</b> | <b>YES</b> |
| <b>Mack</b>     | <b>YES</b> |

**MOTION CARRIED 5-0**

**CONSIDERATION AND APPROVAL FOR THE INCREASED COST OF THE NEW WELL CONSTRUCTION.**

During the drilling of the new well, it encountered a void of loose limestone which resulted in an open cavern. This is not a Contractor error, but a geological situation that is out of scope. The fix is to complete a caliper log, then install a packer either up into the 18" surface casing or below, based on the review of the caliper, and pump a grout, with bentonite mixed under pressure into the area causing the issue.



The additional cost to complete this work is \$38,934.00 and will need to be borne by the Town as there is a cap in the developer agreement. There is likely to be a rebate mitigating some of the cost at the end of the project.

The Mayor gave a much-detailed explanation of the drilling issues and asked council to approve the additional cost to rectify the problem. Councilman Cross asked whether the contractor should be liable for the cost. The Clerk said that he had spoken to David Bolan, the towns engineer to see where in the contract this situation is covered. His response was that it was outside of the scope in their bid as it was an unforeseen circumstance.

The alternative would have been to employ a hydrologist and drill a pilot well. This would have cost a considerable sum of money to find the issue that we now know is there and the cost of remedying it would then be added to the bid. The town would be paying either way. This at least is cheaper.

During the casting of the vote, Councilman Cross stated that his no vote was because the attorney had not reviewed the contract. Councilwoman Sikkema asked if the vote could be contingent on the attorney's opinion. Clerk Wells said that he had spoken to our engineer from Florida Rural Water Association who advised that if the town would not pay then it would go before a judge in arbitration. This would be costly and time consuming and the result likely found against the town as it was not a fault of the well driller.

**MOTION by Mayor Mack, to approve the budget increase of \$38,934 to continue the well drilling; SECONDED by Councilwoman Kobera.**

**A Roll Call vote was taken.**

|                 |            |
|-----------------|------------|
| <b>Cross</b>    | <b>NO</b>  |
| <b>Sikkema</b>  | <b>YES</b> |
| <b>Kobera</b>   | <b>YES</b> |
| <b>Issartel</b> | <b>YES</b> |
| <b>Mack</b>     | <b>YES</b> |

**MOTION CARRIED 4-1**

At this point in the meeting a motion was made by Councilman Cross to extend the meeting for a further fifteen minutes; seconded by Councilwoman Sikkema and unanimously approved.

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

There were no questions about the March 2021 final report. The April preliminary report included the budget amendments approved earlier in the meeting. There had been no Ad Valorem or Solid Waste revenues received for April.

On the expenses side the Police (521) were over budget mitigated by the approve purchase of ten new pistols sights from impact fees, overtime to cover holidays and vehicle repairs on an old fleet. Fire Control (522) was also over budget due to the payment of \$7,740 from Impact Fees for

the chlorination building. There will be a further budget amendment to cover this once the final payment is made.

Clerk Wells stated that the General Fund bank balance was \$280,000 more than the same period last year. The Transportation Fund had a net balance (revenues less expenses) of \$19,537. The Infrastructure Fund is \$15,927 over in revenue and the expenses includes a \$15,300 unbudgeted payment for the chlorination building. Overall, the net balance is \$30,267. A further \$10,000 has been repaid on the loan for the Community Center which now has a balance of \$180,000.

The enterprise fund, revenues have exceeded expenses by \$5,541.54. There are currently five homes hooked up to city water with three more pending. There will be a lot of new connections coming once the new well is completed and the new subdivisions are built out.

Councilman Cross thanked the Clerk for what he had done on the finances and added that the town had never been in such a positive financial position where it has had reserves.

**April Bank Balances:**

|                      |                                                    |
|----------------------|----------------------------------------------------|
| General Fund:        | 632,308.04                                         |
| Impact Fees:         | 32,853.71                                          |
| Transportation Fund: | 141,979.20                                         |
| Infrastructure Fund: | 8,293.14                                           |
| Enterprise Fund:     | 12.81 plus \$204,415.74 to complete the new well). |
| Cash Drawer:         | 150.00                                             |

**COUNCIL DEPARTMENT & COMMITTEE REPORT**

***Finance – Councilman Cross*** – Talked about an upcoming webinar for Fiber.

***Public Works – Mayor Mack*** – Gave a report on the visit from Steve Elias from Pennoni on the extension of water and potential sewer systems that can be funded by the Recovery Act monies.

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

***Office – LDR’s, Ordinances, Legal – Councilwoman Sikkema*** – NONE

***Economic Development – Councilwoman Issartel*** – NONE

**STAFF REPORTS**

***Town Attorney – Heather Ramos*** – ABSENT

***Police Department – Chief Hoagland*** – Gave an update on the Astatula Dawgs football team. He had applied for a grant to replace some of the bullet proof vests.

***Town Clerk – Graham Wells*** – NONE

**REVIEW**

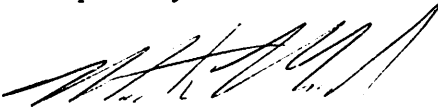
- a. Items for Workshops and possible dates – NONE
- b. Items put forward for the next Council meeting - NONE
- c. Review of items needing Special Meetings and possible dates - NONE

**COUNCIL MEMBER MISCELLANEOUS COMMENTS - NONE**

**ADJOURNMENT**

There being no further business Vice-Mayor Kobera adjourned the meeting at 9:15pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk

THE STATE OF FLORIDA

DEPARTMENT OF

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