

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



**REGULAR SESSION
TUESDAY MAY 9, 2023
TOWN HALL**

Having been duly advertised as required by law, Mayor Mack called the Regular Session meeting to order at 6:33pm. He gave the invocation and led the led the Pledge of Allegiance.

Members Present:

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

Staff Present:

Graham Wells, Town Clerk
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 Mayor welcomed Planner Tim Green and Zach Chalifour from the Towns Auditors James Moore. There were approximately seven residents in attendance.

CITIZENS QUESTIONS AND COMMENT

Carol Rinehart said that she had heard that Astatula was going to become a HOA. This was not only not the case but also impossible. She also asked if the community center could become a fitness studio.

Mr. Banks Helphric told a story of two brothers who talked a lot and did a lot. This led to his farm, orchard, vineyard and vegetable garden at Sams Lake Road in Clermont which is open the second Saturday of each month where they grow their own food and teach sustainability, take, takeaway and taste. Next open house is May 13th at 9:00 am.

AGENDA REVIEW

The Mayor requested adding item 8 to new business to discuss a fee reduction for County Materials and also to move item 7 forward to item 3. A motion to accept the change was made by Vice-Mayor Cross; seconded by Councilwoman Issartel and unanimously approved.

MEETING MINUTES

Approval of Minutes for April 11, 2023 Regular Council Meeting.

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

For: Sikkema, Issartel, Teeters, Cross, Mack

MOTION CARRIED 5-0

PRESENTATIONS

PROCLAMATION – LAW ENFORCEMENT APPRECIATION MONTH.

The Mayor read the proclamation dedicating May 2023 as Law Enforcement Appreciation Month. The proclamation was signed by each council member and presented to the police chief.

PROCLAMATION - MOTORCYCLE AWARENESS MONTH

The Mayor read the proclamation observing May 2023 as Motorcycle Awareness Month. The proclamation was signed by each council member and presented to Mr. Griz Deavers.

PRESENTATION OF THE FY 2021-2022 AUDIT BY ZACH CHALIFOUR, CPA, FROM JAMES MOORE.

The Mayor introduced Mr. Chalifour who went over the findings of the Audit in a short PowerPoint presentation. This included a report on Internal Control and Compliance where there were no adverse findings. Highlighted was the percentage of the fund balance as a percentage of expenditures and transfers out which increased from 27.7% to 36.2%. Mr. Chalifour asked the board if they had any questions for him, but there were not.

STAFF REPORTS

Town Attorney – Heather Ramos – Absent

Police Department – Chief Hoagland – gave a report on the memorial service to honor the fallen officers of Lake County which was held in front of the historical courthouse on May 2, 2023. Wednesday 17th of May will be the Officer of the year award ceremony and Officer LaJeunesse is being recommended for an award. Cpl. Calhoun raised \$500.00 for the Special Olympics from the car wash.

The town cleanup day on April 29th was not as well supported by the residents as had been expected with only a few people turning up to help. Publix was sending a crew to help but they did not turn up. A gift basket was presented by the town hall staff to the police department for officer appreciation month. The chief gave an update on code enforcement issues and applauded Cpl. Calhoun for his efforts.

Public Works – Wally Hoagland – commended Scott Kane for his continued efforts in public works.

Town Clerk & Finance Officer – Graham Wells – NONE

BUDGET AND FINANCE REPORT REVIEW

The Clerk then proceeded to give his report on the financial health of the town for all funds. The full report is available on the town's website. He also gave an update on the health insurance renewal rates. Once all the rates have been received, a workshop will be convened for discussion.

The Bank balances on March 31, 2023 are shown below.

| | |
|----------------------|--------------|
| General Fund: | 1,006,395.46 |
| Impact Fees: | 148,812.43 |
| Transportation Fund: | 67,021.06 |
| Infrastructure Fund: | 26,230.14 |
| Enterprise Fund: | 25,127.64 |
| Cash Drawer: | 150.00 |

NEW BUSINESS

CONSIDERATION AND APPROVAL OF MINOR SUBDIVISION FINAL PLAT FOR ROCKY TOP ESTATES - TENNESSEE AVENUE AK #103786.

Following consultation with the owner of the property, a report was prepared by Mr. Green with possible options on the development of this parcel. The four options each conform to the Land Development Regulations and have been reviewed by the town's attorney. The minor subdivision plat is part of option 3 on Lot 52 making a total of five buildable lots.

Green Consulting Group, Inc. (GCG) has conducted a review of Rocky Top Estates Final Plat. The Plat was prepared by Freeland-Clinkscales & Assoc. of N.C., Inc, and consists of 1 sheet. Plat is in general compliance with R-1 zoning requirements.

Mr. Green stated that this had come before the Planning and Zoning Board on April 27 2023 which had unanimously recommended approval. He went over his detailed report and project data and stated that the application was in compliance with the Land Development Regulations. It would go to straight to final plat and once the town's surveyor has reviewed it and the title opinion is received, it would be recorded at the county. There were no questions from the board and a motion to approve was requested.

MOTION by Councilman Teeters to approve the Minor Subdivision Final Plat for Rocky Top Estates on Tennessee Avenue AK #103786 contingent upon the surveyor and town attorney signing off; SECONDED by Councilwoman Issartel

A roll call vote was taken.

| | |
|-----------------|------------|
| Cross | YES |
| Sikkema | YES |
| Issartel | YES |
| Teeters | YES |
| Mack | YES |

MOTION CARRIED 5-0

APPROVAL OF THE 2021-22 AUDIT AS PRESENTED BY JAMES MOORE AND SUBMIT THE REPORT TO THE AUDITOR GENERAL.

MOTION by Councilman Teeters to approve the 2021-22 Audit; SECONDED by Councilwoman Sikkema.

A roll call vote was taken.

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

MOTION CARRIED 5-0

DISCUSSION AND APPROVAL TO REPAVE THE SIDEWALK ON CR561.

Chief Hoagland said that he had got two bids to repair the sidewalk on CR561, one from Brothers Block and Concrete for \$4,074.00 and the other from Diaz Concrete for \$2,000.00 who installed the sidewalk at town hall. He was unable to get a third quote. The sidewalk was put in with grant money and is the responsibility of the town to maintain. The homeowner had broken the sidewalk by constantly driving his vehicle over it to get into the yard.

Councilman Teeters suggested that a letter be sent to the owner informing him that any future repairs would be his responsibility if driving across it breaks it up again. Mayor Mack said that he would rather pay more to have the job done right rather than just accept the low bid.

MOTION by Vice-Mayor Cross to approve the bid for \$4,074.00 to repair the sidewalk; SECONDED by Councilwoman Sikkema

A roll call vote was taken.

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

MOTION CARRIED 5-0

FIRST READING OF ORDINANCE 2023-07 ADOPTING A TWELVE-MONTH TEMPORARY MORATORIUM ON NON-RESIDENTIAL PUBLIC BUILDING IMPACT FEES.

AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA RELATING TO IMPACT FEES; IMPOSING A TWELVE-MONTH TEMPORARY MORATORIUM ON NON-RESIDENTIAL PUBLIC BUILDING IMPACT FEES; PROVIDING FOR A POSSIBLE EXTENSION OR EARLY TERMINATION OF THE TEMPORARY MORATORIUM; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The town has an opportunity whereby County Materials and Mack Concrete are expanding their manufacturing. The parcels that they are looking to build on are currently located in the County and we would want to have that development in the town. There are significant benefits for them to develop in the town, however annexing would create a marked increase in their ad valorem taxes.

To encourage them, and any other non-residential business to expand and develop, it is recommended that the town does not impose the Public Building Impact Fee (.35 per sq. ft.) on new permits applied for within the twelve-month moratorium period. They would still be required to pay the Police Impact Fee (.45 per sq. ft.) and the impact fee administration charge (.14 per sq. ft.)

Overall, this would give them a saving of 43.75% on the total impact fee and an overall saving of 37.23%. The benefit to the town is the addition of future ad valorem taxes. Following explanation by the Mayor and board discussion, Vice-Mayor Cross made a motion to read the ordinance title; seconded by Councilman Teeters and unanimously approved. The title was read by the Mayor.

MOTION by Vice-Mayor Cross to approve Ordinance 2023-07 and send to second reading; SECONDED by Councilman Teeters

A roll call vote was taken.

Cross YES
Sikkema YES
Issartel YES
Teeters YES
Mack YES

MOTION CARRIED 5-0

CONSIDERATION AND APPROVAL OF RESOLUTION 2023-09 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.

Mayor Mack explained the amendment, which was for the paving of the town hall parking lot. Following discussion Vice-Mayor Cross made a motion to read the resolution title; seconded by Councilwoman Issartel and unanimously approved. The title was read by the Mayor.

MOTION by Vice-Mayor Cross to approve Resolution 2023-09; SECONDED by Councilwoman Sikkema

A roll call vote was taken.

Cross YES
Sikkema YES
Issartel YES
Teeters YES
Mack YES

MOTION CARRIED 5-0

CONSIDERATION AND APPROVAL OF RESOLUTION 2023-08 AMENDING THE POLICY AND PROCEDURE MANUAL FOR VACATION TIME FOR PART-TIME EMPLOYEES AND THE ADDITION OF JUNETEENTH TO THE PUBLIC HOLIDAYS FOR FULL-TIME EMPLOYEES.

A RESOLUTION OF THE TOWN OF ASTATULA, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 7 OF THE TOWN'S POLICY AND PROCEDURE MANUAL TO ADD VACATION TIME FOR CERTAIN PART-TIME EMPLOYEES AND TO ADD TO THE LIST OF OFFICIAL HOLIDAYS; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The town addressed healthcare last year and there is limited sick time offered to part-time employees. Staff are now recommending that limited vacation time (leave) be added as a benefit in the same prorated way that sick time is in Section 7.11 as shown below and increases at the same tenure level as for full time employees.

Part time employees hired at less than 20 (twenty) hours per week are ineligible for sick pay benefits. Part time Employees working twenty plus (20+) hours per week will be prorated per hours hired to work. Twenty (20) hours is four (4) hours per month (0.5 employee) Twenty-eight (28) hours per week is five. Six (5.6) hours per month (0.7 employee). Thirty-four (34) hours per week is six/eight (6.8) per month (0.85 employees). This determination is based on hours per week hired, not hours per week worked, so if a part time person is employed at twenty (20) hours per week and works more than the twenty hours per week, the sick time is earned at the hire hours of twenty (20) hours per week at four (4) hours per month.

Councilman Teeters shared his wish that the two items in the resolution be addressed separately. The Clerk said that they could be considered separately, and that the resolution be amended to reflect the vote. With that, Vice-Mayor Cross made a motion to read the resolution title; seconded by Councilwoman Issartel and unanimously approved. It was decided to discuss Section 1 of the resolution regarding vacation pay first. Following some discussion, an incidental motion was requested to approve this part of the resolution.

MOTION by Vice-Mayor Cross to approve amendment to Section 7.1 of the policy and procedure manual adding vacation time for part time staff; SECONDED by Councilman Teeters

For: Cross, Sikkema, Issartel, Teeters, Mack

MOTION CARRIED 5-0

On Section 2 of the resolution requesting the addition of Juneteenth (federal holiday) to the towns list of paid holidays, the council, following discussion, made the following incidental motion.

MOTION by Councilwoman Sikkema to not add Juneteenth to the town's official holidays; SECONDED by Vice-Mayor Cross

For: Cross, Sikkema, Issartel, Mack

Against: Teeters

MOTION CARRIED 4-1

A motion was then requested to approve Resolution 2023-08 without section 2.

MOTION by Vice-Mayor Cross to approve Resolution 2023-08 without Section 2; SECONDED by Councilwoman Sikkema

A roll call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Teeters NO

Mack YES

MOTION CARRIED 4-1

At 8:24 pm the mayor left the meeting and returned at 8:30 pm.

CONSIDERATION AND APPROVAL TO INCREASE THE HOURLY RATE OF PAY FOR THE BUILDING SERVICES CLERK.

The clerk stated that we had lost Suzi as the administrative assistant who would need to be replaced. He wanted to give an incentive to Tracy, the Building Services Clerk, and raise her hourly rate from \$17.00 to \$18.00 per hour to try to ensure that we do not lose the only other member of staff in town hall.

There was a lot of discussion about the merits of giving individuals pay raises part way through the budget year or incentivizing employees to stay. Councilman Teeters made an argument for not paying the increase. The Mayor asked for a motion to approve the increase. Councilman Teeters made a motion to dismiss. The motion did not get a second and therefore failed. Councilwoman Sikkema then made a motion to approve the \$1.00 per hour increase.

MOTION by Councilwoman Sikkema to approve a \$1.00 per hour increase to the Building Services Clerk: SECONDED by Councilwoman Issartel

A roll call vote was taken.

Cross YES
Sikkema YES
Issartel YES
Teeters NO
Mack YES

MOTION CARRIED 4-1

DISCUSSION ON A POTENTIAL FEE REDUCTION FOR COUNTY MATERIALS.

This item was added to the agenda review. The Clerk stated that he wanted the council's input on waiving the Town's portion of the fees for the annexation, amendment to the comprehensive plan, and rezoning of County Materials nine parcels currently in the county. The fees total \$3,750.00 against the \$20,000 per year benefit in ad valorem taxes should they annex the parcels into the town. Any future development on those parcels would also incur building permit and impact fees. This would not affect the fees charges for the planner's services.

As this was a discussion item, a straw poll was taken to waive the fees, which was unanimously accepted. A formal vote would be made at the June meeting.

COUNCIL DEPARTMENT & COMMITTEE LIAISON REPORT

Councilman Cross (Finance) - NONE

Mayor Mack (Public Works) - Informed the Council on the new Lake Economic Area Development group (LEAD) which is a public/private partnership with the county and municipalities. He suggested that the town should be a part of this and would bring it forward for further discussion at a future date.

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 - NONE

ADJOURNMENT

There being no further business the Mayor adjourned the meeting at 9.24 pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, Town Clerk