

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



**REGULAR SESSION  
MONDAY DECEMBER 13, 2021  
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 Planner Tim Green, and Karen Smith, Sean Donnelly and Teresa LaBree from the Planning and Zoning Board. 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 forty 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.

**MEETING MINUTES**

Approval of Minutes for November 8, 2021 Regular Council Meeting.

**MOTION by Councilman Cross to approve the minutes shown above; SECONDED by Councilwoman Issartel**

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

**MOTION CARRIED 4-0**

**PUBLIC HEARING**

**FINAL READING OF ORDINANCE 2021-27 PERTAINING TO HOME-BASED BUSINESSES**

**ORDINANCE 2021-27**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA,  
PERTAINING TO HOME-BASED BUSINESSES; AMENDING SECTIONS 13-3 AND 13-4 OF THE**

**TOWN'S CODE OF ORDINANCES AND 4.9.1, 4.9.2, 4.9.3, 4.9.4 AND 10.2 OF THE TOWN'S LAND DEVELOPMENT REGULATIONS REGARDING HOME OCCUPATIONS TO BE CONSISTENT WITH THE NEW GENERAL LAW ON HOME-BASED BUSINESSES; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

There are new laws concerning home-based businesses codified in Section 559.955 of the Florida Statutes, and the prohibition on licensing of occupations codified in Section 163.211 of the Florida Statutes. A memorandum outlining the changes has been provided by the town's attorney Gray Robinson. Ordinance 2021-27 makes the necessary changes to the code and land development regulations to ensure that the town is compliant with the changes.

The Mayor read the title of the ordinance and opened public comment; there being none or from the board he requested a motion to approve.

**MOTION by Councilman Cross to adopt Ordinance 2021-27; SECONDED by Councilwoman Sikkema.**

**A Roll Call vote was taken.**

- Cross YES**
- Sikkema YES**
- Issartel YES**
- Mack YES**

**MOTION CARRIED 4-0**

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

**FIRST 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 explained that due to an error in the noticing of Ordinance 2021-24, the rezoning for this property will be removed from the agenda.

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. The ordinance was advertised on December 3, 2021, December 10, 2021.

The Mayor asked Planner, Tim Green to go over his review. He explained that the numbers in his report were the maximum allowed in the comprehensive plan and not what is requested.

<b>Pertinent Site Data</b>	<b>Current / Allowed</b>	<b>Requested</b>
Future Land Use Designation	Lake County Rural	Single Family Medium Density Residential
Project Size	98+/-Acres	98+/-Acres
Property Use	Vacant	Single Family Residential
Density per Future Land Use	1 DU per 5 Acres	3 DU / Acre without Central Water and Sewer
Maximum Dwelling Units Per Comprehensive Plan	18	294
Home Type Allowed	Single Family Residential	Single Family Residential

He also went over the conceptual concurrency review based on the comprehensive plan which included traffic, Potable water, sanitary sewer, recreation & open space, solid waste, and school-aged children.

**CONCEPTUAL CONCURRENCY REVIEW**

<b>Service</b>	<b>Calculation</b>	<b>Anticipated Demand</b>
Traffic	157 Lots x 9.44 ADT (Average Daily Trips)	1,482 ADT's
Potable Water	Central Water	
Sanitary Sewer	On-Site Treatment Plant	Onsite Septic
Recreation/Open Space	4 acres per 1,000 residents x 438 residents***	1.75 acres
Solid Waste	6.55 lbs x 157 lots x 2.79 persons/ house/dav	2,869 lbs
Drainage Facilities	Compliance with Chapter 40C-42, 40C-4 and 17-25, F.A.C.	

\*Comp Plan Standard = 125 gallons/ person / day \*\* Comp Plan Standard = 111 gallons / person / day  
 \*\*\* Comp Plan Standard = 4 acres/ 1,000 residents Persons per household = 2.79

His summary, comments and related actions are shown below:

- The site is continuous to the Municipal Limits of the Town of Astatula.
- The existing Lake County Future Land Use allows up to 1 Dwelling per 5 Acres.

- The proposed Town of Astatula Future Land Use allows without Central Water and Sewer up to 3 Dwellings per Acre.
- The proposed Zoning will limit the ultimate density on the site.
- The proposed Future Land Use amendment indicates an Increase in
  - Traffic volume
  - Potable Water demand
  - Sanitary Sewer demand
  - Recreation needs
  - Solid Waste volume
  - School Aged Children
- 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 separate reviews.

The Mayor opened for the board to ask questions of the developers; there being no questions he opened public comment and reminded that it was limited to three minutes on the Annexation proposal only.

There were comments and questions both for and against the proposal from a number of the people present which were responded to by Council and staff. Following the discussion, the Mayor closed public comment and asked for remarks from the board. Councilwoman Issartel stated that the town wanted control of the development as it as contiguous with the town's border and govern what the developer could and could not do. Vice-Mayor Cross stated that the town needed the revenues that this annexation would bring in the future. There being no further discussion, a motion by Vice-Mayor Cross to read by title only was made, seconded by Councilwoman Issartel and unanimously approved. The Mayor read the title and requested a motion to approve the ordinance.

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

**A Roll Call vote was taken.**

<b>Cross</b>	<b>YES</b>
<b>Sikkema</b>	<b>YES</b>
<b>Issartel</b>	<b>YES</b>
<b>Mack</b>	<b>YES</b>

**MOTION CARRIED 4-0**

**At this point of the meeting, 8:10 pm the Mayor adjourned the council meeting to convene the Local Planning Agency Meeting. The council meeting was reconvened at 8:17 pm.**

**COMPREHENSIVE PLAN AMENDING THE FUTURE LAND USE MAP OF THE TOWN OF ASTATULA, FLORIDA.**

**FIRST READING OF ORDINANCE 2021-23**

**AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE COMPREHENSIVE PLAN FUTURE LAND USE MAP OF THE TOWN OF ASTATULA, FLORIDA, BY CHANGING THE FUTURE LAND USE CLASSIFICATION FOR THE PROPERTY LOCATED NORTH OF CR 48 AT**

**THE INTESECTION OF FAIR STREET AND MORNING GLORY WAY IN ASTATULA, FLORIDA, CONTAINING APPROXIMATLEY 98 ACRES, AND MORE PARTICULARLY DESCRIBED BELOW FROM LAKE COUNTY RURAL TO TOWN OF ASTATULA SINGLE FAMILY MEDIUM DENSITY RESIDENTIAL; 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 Mayor requested a motion to read by title only; motion made by Vice-Mayor Cross, seconded by Councilwoman Sikkema and unanimously approved. The Mayor read the title and said that this was first reading, and final reading would be when the comprehensive plan is sent back from the DEO. Mr Green went over his review which was the same as the annexation report with the following additions.

Adjacent Future Land Use Designation	
North	Lake County Rural
South	Lake County Rural / Town of Astatula Mobile Home Residential
East	Lake County Rural
West	Lake County Rural / Town of Astatula Mobile Home Residential

Service	Calculation	Anticipated Daily Demand Based on Maximum Density Allowed
<b>Traffic</b>		
Existing FLU	9.44 ADT x 18 DU= 169 Trips	169 Trips
Proposed FLU	9.44 ADT x 294 DU = 2,775 Trips	2,775 Trips
Difference		2,606 Trips
<b>Potable Water*</b>		
Existing FLU	125 Gallons per person per day = 18 DU x 2.79 people x 125 gallons = 6,277 GPO	6,277 GPO
Proposed FLU	125 Gallons per person per day = 294 DU x 2.79 people x 125 gallons = 102,532 GPO	102,532 GPO
Difference		96,255 GPO
<b>Sanitary Sewer **</b>		
Existing FLU	111 Gallons per person per day = 18 DU x 2.79 people x 111 gallons = 5,574 GPO	5,574 GPO
Proposed FLU	111 Gallons per person per day = 294 DU x 2.79 people x 111 gallons = 91,048 GPO	91,048 GPO
Difference		85,474 GPO
<b>Recreation / Open Space</b>		
Existing FLU	4 acres per 1,000 residents = 18 DU x 2.79 persons per residence 50 residents / 1000 = 0.5022 x 4 = 0.20 Acres	0.20 Acres
Proposed FLU	4 acres per 1,000 residents = 294 DU x 2.79 persons per residence 820 residents / 1000 = 0.82 x 4 = 3.28 Acres	3.28 Acres
Difference		3.08 Acres

<b>Solid Waste</b>		
Existing FLU	6.55 pounds per resident per day= 2.79 people x 18 DU x 6.55 = 328 pounds per day	328 PPD
Proposed FLU	6.55 pounds per resident per day= 2.79 people x 294 DU x 6.55 = 5,372 pounds per day	5,372 PPD
Difference		5,044 PPD
<b>Drainage Facilities</b>	Compliance with Chapter 40C-42, 40C-4 and 17-25, F.A.C.	

\*Comp Plan Standard = 125 Gallons / person / day

\*\* Comp Plan Standard = 111 Gallons / Acre / day

**School-Age Children**

Elementary School: 294 DU x 0.157 Student Generation Rate= 47 Students

Middle School: 294 DU x 0.079 Student Generation Rate= 24 Students

High School: 294 DU x 0.114 Student Generation Rate = 34 Students

Total: 105 Students

The Mayor opened public comment. There were a number of residents that made comments both for and against the project. Following discussion, he closed public comment and requested a motion.

**MOTION by Vice-Mayor Cross to approve Ordinance 2021-23 and transmit it to the State;  
SECONDED by Councilwoman Issartel.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 4-0**

**Due to the time, the Mayor called a recess at 8:38 pm for ten minutes. The meeting reconvened at 9:00 pm.**

**COMPREHENSIVE PLAN AMENDMENT EAR (EVALUATION AND APPRAISAL REPORT) AND PRIVATE PROPERTY RIGHTS ELEMENT.**

**ORDINANCE 2021-25**

**AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE TOWN'S COMPREHENSIVE PLAN PURSUANT TO CHAPTER 163.3187 FLORIDA STATUTES BY AMENDING AND UPDATING THE FUTURE LAND USE ELEMENT, ADDING A PRIVATE PROPERTY RIGHTS ELEMENT, REPEALING ALL ORDINANCES IN CONFLICT HERewith; AUTHORIZING THE TOWN CLERK TO AMEND SAID COMPREHENSIVE LAND USE PLAN; PROVIDING FOR CONDITIONS AND CONTINGENCIES; PROVIDING FOR PUBLICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR FOWARDING THIS ORDINANCE TO THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY PURSUANT TO CHAPTER 163 OF THE FLORIDA STATUTES.**

The Mayor requested a motion to read by title only; motion was made by Vice-Mayor Cross, seconded by Councilwoman Sikkema and unanimously approved. The Mayor read the title. Mayor opened public comment, there being none requested a motion to approve.

**MOTION by Vice-Mayor Cross to approve Ordinance 2021-25 and transmit it to the State; 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 a motion by Vice-Mayor Cross was made to extend the meeting by thirty minutes to 9:30 pm, seconded by Councilwoman Sikkema and unanimously approved.

**OLD BUSINESS**

**CONSIDERATION AND APPROVAL TO PURCHASE OF A NEW FLAGPOLE FOR TOWN HALL.**

**MOTION by Vice-Mayor Cross to approve the purchase and installation of the flagpole at a cost of \$2,715; SECONDED by Councilwoman Sikkema.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 4-0**

**REQUEST FOR SPECIAL EVENT PERMIT FOR SMALL FARMERS MARKET IN KIRKWOOD PARK.**

The Mayor brought the idea of having a farmer's market in Kirkwood Park at the November Council Meeting which Council decided against for various reasons. A resident has requested a Special Event Permit to set up a fruit and vegetable stall in January 2022 in Kirkwood Park. Although the Clerk is able to authorize the event, he felt that the decision to approve or deny the event should be made by the council.

Mr. James Bender went over his plans for the first market on January 8, 2022 in Kirkwood Park and his vision for how this may expand in the future. Mr. Cross brought up the safety issue and it was decided that no parking would be allowed on CR561 with signs directing traffic on Florida Avenue to the parking in Kirkwood Park. Councilwoman Sikkema said that the applicant would be responsible for trash and any vandalism.

**MOTION by Councilwoman Sikkema to approve the farmers market for January; SECONDED by Councilwoman Issartel**

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

**MOTION CARRIED 4-0**

The Clerk suggested that the applicant submit a plan for signage to the police chief ahead of the event.

**DISCUSSION AND APPROVAL OF THE SALE PROCEDURE FOR 13128 NEW YORK AVE.**

Vice-Mayor Cross made a recommendation that the property be put up for sale and the town accept bids with a minimum offer of \$125,000.00 until the beginning of February. He made the following motion.

**MOTION by Vice-Mayor Cross to place a for sale sign on the property and accept sealed bids to be brought to the board at the February Council meeting. The council would consider but did not have to accept any bid; SECONDED by Councilwoman Sikkema.**

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

**MOTION CARRIED 4-0**

**NEW BUSINESS**

**RESOLUTION 2021-30 AMENDING THE FEE SCHEDULE FOR BESPOKE WATER UTILITY HOOK-UP.**

The revised fee schedule adds an option for custom installations of water lines. Where an installation does not currently have a water main in front of the property to be hooked up to the system, a 10% charge will be added to the contractor price for a custom installation. A motion by Vice-Mayor Cross to read by title, seconded by Councilwoman Issartel and unanimously approved. The Mayor read the title and requested a motion.

**MOTION by Councilman Cross to approve Resolution 2021-30; SECONDED by Councilwoman Sikkema.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 4-0**

**RESOLUTION 2021-29 AMENDING THE RULES OF ORDER FOLLOWING COUNCIL DISCUSSION.**

This item was tabled to the next meeting.

**RECOMMENDATION TO PAY-OFF THE EXISTING LOAN OF \$100,000 TO UNITED SOUTHERN BANK.**

At a recent meeting with the Auditor, Zach Chalifour recommended that the town use General Funds to repay the remaining loan amount of \$100,000 saving the town approximately \$2,300.00 in interest.



The loan is currently being repaid in \$10,000 monthly installments from the infrastructure fund. If the loan is paid off, then the monthly Discretionary Surtax revenue will be used to repay the General fund by the end of the financial year.

**MOTION by Councilman Cross to pay off the loan to United Southern Bank; SECONDED by Councilwoman Sikkema.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 4-0**

**APPROVAL OF THE ACH ORIGATION AGREEMENT WITH UNITED SOUTHERN BANK, FOR DIRECT DEPOSIT OF PAYROLL.**

Intuit QuickBooks has suspended the Towns ability to send direct deposit payments for payroll. Payroll will continue to be calculated by QuickBooks; however future direct deposits will be made through United Southern Bank. This needed to be set up quickly and the Mayor has already signed the agreement which was reviewed by the attorney. The motion is to ratify the decisions previously taken.

**MOTION by Councilman Cross to approve the ACH Origination Agreement, to authorize the Mayor to sign the agreement, and to ratify all previous actions taken by Town Staff to carry out the activity under the ACH Origination Agreement; SECONDED by Councilwoman Issartel.**

**A Roll Call vote was taken.**

**Cross YES**

**Sikkema YES**

**Issartel YES**

**Mack YES**

**MOTION CARRIED 4-0**

**APPOINTMENT OF AN INTERIM PUBLIC WORKS DIRECTOR – COUNCILMAN CROSS.**

This item was tabled to the next meeting.

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

This item was tabled to the next meeting.

**BUDGET AND FINANCE REPORT REVIEW**

This item was tabled to the next meeting.

**COUNCIL DEPARTMENT & COMMITTEE REPORT**

**Finance - Councilman Cross** - Asked the clerk to order him some business cards and for the other council members. They decided to have their cellphone numbers on the cards.

**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 - NONE
- 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** - ABSENT

**Police Department - Chief Hoagland** - Thanked everyone who attended the Christmas light up. He added that the town would be 150 years old on May 14, 2022 and it was his intention to have a founders day.

**Town Clerk - Graham Wells** - NONE

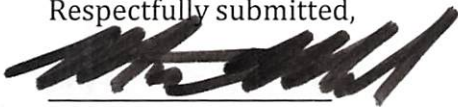
**COUNCIL MEMBER MISCELLANEOUS COMMENTS**

The Mayor updated council on a meeting that he and the clerk had with Fred Schneider from the Lake County about sidewalks, complete streets and the widening of CR561 through Astatula.

**ADJOURNMENT**

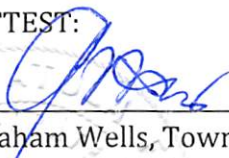
There being no further business the Mayor adjourned the meeting at 9:37pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk

