

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



**REGULAR SESSION  
TUESDAY FEBRUARY 21, 2023  
TOWN HALL**

Having been duly advertised as required by law, Vice-Mayor Cross called the Regular Session meeting to order at 6:32pm. He led the Pledge of Allegiance and Councilwoman Sikkema gave the invocation. This was the rescheduled meeting from February 14, 2023.

**Members Present:**

Stephen Cross, Vice-Mayor  
Gayle Sikkema  
Orita Issartel  
Zane Teeters  
Absent:  
Mitchell Mack, Mayor

**Staff Present:**

Graham Wells, Town Clerk  
Suzi Waters, Office Admin  
Wally Hoagland, Police Chief

Roll Call was performed, confirmation of the meeting notification was acknowledged, and it was determined that a quorum was present. The Vice-Mayor welcomed Planner Tim Green.

**CITIZENS QUESTIONS AND COMMENT**

Vice-Mayor Cross asked who was there to speak on the Tula Parc Subdivision. As most present were there to speak about the subdivision, Mr. Cross read the information below prepared for him by Clerk Wells.

- The original R-3 zoning for Tula Parc allowed for 419 mobile homes.
- A request for 172 town homes just in Phase 1 and 54 SFH in Phase 2 was rejected.
- The PUD was approved for 181 block Single Family Homes.
- There will only be 176 Single Family Homes.
- Residents asked to remove the 5 canal lots – the developer agreed.
- Residents asked to remove dog park – the developer agreed.
- Extensive buffers all around the property were put into the plan.
- 535 trees will be replanted to replace those bulldozed along with shrubs and hedges.
- Residents asked that there not be a boat ramp – the developer agreed.
- There will be no external driveways. All driveways will be internal to the subdivision.
- Developer spent over \$100,000 on relocating turtles.

He added the requirements for the drainage which is controlled by St. Johns Water Management District so that run-off does not go directly into the lake. He also went over the bulldozing and burning of the trees and the way that they would be burnt which is controlled by the Wildlife Commission. The addition of the furnace blowers allows the fire to burn hotter with less smoke. He emphasized that in all actions, the developer was following the rules.

David Quiros - 25928 Dogwood Lane question about burning trees the tree as opposed to taking them to either of the two mulch manufacturing plants was answered by Councilman Teeters. He also spoke about the towns lack of a noise ordinance which was answered by Vice-Mayor Cross and Planner Green who was asked to revisit a future noise ordinance.

Carol Rinehart spoke of her opposition to development in general and the issue that more houses and people would lead to an increase in crime. She also spoke about the number of potholes in the roads and speeding motorists.

Judy Colantuono – 13415 Orange Blossom St. asked about the future plan for growth in the town, the accessibility into Tula Parc and the buffers around the perimeter of the subdivision which Vice-Mayor Cross responded to.

Cyn Gunnelson – 26020 Zinnia Lane asked about the distance of the houses from Pennsylvania Ave., and the stormwater pond which was not on the original plan. Clerk Wells responded that the changes to the stormwater were required by St. Johns and that the 25 foot buffer between the canal on Zinnia Lane and the new stormwater pond will remain. He added that a road was removed from the plan and the houses will now back onto Pennsylvania.

Jeff Suggs – 13125 Tennessee Ave. said that a small builder in the town had got so comfortable that he had told someone that someone in this room (town hall) was in his back pocket. He claimed that he could push through anything for this man because he was in his back pocket. He suggested that he should tone it down a little bit. David Quiros added that the town would not want the ethics commission coming in and investigating the town.

## **AGENDA REVIEW**

Item 10 was requested by Vice-Mayor to be moved to after item 4 so that Tim Green could participate in the conversation.

## **MEETING MINUTES**

Approval of Minutes for January 10, 2023 Regular Council Meeting.

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

**For: Sikkema, Issartel, Teeters, Cross**

**MOTION CARRIED 4-0**

## **STAFF REPORTS**

***Town Attorney – Heather Ramos – Absent***

***Police Department – Chief Hoagland*** – gave an update on code enforcement and said that Ofc. Calhoun was not able to make the meeting. He gave an update on the foreclosure on Florida Avenue, the hearing date was set for April 4<sup>th</sup>, 2023. He gave an update on the sidewalk issue which is going to a special magistrates hearing.

He announced the towns plan for a presentation for living with bears scheduled for February 28<sup>th</sup> at 7:00 pm at the community center. He said that his officers would be making calls on residents who needed to be checked in on. He stated that he was applying for a second residual grant for \$150,000.00 and felt that there was a good shot at getting it.

He gave an update on the legal situation on the Ford Explorer warranty issue and that he had had a meeting with Heather, the town's attorney. Gray Robinson would be handling the issue going forward. The issue with the side of the road by the gas station on Georgia Ave. was discussed and the options and costs were put forward. Vice-Mayor Cross suggested putting up no parking signs and reflective posts.

**Town Clerk - Graham Wells - NONE**

**Public Works - Wally Hoagland -** said that the Public Works employee was doing a good job.

## **NEW BUSINESS**

### **FIRST READING OF ORDINANCE 2023-03 AMENDING ORDINANCE 2022-07 EXTENDING THE DEADLINE FOR COUNCIL TO APPROVE THE PRELIMINARY DEVELOPMENT PLAN TO MAY 9, 2024 AND ADDING A NEW REQUIREMENT FOR THE STERLING MEADOWS PUD.**

On May 9, 2022, Council approved Ordinance 2022-07, rezoning approximately 98 acres of property located north of CR 48 at the intersection of Fair Street and Morning Glory Way (the "Property") from Lake County Agriculture to Town of Astatula PUD, known as the Sterling Meadows PUD and providing requirements and restrictions for Sterling Meadows PUD.

Ordinance 2022-07 provides that the Property will revert to the original zoning classifications of Lake County Agriculture if a Preliminary Development Plan for Sterling Meadows is not approved by the Town Council on or before May 9, 2023. The Property owner, OPP Ventures LLC, submitted a letter to the Town requesting an extension to the deadline to submit the Preliminary Development Plan to May 9, 2024.

Clerk Wells explained that there was an opportunity to add new conditions to the PUD. Planner Green had suggested that vehicular access to the Single Family lots shall be designed in a manner that will accommodate an access slope that will eliminate the need for driveways with culverts. This had been added to the ordinance.

Councilman Teeters asked the planner what the pros and cons were for approving or not approving the extension. Mr. Green replied that the developer could reapply requesting a different zoning category and that this PUD was a negotiated plan where they gave concessions to have it approved.

Clerk Wells explained that they were limited to 157 lots in the PUD against 234 lot for straight R-2 zoning and duplexes were prohibited. They were also required to put in a turn lane on CR48 and a boulevard entrance with two egress lanes. Mr. Green said that the future land use was medium density and that they could come back and ask for more homes than has been approved.

Clerk Wells emphasized that staff and council had spent a great deal of time with meetings and public hearings to come out with an agreement which is extremely good for the town. All the developer is requesting is an extension of time to be able to contract with a builder to develop the property.

Vice-Mayor Cross asked for comments from the residents. Mr. Paul Netwall said that he would be happy if nothing happened at all, and it reverted back to the county. Clerk Wells reiterated that what is proposed for extension is what the same council approved a year ago and there is no reason not to approve it.

Vice-Mayor Cross asked for a motion to read by title. The motion was made by Councilwoman Sikkema and seconded by Councilwoman Issartel. He then read the title and asked for a motion to approve or disapprove the ordinance.

**MOTION by Councilwoman Sikkema to approve Ordinance 2023-03 and send to second reading; SECONDED by Councilwoman Issartel**

**A roll call vote was taken.**

**Cross YES**

**Sikkema YES**

**Teeters NO**

**Issartel YES**

**MOTION CARRIED 3-1**

**DISCUSSION AND APPROVAL OF RESOLUTION 2023-01, GRANTING A LOT-SPLIT ON MADISON AVE. AK #3514513.**

Green Consulting Group, Inc. (GCG) has conducted a review of the proposed Lot Split for the 0.506 Acre site (Alternate Key 3514513) Site lying South of Tennessee Avenue and East of Madison Street in the Town of Astatula. The existing parcel is zoned R-2. The proposed Lot Split will divide Alternate Key 3514513 into two parcels. The submitted survey is dated 1/6/23 prepared by Steven Galassi, Florida Surveyor and Mapper #4904.

Mr. Green went over his review and said that there were no outstanding issues. If approved, an opinion of title would be required and recording at the county.

Karen Smith asked if there was a way to slow down the growth of new subdivisions so that some are built out before others are approved. She also asked if permits to build could be withheld to spread the expansion of the town more slowly. Ms. Smith asked what the purpose of the Planning and Zoning Board was if the town is going to approve it anyway and said that she would vote against something if she felt that it was not right.

Mr. Green responded that the only job of the Board is to ascertain whether the application conforms to the land development code or not. The decision is not based on an individual's personal preference. If the application conforms, then their decision must be to recommend approval to Council. He added that the owner of the property has rights to develop their land if it is allowed by the code. Rezoning and variances are different as you are making a judgement as to whether it suits the character of the town and that it does not adversely affect someone else by the decision being taken.

Vice-Mayor Cross asked for a motion to read by title. The motion was made by Councilman Teeters and seconded by Councilwoman Issartel. He then read the title and asked for a motion to approve or disapprove the resolution.

**MOTION by Councilwoman Sikkema to approve Resolution 2023-01; SECONDED by Councilman Teeters**

**A roll call vote was taken.**

**Cross YES  
Sikkema YES  
Teeters YES  
Issartel YES**

**MOTION CARRIED 4-0**

**DISCUSSION AND APPROVAL OF RESOLUTION 2023-02, GRANTING A LOT-SPLIT ON DELAWARE AVE. AK #1787122.**

Green Consulting Group, Inc. (GCG) has conducted a review of the proposed Lot Split for the 0.74 Acre site (Alternate Key 1787122) lying North of Delaware Avenue and 100'+/- East of Madison Street in the Town of Astatula. The existing parcel is zoned R-2. The proposed Lot Split will divide Alternate Key 1787122 into two parcels. The submitted survey is dated 12/20/22 prepared by Ireland & Associates Surveying, Inc., Florida Surveyor and Mapper #LB7623.

Mr. Green went over his review and said that there were no outstanding issues. If approved, an opinion of title would be required and recording at the county.

Vice-Mayor Cross asked for a motion to read by title. The motion was made by Councilman Teeters and seconded by Councilwoman Sikkema. He then read the title and asked for a motion to approve or disapprove the resolution.

**MOTION by Councilwoman Sikkema to approve Resolution 2023-02; SECONDED by Councilwoman Issartel**

**A roll call vote was taken.**

**Cross YES  
Sikkema YES  
Teeters YES  
Issartel YES**

**MOTION CARRIED 4-0**

**INITIAL DISCUSSION ON THE PROPOSED JOINT PLANNING AREA (JPA) AGREEMENT WITH LAKE COUNTY.**

Vice-Mayor Cross asked Mr. Green if the agreement was good or bad for the Town. Mr Green gave an overview of the the positives and negatives in the agreement. Some of the purposes and highlights in the agreement are shown below.

- A. Identify the geographic areas anticipated for annexation.
- B. Identify the future land uses that the town would seek to establish in the newly annexed areas.

- C. Identify the necessary public facilities and services to serve new growth.
- D. Identify funding sources to provide infrastructure.
- E. Identify the natural resources, including surface water and groundwater resources that must be protected.

It is the intent that the comprehensive plans of both entities will ensure that the lands in the joint planning area, if developed, will be designed consistent with the development with the town and developed in a manner that will ensure efficient provision of public infrastructure and services. The comprehensive plan and land development amendments contemplated in the agreement will cover growth management issues and may include the following topics:

- A. Timing of urban growth.
- B. Density of urban areas.
- C. Limiting private utility providers to areas outside of the joint planning area.
- D. Environmental resource management.
- E. Innovative and flexible planning such as mixed use, clustering, and open space preservation.
- F. Transportation planning.

Following some discussion Mr. Green was asked to bring a recommendation to Council on what should be included in the agreement and what should be taken out that is not in the best interest of the town.

**DISCUSSION ON THE RAMIFICATIONS OF IMPLEMENTING CHAPTER 7.6.4 AND 7.6.5 OF THE LAND DEVELOPMENT CODE REQUIRING THE ADDITION OF FIBER OPTIC CONDUIT WHEN INSTALLING NEW WATER LINES.**

Vice-Mayor Cross asked Mr. Green for his interpretation on the ordinance. Mr. Cross stated that the way the ordinance was written was that if the ground was opened to install a water main, then conduit for fiber has to be installed. Mr. Green said that County Materials new water main was a town project, and the burden of the cost to add fiber conduit, would fall to the town. He added that they were not required to use the towns water supply and Mr. Cross accepted that they would not be required to put in the fiber conduit.

Clerk Wells said that the approval of Tula Parc subdivision was done prior to the ordinance being adopted so they would not be required to install the conduit. He also said that there are instances where enforcing the ordinance, such as the proposed development at the end of Tennessee Avenue does not make sense and actually could benefit the town if it is not enforced.

He added that there are ramifications that were not foreseen when the ordinance was drafted and suggested that it should be reviewed to make sure that it serves the best interest of the town. Councilman Teeters suggested that a moratorium should be put in place until this is thought out. Vice-Mayor Cross asked Mr. Green to bring a recommendation forward for future discussion.

**RESOLUTION 2023-04 AMENDING THE 2022-23 INFRASTRUCTURE FUND BUDGET.**

**A RESOLUTION OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AUTHORIZING BUDGET AMENDMENTS FOR THE TOWN OF ASTATULA FOR FISCAL YEAR 2022-2023.**

Clerk Wells said that the council had previously approved the replacement of the body cameras for the police department, however there was no amount in the budget to cover them. This resolution amended the budget using the carry forward figure.

Infrastructure Fund:			
800.000	Carry Forward to Future Years	Decrease	\$35,874.00
521.640	Capital Outlay – Infrastructure (Purchase of New Body Cameras)	Increase Expenditures	\$35,874.00

Councilman Teeters made a motion to read by title, seconded by Councilwoman Sikkema. He then read the title and asked for a motion to approve or disapprove the ordinance.

**MOTION by Councilwoman Sikkema to approve Resolution 2023-04 amending the budget for the Infrastructure Fund; SECONDED by Councilman Teeters**

**A roll call vote was taken.**

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

**MOTION CARRIED 4-0**

**DISCUSSION AND APPROVAL OF THE AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL (PERMITTING) SERVICES WITH M.T. CAUSLEY, LLC.**

Clerk Wells said that M. T. Causley (SafeBuilt) have been providing plan review and inspection services to the town since March 2020. Their agreement with the town allows for an increase in their fees in line with the consumer price index, capped at four percent.

They have not requested an increase since 2020 and are now requesting a four percent increase taking their hourly rate from \$105.00 to \$109.00. Their services have been excellent, and staff recommend that council approve the increase.

**MOTION by Councilman Teeters to approve the amendment to the agreement for professional (permitting) services with M.T. Causley, LLC; SECONDED by Councilwoman Issartel**

**A roll call vote was taken.**

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

**MOTION CARRIED 4-0**

**DISCUSSION AND APPROVAL OF THE COST TO REPAVE THE TOWN HALL PARKING LOT.**

This item was discussed at previous council meetings. A new layout proposal was requested where the entranceway would not be moved closer to CR561 for safety reasons.

A quotation was received from Mid Florida Paving for \$69,500.00 and Council approved the project to repave the entire parking lot as shown on Plan D from Green Consulting Group, not to exceed that figure and requested two further bids.

The new bid includes the retention pond and sod totaling \$7,000.00 which was not in the previous quotation. A second quotation from Beesley Construction for \$82,973 was received and a third quote was sought but no response was received. Clerk Wells said the quotes do not cover the cost of bump stops which were necessary to stop vehicles hitting the shrubbery. Following some discussion, Vice-Mayor Cross asked for a motion to approve.

**MOTION by Councilman Teeters to approve the repaving of the town hall parking lot at a cost of \$69,500.00; SECONDED by Councilwoman Issartel**

**A roll call vote was taken.**

**Cross YES  
Sikkema YES  
Teeters YES  
Issartel YES**

**MOTION CARRIED 4-0**

**DISCUSSION AND APPROVAL OF THE COST TO INSTALL SIDEWALK CONNECTING TOWN HALL TO FLORIDA AVE.**

This item was discussed at last month's council meeting. A new layout proposal was requested to be brought to council where the entranceway would not be moved closer to CR561 for safety reasons. In addition, it was recommended that the sidewalk in front of town hall be extended to Florida Avenue.

Staff have secured three bids to install the sidewalk from Diaz Concrete, Hanson Construction and Pace Concrete. The low bid from Diaz Concrete is \$2,900.00. Clerk Wells gave an overview of the scope of work and the differences between the three quotations.

**MOTION by Councilman Teeters to approve the cost to install sidewalk connecting town hall to Florida Ave. at a cost of \$2,900.00; SECONDED by Councilwoman Issartel**

**A roll call vote was taken.**

**Cross YES  
Sikkema YES  
Teeters YES  
Issartel YES**

**MOTION CARRIED 4-0**

**DISCUSSION AND APPROVAL TO RECEIVE BIDS FOR REPAINTING THE FRONT OF TOWN HALL.**

As part of the beautification of the town hall site and alongside of the repaving, sidewalk and landscaping, a quotation was requested to see how much it would cost to repaint the front of town hall.



The quotation received from Sarasky's Painting to repaint just the front of the building came in at \$8,500 Labor & Materials. The quote includes the cleaning and repainting of the front, around to the steps on the south side and the corner to the north side. Also, the underside of the porch and all the railings and pickets.

Only one quotation was asked for to find out a ballpark idea of the cost. If council was interested in having it done, then two more quotes will be sought and submitted for approval.

They did quote for the remainder of the building which was another \$9,000 as it entails less railings (the most difficult task), but more surface and therefore more materials. The whole building would cost \$17,500 using Sherwin Williams A100 paint.

Direction was given to the clerk to get two more bids and bring them to the next council meeting.

### **BUDGET AND FINANCE REPORT REVIEW**

The Clerk gave an overview of the town's financial position as of the end of December 2022. In the General Fund he highlighted that 86% of Ad-Valorem taxes and 77% of Solid Waste assessments had been Received. Building Permits were \$22,216 over Budget and Electricity Franchise Fees \$7,812 over budget. \$1,763 had been received in interest on the ARPA and GF monies in December and \$3,165 in January. The interest rate also went up to 2.5% with the FED base rate increase. In total, revenues were up \$108,971 (14%). Expenditures were \$21,469 under budget (5.3%) adding \$130,440 to reserves.

Transportation Fund revenues are up \$697 and expenses \$1,027 below budget.  
Infrastructure Fund revenues are up \$8,836 and expenses \$643 over budget.  
Enterprise Fund revenues are \$15,696 under budget and expenses \$18,542.

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

General Fund:	863,993.70
Impact Fees:	70,407.59
Transportation Fund:	60,447.66
Infrastructure Fund:	46,290.71
Enterprise Fund:	2,776.25
Cash Drawer:	150.00

He announced that sixteen building permits had been issued to LGI for Colina Del Lago. There were also five new lots going in on Tennessee Avenue and two lot splits on Madison and Delaware. The application for water service for County Materials was now in hand which should equate to seventy residential homes.

### **COUNCIL DEPARTMENT & COMMITTEE LIAISON REPORT**

***Councilman Cross (Finance)*** NONE

***Mayor Mack (Public Works)*** ABSENT

*Councilwoman Sikkema (Public Safety/Code Enforcement)* – NONE

*Councilman Teeters (LDR's, Ordinances, Legal, Grants)* – NONE

*Councilwoman Issartel (Economic Development)* – NONE

**REVIEW**

Items for Workshops and possible dates - NONE

Items for Next Regular Council meeting - NONE

Items for Special Meetings and possible dates - NONE

**COUNCIL MEMBER MISCELLANEOUS COMMENTS**

**ADJOURNMENT**

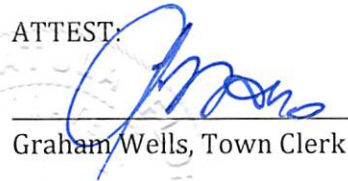
There being no further business the Mayor adjourned the meeting at 8.53 pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk