

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



**REGULAR SESSION  
MONDAY OCTOBER 11, 2021  
TOWN HALL**

Having been duly advertised as required by law, Mayor Mack called the Regular Session meeting to order at 7.05pm. He gave the invocation and led the Pledge of Allegiance.

**Members Present:**

Mitchell Mack, Mayor  
Kimberly Kobera, Vice-Mayor - Arrived at 7:07pm  
Gayle Sikkema  
Steve Cross  
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 Planner Tim Green, Melissa Fox from Fred Fox Enterprises, Inc and Theresa LaBree from the Planning and Zoning Board.

**CITIZENS QUESTIONS AND COMMENT**

There was no citizen comment.

**AGENDA REVIEW**

A motion was made by Councilwoman Kobera; seconded by Councilwoman Issartel and unanimously voted to add the requested rate increase for the town attorney for discussion to item 8 in new business.

**MEETING MINUTES**

Approval of Minutes for September 13, 2021 Regular Council Meeting.  
Approval of Minutes for September 16, 2021 Preliminary Budget Hearing.  
Approval of Minutes for September 29, 2021 Final Budget Hearing.

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

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

**MOTION CARRIED 5-0**

**PUBLIC HEARING**

**SECOND PUBLIC HEARING FOR SUBMISSION OF GRANT APPLICATION**

**RESOLUTION 2021-20**

**A RESOLUTION AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY UNDER THE COMMUNITY DEVELOPMENT BLOCK GRANT – CV (CDBG-CV) PROGRAM TO PREPARE FOR, PREVENT OR RESPOND TO THE HEALTH IMPACTS OF THE CORONA VIRUS (COVID 19) PANDEMIC FOR THE TOWN OF ASTATULA.**

Melissa Fox from Fred Fox Enterprises, Inc. gave a PowerPoint presentation outlining the grant application which included the following detail:

- The State of Florida has appropriated nearly \$42,000,000.00 in funding for Small Cities in the State of Florida.
- Minimum award of \$200,000.00 per application.
- Maximum award of \$5,000,000.00.
- There is no match requirement.
- A community can only submit one application for a single project or program.

The Town is proposing to submit an application to the Florida Department of Economic Opportunity (DEO) for funding to:

1. Bring high speed Internet into residential areas of the city, and
2. Provide Six Months of Internet service to Low- and Moderate-Income households.
3. The Town is holding this Second Public Hearing for Public Input on this project.

**Project**

Installation of wireless and fiber infrastructure to bring High Speed Internet to the Residents of Astatula and connect and provide six-months of high-speed Internet service for LMI Households.

**Estimated Costs**

Construction (includes project delivery costs:	\$	3,175,095.00
Hookup and 6 Months Service for LMI Households:	\$	232,650.00
Administration:	\$	\$50,000.00
Engineering:	\$	395,000.00
<b>Total:</b>	<b>\$</b>	<b>3,852,745.00</b>

**Steps Required in CDBG-CV Application Process**

- 1.) Advertise and hold a 1<sup>st</sup> Public Hearing to obtain public comment on proposed projects. Obtain Town Council approval to move forward with a proposed application/project – the Town held the 1<sup>st</sup> Public Hearing on 2/22/2021.
- 2.) Advertise and hold a 2<sup>nd</sup> Public Hearing to present the proposed application and obtain public comment on the proposed application. Obtain Town Council approval to move forward with a submitting the proposed application.

- 3.) If necessary, revise the application in response to public comments.
- 4.) Submit the application no later than November 1, 2021.

Following the conclusion of her presentation, the Mayor opened public comment. There being none, he closed public comment and opened discussion from the board. Following some discussion, he requested a motion.

A motion to read the resolution by title only was made by Councilman Cross and seconded by Councilwoman Kobera. The Mayor read the title of the Resolution and requested a motion to approve Resolution 2021-20.

**MOTION by Councilman Cross to approve Resolution 2021-20; 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**

## **NEW BUSINESS**

### **DISCUSSION ON CHANGES TO THE LAND DEVELOPMENT REGULATIONS FOR LOT SPLITS**

Mayor Mack stated that currently there was a minor subdivision, major subdivision and a lot split in the Land Development Regulations. Mr. Green added that a minor subdivision was where property abuts an existing dedicated public right-of-way of at least 50 feet in width and no new substantial public improvements for water, sanitary sewer, or transportation are required and where the proposed subdivision contains three or fewer residential lots.

A lot split is where property abuts an existing dedicated public right-of-way of at least 50 feet in width and no new substantial public improvements for water, sanitary sewer, or transportation are required a single property may be split into two lots provided that each of the resulting lots meets all the minimum dimensions for the zoning district in which the property is located.

The issue being discussed is that a lot may be split only once so as not to get around the subdivision requirements. The code does not currently state this, so a split of a previously split lot is legal providing that it meets the zoning requirements for each lot. It was agreed that the rules governing lot splits would be amended. If a lot has been split since the date that the code was implemented in 2012, it would not be allowed to be split again.

Mr. Green suggested that the minor subdivision be increased to four lots or less which is inline with the concurrency for the school board. It would include the requirements for fire protection. The Mayor asked Mr. Green to write an ordinance incorporating the council comments and bring it to the Planning and Zoning Board and back to council for approval.

**RATIFICATION OF RESOLUTION 2021-21 APPROVING THE LOT SPLIT FOR LEGACY HOMES FL, LLC LYING WEST OF JACKSON STREET AND SOUTH OF KANSAS AVENUE - AK# 3911539**

**RESOLUTION 2021-21**

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA; DOCUMENTING THE LOT SPLIT APPROVED BY THE TOWN COUNCIL ON SEPTEMBER 13, 2021 FOR LAND LOCATED WEST OF JACKSON STREET AND SOUTH OF KANSAS AVENUE IN THE TOWN OF ASTATULA, LAKE COUNTY PROPERTY APPRAISER PARCEL NO.: 2920260100-00H-00908, 13590 KANSAS AVENUE; PROVIDING AN EFFECTIVE DATE.**

Clerk Wells said that the lot split was approved at the September 13, 2021; however, the County Clerk's office has changed the requirements to have the split recorded. This resolution satisfies the requirement, the mayor has signed it and the split has been recorded.

The mayor opened public comment, there being none he closed it and asked for a motion to read by title. The motion was made by Councilman Cross and seconded by Councilwoman Kobera.

**MOTION by Councilwoman Issartel to approve Resolution 2021-21; SECONDED by Councilman Cross.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Kobera YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 5-0**

**APPROVAL OF THE PURCHASE OF AN EMERGENCY GENERATOR SET FOR TOWN HALL**

The Mayor stated that the town has secured three quotations to install a 50kw generator to provide emergency power to town hall and the police department. The low bid for \$39,625.00 was received from Detroit Diesel and he went over the specifications from each bid. Mr. Cross asked for confirmation that the price included full installation. Mayor Mack confirmed that it was turnkey.

Clerk Wells said that the lead time was up to six months and shared his suggestion that it would be funded using restricted funds rather than General Fund monies. The exact plan would be decided at the time the payment was due.

**MOTION by Councilman Cross to approve the purchase of a generator from Detroit Diesel for Town Hall and the Police Department in the amount of \$39,625.00; SECONDED by Councilwoman Issartel.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Kobera YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 5-0**

**APPROVAL OF THE PURCHASE AND INSTALLATION OF SECURITY FENCING AROUND THE WATER PLANT**

The town has secured two quotations to install security fencing around the water plant in Swaffar Park. A third bid from Allstate Fence and Rail was a non-response as they have gone out of business. The low bid of \$19,950.00 was received from Hercules Fence Company who also installed the fence around the new well head. Mayor Mack went over the two quotes and requested a motion to approve the purchase from Hercules.

**MOTION by Councilman Cross to approve the purchase of security fencing for the water plant at a cost of \$19,950.00; SECONDED by Councilwoman Sikkema.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Kobera YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 5-0**

**DISCUSSION ON REMOVAL OF A 43-INCH DIAMETER TREE IN THE CEMETERY - MAYOR MACK**

The Mayor showed a picture of the tree which was hit by lightning and is a liability. A crane would be needed to remove the tree. The cost to remove is \$3,900.00. Following some discussion, it was agreed to get two more bids and bring it back to the next meeting.

**DISCUSSION ON GOALS AND OBJECTIVES FOR 2021-22 - COUNCILMAN CROSS**

- Review and Renewal of Contracts – It was agreed that the Clerk would provide the information for the next meeting.
- Water Master Plan - Asset inventory and expansion of the system through the town.
- Review of Interlocal Service Boundary Agreement for the provision of utility services.
- A requirement is recommended for developers to lay conduit for fiber when they install water pipes.

## **PROMOTION OF JANE WHALEY TO BUILDING DEPARTMENT DIRECTOR**

This was an item brought forward by the Mayor to redefine the duties for Jane as the Building Department Administrator for the town with some additional training. She has been doing the job for several years and should be recognized for the position. Discussion ensued whether she should continue to report to the Clerk or directly to the Council.

Councilman Cross did not believe that per the charter, Jane could not report directly to the Council and should continue to report to the Clerk. Councilwoman Sikkema wanted this to be discussed in more depth at a workshop where job descriptions could be formulated for her new role. The Mayor wanted to change her job title to reflect the responsibility that she has and made a motion.

**MOTION by Mayor Mack to promote Jane Whaley to Building Department Manager;  
SECONDED by Councilwoman Kobera**

**For: Kobera, Mack, Issartel**

**Against: Cross, Sikkema**

**MOTION CARRIED 3-2**

The Clerk asked when this change was to take place from and whether the day-to-day reporting responsibilities were to change. He added that he was in favor of her assuming the responsibility and having an appropriate title but was against her reporting directly to the council. Councilman Cross stated that the charter required that she continue to report to the clerk. The Mayor acceded that the reporting responsibility would not change.

## **DISCUSSION ON THE LETTER RECEIVED FROM THE TOWN'S ATTORNEY REGARDING A RATE INCREASE**

This was missed from the agenda but needed to be discussed as the increase would take effect immediately. If the rate increase was not approved, then the attorney would end the contract and the town would have to recruit new legal counsel. The mayor read aloud the intended rate increase. Councilman Cross wanted to review the existing contract before he could make any determination and asked it to be brought to the next council meeting.

## **BUDGET AND FINANCE REPORT REVIEW**

There were no questions regarding the August financial report. The September report final budget mirrors the approved budget after the final budget amendment was approved. The clerk explained the additional revenues of \$137,025 received over the budgeted amount in the general fund. The overall expenditures were under budget, and he explained the reasons that the two departments were over budget. A year-end budget amendment will come to council in November to adjust these so that all departments are under budget.

At this point in the meeting, 9.03 pm, the Mayor asked for a motion to extend the meeting for a further fifteen minutes. The motion was made by Councilwoman Kobera, seconded by Councilwoman Issartel, with a unanimous vote to extend the meeting.

An explanation of the Transportation fund was given, with the local option gas tax being estimated for September and the 9<sup>th</sup> cent gas tax for August and September. Expenditures were \$27,168 under budget, realizing a total surplus of \$43,886. The discretionary surtax was estimated for the month, and a quarterly true-up figure will be added when it is received. With the expenditures being \$54,715 under budget, the surplus carried forward figure was \$105,873. \$110,000 had been paid from the infrastructure fund to United Southern Bank during the year as repayment of the loan for the community building.

The Enterprise fund which had no budget had revenues of \$66,013 and expenditures of \$33,333, yielding a surplus of \$32,680. This is not reflected in the bank account as the cost of the installation of utilities has been capitalized and doesn't show in these figures. The end of year bank balances are strong and shown below.

**September Bank Balances:**

General Fund:	405,499.50
Impact Fees:	51,001.25
Transportation Fund:	70,700.38
Infrastructure Fund:	28,045.47
Enterprise Fund:	(18,635.15) Takes account of monies owed to complete the well
Cash Drawer:	150.00

**COUNCIL DEPARTMENT & COMMITTEE REPORT**

***Finance – Councilman Cross – NONE***

***Public Works – Mayor Mack*** – Discussed employing a locate service company for our utilities and had Massey Services treat the ant problem at Kirkwood and Swaffar park playgrounds. The council heard from Mr. Zane Teeters who has been taking care of the mowing and weed whacking in Kirkwood Park while the town is without a PW person. They thanked him for his service.

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

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

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

This was the last meeting that Councilwoman Kobera would attend.

**STAFF REPORTS**

***Town Attorney – Heather Ramos – NONE***

***Police Department – Chief Hoagland*** – informed Council that they are seeing more drug arrests. He thanked Kimberly Kobera for her service to the town and wished her well for the future which was echoed by all others present.

***Town Clerk – Graham Wells*** – said that he had received a letter from the Department of Revenue saying that there were no violations in the TRIM process and that the town is in compliance with the state requirements.

**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** – Chief reminded council that the New York property was going to auction on October 19<sup>th</sup> 2021. The property is worth around \$140,000 to \$150,000.

**ADJOURNMENT**

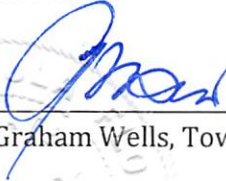
There being no further business the Mayor adjourned the meeting at 9:22pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk

