

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



**REGULAR SESSION
MONDAY FEBRUARY 14, 2022
COMMUNITY CENTER**

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

The Mayor announced that the application for the re-zoning for Sterling Meadows had been withdrawn from the agenda. The town had listened to the views of the citizens and staff had directed the developer to come back with a proposal for a Planned Unit Development which would enable the town to apply conditions to the development.

Roll Call was performed, and it was determined that a quorum was present. There were approximately twenty-eight citizens present from within and outside the city limits present.

APPOINTMENT AND SWEARING IN OF ZANE TEETERS TO THE TOWN COUNCIL

The Mayor introduced Mr. Teeters as his nominee to fill the position vacated by Councilwoman Kobera, to the council. He required a confirmation vote from the council for the appointment. Councilman Cross stated that he had an issue with the appointment as a result of what transpired at the from the February 1st workshop. Councilwoman Sikkema felt that due to his commitment to the community, his dedication to Astatula and his way of looking at things she could overlook the issue from the workshop.

MOTION by Mayor Mack to nominate Mr. Zane Teeters to the council.

A Roll Call vote was taken.

Cross	NO
Sikkema	YES
Issartel	YES
Mack	YES

MOTION CARRIED 3-1

The Mayor congratulated Mr. Teeters and welcomed him to the board. He was then sworn in by Graham Wells, Town Clerk. Several residents spoke of their support of Mr. Teeters appointment.

CITIZENS QUESTIONS AND COMMENT

Mr. Joel Sackleford said that he lived in the Meadows Subdivision and was glad that the Meadows enabled him to live in a nice town. He added that the growth in the town will enable other people to live in the community also.

AGENDA REVIEW

There were no changes to the agenda.

MEETING MINUTES

Approval of Minutes for January 10, 2022 Regular Council Meeting.

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

For: Sikkema, Mack, Cross, Issartel, Teeters

MOTION CARRIED 5-0

NEW BUSINESS

REVIEW AND DETERMINATION OF BIDS TO PURCHASE 13128 NEW YORK AVENUE.

The property at 13128 New York Avenue is owned by the Town of Astatula and has been advertised for sale. Sealed bids were required by 5:00 pm on Thursday February 3, 2022 and were opened at 12:30pm on Thursday February 7, 2022. The Town received two bids, the higher bid for \$131,589.99 from Mr Paul and Mrs. Miriam Gomes from 13131 New York Avenue. The second bid was received from John and Doris Weisenecker from 13042 New York Avenue for \$50,000.00.

MOTION by Vice-Mayor Cross to accept the bid for \$131,589.99 with a 60-day closing period, subject to financing and appraisal with the town's only cost of pro-rated property taxes; SECONDED by Councilwoman Sikkema.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

Teeters Yes

MOTION CARRIED 5-0

CONSIDERATION AND APPROVAL OF RESOLUTION 2022-03 FOR LOT SPLIT - AK# 3928985.

Green Consulting Group, Inc. (GCG) has conducted a review of the proposed Lot Split for the 1.56± Acre site (Alternate Key 3928985) lying South of Florida Avenue, West of Washington Street and East of Little Lake Harris in the Town of Astatula. The existing parcel is zoned R-1. The proposed Lot Split will divide Alternate Key 3928985 into two parcels. The submitted surveys dated 10/15/21 prepared by Ireland & Associates, Inc., signed by Florida Surveyor and Mapper #6637.

As the owner is a sitting council member, Orita Issartel would not enter into discussion on this item and would recuse herself from the vote.

Planner Green went over the details of the lot split. He said that the two lots met the requirements in the code of frontage of at least 100 feet, and a minimum lot size of 21,780 sq ft. Everything required had been submitted and had been unanimously recommended for approval by the Planning and Zoning Board at their meeting on January 27, 2022. Staff also recommend approval. If approved by council, a title opinion from the attorney would be required before the resolution is recorded.

There was no public comment or comment from the board. Vice-Mayor Cross made a motion to read by title only; seconded by Councilman Teeters. The Mayor read the title and requested a motion to approve.

MOTION by Vice-Mayor to approve Resolution 2022-03 approving the lot split; SECONDED by Councilwoman Sikkema

A Roll Call vote was taken.

Cross	YES
Sikkema	YES
Issartel	RECUSED
Mack	YES
Teeters	YES

MOTION CARRIED 4-0

FIRST READING OF ORDINANCE 2022-04 AMENDING CHAPTERS VI AND VII OF THE LAND DEVELOPMENT CODE.

ORDINANCE NO. 2022-04

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, FLORIDA, PERTAINING TO LAND DEVELOPMENT; AMENDING CHAPTER 6 OF THE TOWN'S LAND DEVELOPMENT REGULATIONS TITLED "SUBDIVISION REGULATIONS" REGULATING LOT SPLITS, LIMITING THE ABILITY TO SPLIT A LOT PREVIOUSLY SPLIT AFTER JANUARY 12, 2012 AND REVISING THE SUBMITTAL REQUIREMENTS FOR PRELIMINARY AND FINAL DEVELOPMENT PLANS AND PLATS; AMENDING CHAPTER 7 OF THE TOWN'S LAND DEVELOPMENT REGULATIONS TITLED "DESIGN STANDARDS" UPDATING REQUIREMENTS FOR WATER AND SANITARY SEWER SERVICE, REQUIRING AN IN-GROUND FIBER OPTIC NETWORK FOR DEVELOPMENT WITH A MAJOR SITE PLAN OR SUBDIVISION IMPROVEMENT PLAN, REVISING REQUIREMENTS CONCERNING PARKS AND RECREATION AREAS, AMENDING REQUIREMENTS FOR FENCES WITH BARBED WIRE, AND AMENDING FENCE HEIGHT REQUIREMENTS; PROVIDING FOR SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

This ordinance amends Chapter 6 of the town's Land Development Regulations titled "Subdivision Regulations" regulating lot splits, limiting the ability to split a lot previously split after January 12, 2012 and revising the submittal requirements for preliminary and final development plans and plats.

It also amends Chapter 7 of the town's Land Development Regulations titled "Design Standards" updating requirements for water and sanitary sewer service, requiring an in-ground fiber optic network for development with a major site plan or subdivision improvement plan.

Further amendments included revising the requirements concerning parks and recreation areas, amending requirements for fences with barbed wire, and amending fence heights. The ordinance was brought before the Planning and Zoning Board on January 27, 2022, who recommended unanimously for Council to approve.

Mr, Green went over the various sections that had been amended in the code, either specific changes or housekeeping type changes where errors have been noticed and are being corrected. A summary of the significant sections affected in Chapter VI and VII are as follows:

6.2 Minor Subdivision Approval

The number of lots for a minor site plan approval has been increased from three (3) lots or fewer to four (4) lots or fewer to bring it in line with the requirement for school concurrency.

6.3 Lot Split: no more than 2 lots.

Language has been added to prevent the splitting of a lot that has previously been split, so as not to circumvent the minor subdivision requirement. A date of January 12, 2012 was selected when the lot split was added to the code, whereafter a lot that has been split cannot be split again. There have been twelve lot splits since 2012.

Final Submittal for Town Planner review and Public Hearings:

The procedure for Final Submittal was set out in more detail.

6.5.2 , 6.6.2 and 6.7.2: Required Submittals for Preliminary Development Plan.

The number of plans to be submitted was reduced from fifteen (15) to five (5) with the addition of an electronic file.

7.6.1 Water Facilities:

The agency Florida Department of Health and Rehabilitative Services is replaced by the Department of Environmental protection. Lake County has been deleted.

7.6.2 Sanitary Sewer Facilities:

The agency Florida Department of Health and Rehabilitative Services is replaced by the Department of Environmental protection. Lake County has been deleted.

7.6.3 Fire Protection and Hydrant Requirements:

The lines to which hydrants are connected has changed from six (6) to eight (8) inches in diameter.

7.6.4 Fiber Optic:

A new section has been added that requires in-ground fiber optic network conduit to be installed for Major Site Plans and New Development and where waterline extensions are installed for new development.

7.7 Parks and Recreation:

The park requirement has been amended due to new impact fee collection:

7.9 Fence Requirements:

Amendments have been included to clarify fence height, location and materials, along with the addition of walls and the use of barbed wire in the commercial district.

7.11.3 Levels of Service:

Park Acreage Level of Service has been amended to Six (6) acres per one thousand (1,000) residents on a Town wide calculation instead of on an individual site calculation.

Vice-Mayor Cross made a motion to read by title only; seconded by Councilwoman Issartel. The Mayor read the title and opened public comment. There was some public comment regarding installing electric service underground and a question regarding any existing fiber in the town. He closed public comment and asked for a motion.

MOTION by Vice-Mayor Cross to approve Ordinance 2022-04 and send to second reading; SECONDED by Councilwoman Issartel

A Roll Call vote was taken.

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

MOTION CARRIED 5-0

RESOLUTION 2022-05 RECOGNIZING THE FLORIDA ASSOCIATION OF CITY CLERKS 50TH ANNIVERSARY.

RESOLUTION 2022-05

A RESOLUTION BY THE TOWN OF ASTATULA RECOGNIZING THE 50TH ANNIVERSARY OF THE FLORIDA ASSOCIATION OF CITY CLERKS (FACC) AND HONORING THIS ACHIEVEMENT.

The Florida Association of City Clerks (FACC) is the professional membership organization for Florida’s municipal clerks and others who work within the clerk’s office. It began in 1972 when its founder, the late Robert N. Clark, CMC, City Clerk of Sunrise, saw the need for an organization to bring together like-minded people to unite the voice of all municipal clerks, to share ideas and to assist one another in the work of municipal government.

The FACC celebrates its 50th anniversary in 2022, and a golden anniversary is a momentous occasion worthy of commendation and Florida’s cities, towns and villages will all join in observation of this celebratory event.

Vice-Mayor Cross made a motion to read by title only; seconded by Councilman Teeters. The Mayor read the title and asked for a motion approve.

MOTION by Vice-Mayor Cross to adopt Resolution 2022-05; SECONDED by Councilman Teeters.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

Teeters YES

MOTION CARRIED 5-0

RESOLUTION 2022-06 - ACTION ON THE SECO ELECTRIC FRANCHISE AGREEMENT.

RESOLUTION 2022-06

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, APPROVING AN AMENDMENT TO THE ELECTRIC FRANCHISE AGREEMENT BETWEEN THE TOWN OF ASTATULA AND SUMTER ELECTRIC COOPERATIVE, INC. TO INCREASE THE FRANCHISE FEE FROM 4% TO 6%; AUTHORIZING THE MAYOR AND TOWN CLERK TO TAKE ALL ACTIONS NECESSARY TO IMPLEMENT THE INCREASED FRANCHISE FEE; PROVIDING AN EFFECTIVE DATE.

On November 14, 2016, the Town of Astatula and Sumter Electric Cooperative, Inc. ("SECO") entered into an Electric Franchise Agreement under which the Town receives a 4% franchise fee. The electric franchise fee for Lake County cities is 6%.

Section 7 of the Electric Franchise Agreement contains a "Favored Nations" clause which allows the Town to amend the Electric Franchise Agreement to require SECO to pay to the Town a 6% franchise fee. Astatula is the only municipality in SECO's service territory that is at 4%. The following cities and towns are at 6%, ten of which are in Lake County.

Bellevue, Bushnell, Center Hill, Clermont, Eustis, Inverness, Lady Lake, Leesburg, Mascotte, Minneola, Montverde, Mt Dora, Ocala, Rainbow Lakes, Tavares, Umatilla, Webster, and Wildwood.

The Mayor asked for comments from the board. Councilman Teeters asked if the additional cost would be passed onto the residents, The Mayor replied that it would. Councilman Teeters asked if there were any plans for this additional revenue. Vice-Mayor Cross said that it would go into the general fund to defray the cost of running the town. The Mayor said that he did not see a need to raise the rate right now as the town was not hurting for money.

Councilwoman Sikkema disagreed stating that the cost of everything was rising rapidly and the raises in salaries alone would require additional funding. She added that the increase amounted to roughly two dollars per household and when you add them all together, there is a lot of things that the town could use that money for.

A resident said that if the money was collected from all the residents, it should be used for the benefit of all the residents and not just put into the general fund. There being no further comment, the Mayor asked for a motion to approve.

MOTION by Vice-Mayor Cross to approve Resolution 2022-06; SECONDED by Councilwoman Sikkema.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack NO

Teeters NO

MOTION CARRIED 3-2

CONSIDERATION AND APPROVAL OF THE ENGINEERING PROPOSAL FROM SALTUS ENGINEERING.

The Town of Astatula owns and operates a water treatment plant (WTP) that serves the community. The town wants to modify the Florida Department of Environmental Protection (FDEP) permit for the addition of facilities at the WTP and install a 250,000-gallon ground storage tank and high service pumping station with a Design-Bid-Build method. The proposal is to provide services to permit, design, and provide bidding and construction phase services for the project.

The scope of work in the proposal is required for the town to have a shovel-ready project when applying for CDBG grant or SRF Funding. This is Phase 2 of the water system upgrade and expansion with the Florida Rural Water Association and Saltus Engineering.

If approved the \$53,000.00 will be funded from the American Recovery Act funds given to the town to expand certain infrastructure projects. The Mayor asked for motion to approve.

MOTION by Vice-Mayor Cross to approve the proposal for engineering services from Saltus Engineering to install a 250,000-gallon ground storage tank and high service pumping station at the water treatment plant at a cost not to exceed \$53,000.00; SECONDED by Councilwoman Issartel.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

Teeters YES

MOTION CARRIED 5-0

CONSIDERATION AND APPROVAL ON THE FURNISHINGS FOR THE COMMUNITY CENTER – COUNCILWOMAN SIKKEMA

The Mayor said that he wanted to give authority to Councilwoman Sikkema to go ahead and purchase furniture for the lobby of the community center as it was provided for in the budget. She responded that it was not just furniture but the addition of wainscoting to make it look really good. She asked if anyone had a contact for a tradesman to install it.

She also had been in contact with the Lake County Historical Association who were going to provide some pictures for the wall. She also wanted to put a map on the wall as well. The Mayor asked her to get bids to complete the work. She added that to pay for the frames for the pictures, a resident could sponsor the picture and cover the cost.

OLD BUSINESS

APPROVAL OF RESOLUTION 2021-29 AMENDING THE RULES OF ORDER.

RESOLUTION 2021-29

A RESOLUTION OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING THE RULES OF ORDER FOR TOWN COUNCIL MEETINGS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

At the November Council meeting it was discussed that the starting time for the regular Council meeting be brought forward to the earlier time of 6:30 pm. While making this change to the rules of order, council was asked to review any other sections that they would like to change.

This has been discussed exhaustively at three workshops along with input from the Towns attorney. The final draft is for approval. Vice-Mayor Cross made a motion to read by title only; seconded by Councilwoman Issartel. The Mayor read the title and asked for a motion approve.

MOTION by Vice-Mayor Cross to approve Resolution 2021-29; SECONDED by Councilwoman Issartel.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Mack YES

Teeters YES

MOTION CARRIED 5-0

ADOPTION OF THE CALENDAR FOR COUNCIL MEETING DATES AND TIME.

MOTION by Councilwoman Sikkema to set the calendar for regular council meetings to be on the second Monday of each month at 6:30 pm; SECONDED by Councilman Cross

For: Sikkema, Mack, Cross, Issartel, Teeters

MOTION CARRIED 5-0

It was requested that the new time be posted on the sign and hold the time for each frame a little longer to help people read it as they are driving. The Mayor said that he would check the calendar for conflicting holiday dates and move the meeting to the following day if there were.

BUDGET AND FINANCE REPORT REVIEW

The Clerk asked if there were any questions on the final report for December. There were none. He explained that at the time of the meeting, the town had not received any Ad Valorem Taxes or Solid Waste assessments for January. 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 said that the budget was based on the 95% of the revenue that the Property Appraiser says that we will get, in consideration of the discounts applied for early payment of people’s property taxes. Overall, the town normally receives more than is budgeted for in total. Communication Services Tax is \$830 under budget which will be fixed when the increase from 4.4% to 5.22% kicks in in May. The rentals on the community center are \$879 below budget, all other revenues are either on or above budget.

On the expense side, Legal fees are \$9,564 over budget as is comprehensive planning, \$4,729 although revenue for the same is \$4,325 so it is almost a wash. Law enforcement is \$3,432 which is almost all as a result of the increased cost of fuel. Physical Environment is \$1,352 over, due to the fiber grant advert. Finally, Parks & Recreation is \$3,539 over of which \$3,500 is the increased cost of the fence in the park.

In the Transportation Fund, revenue is \$2,226 over budget, and expenses are over budget for \$5,863 for tree trimming and \$5,231 for paving. In the Infrastructure Fund, a loan from the general fund allowed the repayment of the \$130,000 loan from the bank for the new community center which saves several thousand dollars in interest charges. Revenue from Discretionary Surtax has allowed \$60,000 to be repaid to the GF leaving a balance of \$70,000.

Mr. Wells said that he would give an in-depth report on the Enterprise Fund at the next meeting. The town was looking to send out postcards in the next few weeks, inviting people who have a main in front of their home to hook up to the water system. The delay in the new developments being completed and the delay in the County Materials project has resulted in the revenues being less than were forecasted.

The Bank balances on January 31, 2022 are shown below.

January Bank Balances:

General Fund:	527,591.19
Impact Fees:	51,205.25
Transportation Fund:	53,098.73
Infrastructure Fund:	1,189.49
Enterprise Fund:	2,039.27
Cash Drawer:	150.00

COUNCIL DEPARTMENT & COMMITTEE LIAISON REPORT

Finance – Councilman Cross – NONE

Public Works – Mayor Mack – Talked about the asset management plan that was taking place through the FRWA. He gave an update on the passing of Coral Collier.

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 – NONE

Police Department – Chief Hoagland – Reported on a grant for \$150,000 that he was applying for that could be used to replace police vehicles, laptops, and a new server. He gave an update on code enforcement activity and the foreclosure of the property behind the PD. He announced that Founders Day is to be on May 14th. 150 years of Astatula.

Town Clerk – Graham Wells – NONE

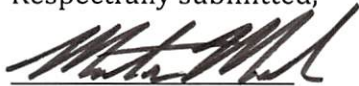
Public Works – Wally Hoagland – He complimented Brad Whaley, the new Public Works employee on the improved state of the town.

COUNCIL MEMBER MISCELLANEOUS COMMENTS – The Mayor said that the addition of Councilman Teeters to a liaison position would be discussed at the next meeting.

ADJOURNMENT

There being no further business the Mayor adjourned the meeting at 8:47pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk

