

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



**SPECIAL SESSION
TUESDAY MAY 31, 2022
TOWN HALL**

Having been duly advertised as required by law, Mayor Mack called the Special Session meeting to order at 6.33pm. He gave the invocation and led the Pledge of Allegiance.

Members Present:

Mitchell Mack, Mayor
Stephen Cross, Vice-Mayor
Gayle Sikkema

Absent:

Orita Issartel
Zane Teeters

Staff Present:

Graham Wells, Town Clerk
David Fox, Fred Fox Enterprises
Tim Green, Town Planner

Roll Call was performed, and it was determined that a quorum was present. The Mayor welcomed Tim Green, David Fox and Skip McCall. Members of the Citizens Advisory Task Force were also present.

CITIZENS QUESTIONS AND COMMENT

There was no citizens questions or comments.

AGENDA REVIEW

Item 1 of new business; the discussion and approval of CPI rate increase for Solid Waste Disposal for GFL Environmental would be tabled to the June 13, 2022 regular council meeting. The motion was made by Councilwoman Sikkema, Seconded by Vice-Mayor Cross and unanimously approved.

PUBLIC HEARING

FINAL READING OF ORDINANCE 2022-11

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 EAST OF CR 561 AND SOUTH OF BATES LANE IN ASTATULA, FLORIDA, CONTAINING APPROXIMATELY 27 ACRES, AND MORE PARTICULARLY DESCRIBED BELOW FROM TOWN OF ASTATULA AGRICULTURE TO TOWN OF ASTATULA INDUSTRIAL; 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.

Green Consulting Group, Inc. (GCG) has conducted a Small-Scale Comprehensive Plan amendment review on the subject property. The property is 27+/- acres and is located east of CR 561 and south of Bates Lane. The comprehensive plan amendment request is to change Future Land Use on the property from Agriculture to Industrial in the Town of Astatula.

The ordinance was brought before the Planning and Zoning Board on April 28, 2022 who recommended unanimously for Council to approve. Public hearing notice for the ordinance was advertised on May 2, 2022 and May 19, 2022.

Mr. Green gave a brief overview of the request and stated that there were no changes from the first public hearing. The Mayor opened public comment, their being none, he closed public comment. Councilwoman Sikkema made a motion to read by title only, seconded by Vice-Mayor Cross and unanimously carried. The Mayor read the title and requested a motion to adopt the ordinance.

MOTION by Vice-Mayor Cross to adopt Ordinance 2022-11; SECONDED by Councilwoman Sikkema.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Mack YES

MOTION CARRIED 3-0

REZONING THE EXISTING AGRICULTURE ZONING TO HEAVY INDUSTRIAL (I-2) FOR THE PROPERTY LOCATED EAST OF CR 561 AND SOUTH OF BATES LANE (MACK CONCRETE) IN ASTATULA.

FINAL READING OF ORDINANCE 2022-12

AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF ASTATULA, FLORIDA, BY AMENDING THE EXISTING AGRICULTURE ZONING TO HEAVY INDUSTRIAL (I-2) FOR THE PROPERTY LOCATED EAST OF CR 561 AND SOUTH OF BATES LANE IN ASTATULA, FLORIDA CONSISTING OF APPROXIMATELY 27 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; 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.

Green Consulting Group, Inc. (GCG) has conducted the Rezoning review for the proposed TOA Astatula, LLC (Mack Concrete) project. The property is approximately 27+/- acres and is zoned Agriculture. The project is located east of CR 561 and south of Bates Lane.

The ordinance was brought before the Planning and Zoning Board on April 28, 2022 who recommended unanimously for Council to approve. The ordinance was advertised on May 19, 2022.

The Mayor opened public comment, there being none, he closed public comment. Councilwoman Sikkema made a motion to read by title only, seconded by Vice-Mayor Cross and unanimously carried. The Mayor read the title and requested a motion to adopt the ordinance.

MOTION by Vice-Mayor Cross to adopt Ordinance 2022-12; SECONDED by Councilwoman Sikkema.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Mack YES

MOTION CARRIED 3-0

FIRST PUBLIC HEARING FOR 2021-2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) APPLICATION

David Fox from Fred Fox Enterprises introduced himself and the project and then went over his PowerPoint presentation and the four CDBG categories that could be applied for.

1. Housing Rehabilitation - Rehab/replacement of owner occupied Low to Moderate Income (LMI) homes.

2. Commercial Revitalization - Streetscape, Sidewalks, Pedestrian Malls, Building Façade work, etc. to the Downtown Commercial Area. Town/Service Area needs to be a minimum of 51% LMI.

3. Neighborhood Revitalization- Infrastructure items in residential LMI areas. Examples - water line repair/replacement, sewer line repair/replacement, water system improvements, sewer system improvements, paving, drainage, community center, etc. Beneficiaries must be at minimum 51% LMI for Application Threshold.

4. Economic Development - Provide infrastructure on Town easement/property to facilitate a new business coming into the Town or the expansion of an existing business. Business must create new long-term jobs and be included as the developer in the application. The maximum that may be applied for in this category is \$ 1,500,000.00. One full time equivalent new job must be created for each \$34,999.99 being requested.

He then went over the FY 2022 Income Limits Summary, Addition Leverage Points in the application and the steps required in the CDBG application process.

- 1.) Appoint a Citizens Advisory Task Force (CATF).
- 2.) Advertise and hold a CATF meeting to discuss possible projects.
- 3.) Advertise and hold a 1st Public Hearing. Obtain public comment and direction by Commission to move forward on determining a project.
- 4.) Advertise and hold a Fair Housing Workshop.
- 5.) Advertise and hold a 2nd Public Hearing to finalize the application.

FAIR HOUSING WORKSHOP

Mr. Fox passed out the agenda for the workshop showing the items below and went over his PowerPoint presentation.

1. Sign in of persons in attendance
2. Pass out Fair Housing Workshop packages
3. Discussion of the Fair Housing Ordinance in place for the Town of Astatula
4. Question and Answer session
5. Conclusion of Workshop

Fair Housing is an Equal Opportunity for All.

Fair Housing Act: What Does it Do?

42 U.S.C. Prohibits discrimination in housing-related transactions, including the sale, rental, or financing of dwellings. Discrimination includes refusing to rent to someone, steering someone away to a particular type of housing or neighborhood, enacting zoning measures to exclude particular groups etc., because of membership in a protected class.

Protected Classes:

Race, Color, Religion, National Origin, Sex, Familial status (including children under the age of 18 living with parents or legal custodians, pregnant women and people securing custody of children under 18) and Disability.

What is Prohibited?

No one may take any of the following actions based on race, color, religion, sex, disability, familial status, or national origin:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Set different terms, conditions or privileges for sale or rental of a dwelling
- Falsely deny that housing is available for inspection, sale or rental
- For profit, persuade, or try to persuade homeowners to sell or rent dwellings by suggesting that people of a particular race, age, sex, etc. have moved, or are about to move into the neighborhood or
- Deny any person access to, membership or participation in, any organization, facility or service related to the sale or rental of dwellings

Housing Protection for Families with Children:

It is unlawful to discriminate against a person whose household includes one or more children who are under 18 years of age "Familial Status" in which one or minor children live with a parent or legal custodian.

What Housing is Exempt?

- The Federal Fair Housing Act exempts owner-occupied buildings with no more than four units and single-family housing sold or rented without the use of a broker.
- Senior Housing Exemption- exempts some senior housing facilities and communities from liability for familial status discrimination.
- Provided under any State or Federal program that HUD has determined to be specifically designed and operated to assist elderly persons, or
- Intended for, and solely occupied by persons 55 or 62 years of age or older.

Mr. Fox provided the addresses to contact if an individual thinks that their rights have been violated, what information they would be required to provide and what happens when they file a complaint. At the conclusion of the presentation, the Mayor opened the floor to the public for any questions. There were none and the mayor closed the fair housing workshop.

DISCUSSION AND APPROVAL OF CPI RATE INCREASE FOR SOLID WASTE DISPOSAL FOR GFL ENVIRONMENTAL PER THEIR CONTRACT.

The contract with GFL provides for an annual rate adjustment in line with 70% of the CPI for the solid waste for residential customers. The proposed rate increase is \$0.89 per household per month. An increase has not been imposed since 2019. If approved, a resolution will be voted on to have the new assessment increase put onto the tax roll. The new annual charge will go into effect on October 1, 2022.

This item was discussed but no action was taken. It was tabled to the June 13, 2022 Regular Council Meeting.

DISCUSSION AND APPROVAL OF REQUEST FOR A MORATORIUM ON FRANCHISE FEE PAYMENTS FROM GFL ENVIRONMENTAL.

At the May regular council meeting, Skip McCall from GFL requested a temporary 10% increase in the solid waste payment to help cover the increased cost of labor and fuel. The regular CPI increase would take effect if approved in October and their request is a stop gap until that time. In a letter from them, they have modified their request to a moratorium on paying franchise fees (\$1,540) per month for 4½ months instead which equated to the same sum. This would be administratively easier to deal with and would be able to be for a specific time certain.

Following the presentation by Skip McCall from GFL and discussion by the board and the public, Vice-Mayor Cross made the following motion.

MOTION by Vice-Mayor Cross to approve the moratorium on Franchise Fee Payments in the total amount of \$6,930.00; SECONDED by Councilwoman Sikkema.

A Roll Call vote was taken.

Cross YES

Sikkema YES

Mack YES

MOTION CARRIED 3-0

ADJOURNMENT

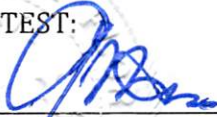
There being no further business the Mayor adjourned the meeting at 7:35pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk

