

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



**REGULAR SESSION
MONDAY JANUARY 10, 2022
TOWN HALL**

Having been duly advertised as required by law, Mayor 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, Vice-Mayor
Gayle Sikkema
Orita Issartel

Staff Present:

Graham Wells, Town Clerk
Wally Hoagland, Police Chief
Tim Green, Planner

Roll Call was performed, and it was determined that a quorum was present. The Mayor welcomed Heather Ramos, Town Attorney, Planner Tim Green, Karen Smith and Teresa LaBree from the Planning and Zoning Board and County Commissioner Leslie Campione. Representing OPP Venture LLC, the developer for Sterling Meadows were Mr. Adolfo Pereira, A. J. Pereira, Christopher Orlandini and Engineer Steven Shea. There were approximately thirteen residents from within and outside the city limits present.

CITIZENS QUESTIONS AND COMMENT

There was none.

AGENDA REVIEW

There were no changes to the agenda.

The Mayor read a letter from the Pastor from the Iglesia Christiana Church regarding the building permit for a fence around the property across from the Church between the diner and post office. He suggested that it was too early for the council to respond as we had not had a response from the building inspector.

MEETING MINUTES

Approval of Minutes for December 13, 2021 Regular Council Meeting.
Approval of Minutes for December 13, 2021 Local Planning Agency Meeting.

MOTION by Vice-Mayor Cross to approve the minutes shown above; SECONDED by Councilwoman Sikkema

For: Sikkema, Mack, Cross, Issartel

MOTION CARRIED 4-0

PUBLIC HEARING

ANNEXATION OF THE PROPERTY 98+/- ACRES LOCATED NORTH OF CR 48 AT THE INTERSECTION OF FAIR STREET AND MORNING GLORY WAY.

FINAL READING OF ORDINANCE 2021-22

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 FOR PROPERTY LOCATED NORTH OF CR 48 AT THE INTERSECTION OF FAIR STREET AND MORNING GLORY WAY IN LAKE COUNTY, FLORIDA, CONTAINING APPROXIMATELY 98 ACRES; REDEFINING THE BOUNDARY LINES OF THE TOWN TO INCLUDE THE PROPERTY; PROVIDING FOR PUBLICATION OF NOTICE OF THE PROPOSED VOLUNTARY ANNEXATION AND FOR A COPY OF THE NOTICE TO BE SENT TO THE LAKE COUNTY BOARD OF COUNTY COMMISSIONERS; FILING A COPY OF THIS ORDINANCE WITH THE LAKE COUNTY CLERK OF CIRCUIT COURT, THE LAKE COUNTY CHIEF ADMINISTRATIVE OFFICER, AND WITH THE DEPARTMENT OF STATE; PROVIDING FOR FILING OF A REVISION OF THE CHARTER; PROVIDING FOR A COPY OF THE REVISED CHARTER BOUNDARY ARTICLE TO BE SUBMITTED TO THE OFFICE OF ECONOMIC AND DEMOGRAPHIC RESEARCH; PROVIDING AN EFFECTIVE DATE.

The Mayor read the background information from the agenda cover sheet. OPP Ventures, LLC wishes to annex a property which is approximately 98 acres and is zoned Lake County Agricultural. The project is north of CR 48 at the intersection of Fair Street and Morning Glory Way. The Annexation request is to amend the municipal boundaries of the Town of Astatula to include the property. The Requested Annexation is accompanied by requests to amend the Future Land Use Map and the Official Zoning Map of the Town of Astatula and will be adopted under a separate review.

The ordinance was brought before the Planning and Zoning Board on November 29, 2021 who recommended unanimously for Council to approve. First Reading took place at the December 13, 2021 regular council meeting. The ordinance was advertised on December 3, 2021, Dec 10, 2021 and December 30, 2021.

The Mayor opened public comment. Commissioner Leslie Campione addressed council and the email response from the Lake County Director of the Office of Planning and Zoning Tim McLendon in March 2021. He stated that the county had no objection to annexing the property into Astatula. Mr McLendon's response was that "From a statutory standpoint, the property is directly contiguous to existing city limits of Astatula. The County would have no objections to annexing the property". Ms. Campione said that the request was informal and had a more formal request been made, there would have been a more substantive review.

Ms. Campione added that Lake County was looking to work with the cities in a more collaborative effort to address development pressures that are happening all over the county. She stated that Astatula was on the edge of the Yalaha – Lake Apopka Rural Protection area and the Lake Apopka Overlay District. She gave maps to be entered into the record and asked that the town reconsider approving this type of development and density as it is mostly surrounded by rural, agricultural zoned properties.

Commissioner Campione brought up the negative impact of septic tanks which are not environmentally friendly and recommended using a distributed wastewater system. She asked that substantial buffers be used around the property between the lots and the adjacent rural neighbors.

The Mayor responded that the Town have offered in the past to work with the county, but that Astatula have never been taken seriously as they were so small. The communication between the town and the county has been non-existent. Councilman Cross was concerned that there has been no control over the explosion of development in Minneola and Groveland and that if the town does not annex the property, it will eventually be taken over by other cities, probably at a higher density.

Commissioner Campione said that an agreement could be put in place to safeguard the towns boundaries. Mayor Mack responded Astatula was excluded by the county when the Inter Service Boundary Agreements were put in place. The Mayor stated that despite what had happened in the past, he would like to work with the county in the future and looked forward to the meeting on February 7th.

Steven Shea, engineer for the developer responded that there were large areas of open space with trails around them and that the lot size met the health department guidelines for septic tanks. He stated that they could not have the 200-foot buffer around the development as it would affect the density. He added that the project should not be held up for the county/city meeting and should move forward as per the comprehensive plan amendment.

There were a number of questions and comments from citizens which were responded to by Mr. Shea. At the conclusion the Mayor closed public comment stating that the density was for another meeting and that he wanted to move forward with the annexation which was the item in front of the board. He asked for questions of comments from the board. Councilwoman Issartel said that she sided with the town people not wanting the density proposed. Councilman Cross said to move forward with the annexation and Councilwoman Sikkema agreed.

A motion to read the ordinance by title only was made by Vice-Mayor Cross and seconded by Councilwoman Sikkema. The Mayor read the title of the ordinance and requested a motion to approve.

MOTION by Vice-Mayor Cross to adopt Ordinance 2021-22; SECONDED by Councilwoman Issartel.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

MOTION CARRIED 4-0

At this point of the meeting, 7:46 pm the Mayor asked for a recess. The meeting was reconvened at 7:55 pm.

OLD BUSINESS

RESOLUTION 2021-29 AMENDING THE RULES OF ORDER

As there was more immediate business to discuss, a suggestion by Councilwoman Sikkema was made to table this item to a workshop and approval at a future meeting. The Mayor agreed and asked for a motion.

MOTION by Vice-Mayor Cross to table the item to a later date; SECONDED by Councilwoman Issartel

For: Sikkema, Mack, Cross, Issartel

MOTION CARRIED 4-0

APPOINTMENT OF AN INTERIM PUBLIC WORKS DIRECTOR – VICE-MAYOR CROSS.

Mr. Cross stated that per the charter the town has three department heads that report directly to the council: the Clerk, Police Chief and Public Works Director. The town has not had a Public Works Director since 2017 and things were not getting done. The Mayor had been filling the roll, but Mr. Cross's recommendation was to appoint either the Clerk or the Police Chief as an interim director. He added that he favored the Chief as he has more knowledge of the town.

Councilwoman Sikkema asked whether he was volunteering for the position or being voluntold. The Chief responded that he would take on the roll, but first had to find someone to do the work. Mr. Cross said that we could re-address filling the director position at any future council meeting. The Clerk said that the budget included an amount for a Public Works Director but not a laborer as well. It was agreed that chief would hire a laborer to do the work at this time and fill the Director position if and when a suitable candidate is found and the budget supported both positions.

MOTION by Vice-Mayor Cross to appoint the Chief as Interim Public Works Director; SECONDED by Councilwoman Sikkema.

For: Sikkema, Mack, Cross, Issartel

MOTION CARRIED 4-0

CONSIDERATION AND APPROVAL OF CONTRACT WITH ALLEN & COMPANY FOR LOCATE SERVICES.

Every time someone wants to dig within the town, they have to use the 811 service which sends the locate requests to Town Hall. The Mayor has for years responded to those requests as they were few and far between. With all the new development coming into town, this is no longer tenable as there are so many. Allen & Company offer a locate service which the town can use and guarantee the locates. The agreement has been reviewed by the attorney. Following some discussion, the Mayor asked for a motion to approve the agreement.

MOTION by Vice-Mayor Cross to approve the agreement with Allen & Company; SECONDED by Councilwoman Issartel.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

MOTION CARRIED 4-0

NEW BUSINESS

RESOLUTION 2022-01 ADOPTING A WATER UTILITY POLICY.

The Clerk explained that the town needed a formal policy for providing potable water services to the residents of the town. The policy includes administrative procedures, and details of payments, deposits, water rates, what the resident is responsible for, and some water conservation tips. The policy is being made into a tri-fold flyer to give to the residents.

There being no questions from the council, Vice-Mayor Cross made a motion to read Resolution 2022-01 by title only, seconded by Councilwoman Sikkema. The Mayor read the title and asked for a motion to approve.

MOTION by Vice-Mayor Cross to approve Resolution 2022-01; SECONDED by Councilwoman Sikkema.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

MOTION CARRIED 4-0

RESOLUTION 2022-02 APPROVING THE DECLARATION OF UNITY OF TITLE FOR COLINA DEL LAGO.

The Town Council for the Town of Astatula has been requested to approve the Declaration of Unity of Title for the following properties owned by Colina Del Lago, LLC: Lake County Alt Key Numbers: 3699726, 3699742, 1064082, 3696310, 3696352, 3696379, 3696417.

The attorney explained that should the development not proceed forward, the parcels would not be landlocked. If approved by council, the request for the unity of title would go before the Lake County Board of County Commissioners at their January 25th meeting.

The Mayor gave an explanation of an issue with one of the neighbors to the development where the developer gave a portion of their property so that the neighbor would not have to access his property via Colina Del Lago. With that resolved he felt that the town could move forward with the unity of title.

Councilwoman Sikkema made a motion to read Resolution 2022-02 by title only, seconded by Vice-Mayor Cross. The Mayor read the title and requested a motion to approve.

MOTION by Councilwoman Sikkema to approve Resolution 2022-02 approving the Unity of Title for Colina Del Lago; SECONDED by Vice-Mayor Cross

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

MOTION CARRIED 4-0

INTERLOCAL AGREEMENT WITH LAKE COUNTY FOR USE OF REGIONAL OPIOID SETTLEMENT FUNDS.

There is a collaborative body known as the Lake County Opioid Task Force formed in Lake County in response to the alarming increase in opioid-related drug misuse and opioid-related deaths within the geographic boundaries of Lake County. This interlocal agreement allows State funding to combat the problem to be passed from the County to the municipalities with populations less than 10,000 people. Following some discussion, the Mayor requested a motion to approve the agreement.

MOTION by Vice-Mayor Cross to approve the Lake County Regional Opioid Settlement Funds Interlocal Agreement; SECONDED by Councilwoman Issartel.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

MOTION CARRIED 4-0

APPROVAL FOR THE CLERK TO PAY THE OUTSTANDING PROPERTY TAXES ON 13128 NEW YORK AVENUE.

The town has taken possession of 13128 New York Avenue through foreclosure. The property has been advertised for sale by sealed bid. There are three years of outstanding property taxes totaling \$5,582.06 which are required to be paid. The 2019 bill must be paid by April 1, 2022 to avoid a tax certificate being issued. The bills will have to be settled prior to the sale of the property or from the closing costs. It is recommended that the bills be paid from the General Fund now.

There were questions from the residents on the size of the lot, the square footage, and the condition of the mobile home. The Mayor stated that all bids would be considered but a minimum suggested bid was \$125,00.00. Mr. Cross answered questions on the level of taxes that would be levied on the property. He explained the procedure if the property taxes which are owed for 2019, 2020 and 2021 are not paid. The 2019 tax bill is the one that will trigger a tax deed sale if not paid by April 1, 2022. There being no further questions he made a motion to pay the taxes.

**MOTION by Vice-Mayor Cross to direct the Clerk to pay the three years outstanding taxes;
SECONDED by Councilwoman Sikkema.**

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

MOTION CARRIED 4-0

PROPERTY/ASSET MANAGEMENT AND INVENTORY – VICE-MAYOR CROSS.

Mr. Cross was concerned that there was no complete list of all the assets that are owned by the town. All the capital equipment is on the depreciation schedule. The FRWA is doing an asset management policy on the water assets. The clerk was directed to formulate a policy for asset and inventory management.

BUDGET AND FINANCE REPORT REVIEW

The Clerk asked if there were any questions on the final report for November. There were none. At the time of the meeting the town had only the payment for half of December for Ad Valorem taxes and Solid Waste Assessments. He added that the budget is based on historical data of when people had paid their property taxes, but this changes year on year. He went on to give an overview of the revenues and expenditures.

Building permit revenue was up, but overspent on legal fees, comprehensive planning, parks and recreation due to mulching the parks and law enforcement. Part of this is the increase in fuel cost and law enforcement education.

The Clerk explained the big reduction in the Infrastructure bank balance which was due to the repayment of \$130,000 to United Southern Bank for the loan for the community center. A loan to the infrastructure fund from the general fund would be repaid on a monthly basis from the Discretionary Surtax Revenues. He added that there was a \$65,000.00 loan from the GF to the Enterprise fund required to finish the well and other improvements. The Bank balances at December 31, 2021 are shown below.

December Bank Balances:

General Fund:	582,830.79
Impact Fees:	47,602.25
Transportation Fund:	47,877.81
Infrastructure Fund:	1,998.26
Enterprise Fund:	(20,753.38) Takes account of monies owed to complete the well
Cash Drawer:	150.00

Mayor Mack gave an update on the Farmers Market and Vice-Mayor Cross gave an update on his discussions with Summit Broadband.

COUNCIL DEPARTMENT & COMMITTEE LIAISON REPORT

Finance – Councilman Cross – NONE

Public Works – Mayor Mack – NONE

Public Safety/Code Enforcement – Councilwoman Sikkema – NONE

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

Economic Development – Councilwoman Issartel – NONE

REVIEW

- a. Items for Workshops and possible dates – **January 18, 2022 at 4:00 pm at the Community Center.**
- b. Items put forward for the next Council meeting - NONE
- c. Review of items needing Special Meetings and possible dates – NONE

STAFF REPORTS

Town Attorney – Heather Ramos – NONE

Police Department – Chief Hoagland – Gave an update on the level of calls for service and the types of crimes that they were experiencing. He thanked the Council for approving the additional part time officer which has made it safer to have two officers on at night. He informed Council that he was working on a grant from leftover monies not claimed. He updated council on the vehicle that is on the property that the town now own on New York Ave. The chief felt that he could get \$1,000.00 or more for it as-is and Vice-Mayor Cross made a motion for the Chief to go ahead and sell it. It was seconded by Councilwoman Issartel and unanimously approved by a roll call vote. He then gave an update on code enforcement activity.

Town Clerk – Graham Wells – NONE

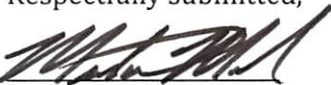
Public Works – Wally Hoagland – Stated that he would look at the applications that have been received for the laborer position.

COUNCIL MEMBER MISCELLANEOUS COMMENTS - NONE

ADJOURNMENT


There being no further business the Mayor adjourned the meeting at 9:08pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:


Graham Wells, Town Clerk