

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



**REGULAR SESSION
TUESDAY JUNE 13, 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 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 Rick Mitchell from Gray Robinson. Also present was Stuart Ellis from GFL, Karen Smith and Theresa LaBree from the Planning and Zoning Board and approximately four residents.

CITIZENS QUESTIONS AND COMMENT

Mr. Banks Helphric who was there to promote his farm, orchard, vineyard and vegetable garden at Sams Lake Road in Clermont which is open the second Saturday of each month.

AGENDA REVIEW

There were no changes to the agenda.

MEETING MINUTES

Approval of Minutes for May 9, 2023 Council Workshop 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

Attorney from Gray Robinson, Rick Mitchell gave an update the Lawsuit settlement with Plaza Lincoln over the 2018 Ford Interceptor Warranty. Following discussion of the options open to the town, he asked for approval of the general concept of a walkaway agreement where the lawsuit would be dropped by Plaza Lincoln in exchange for the town agreeing that they would waive any claim to attorney fees being paid. It was further recommended that Mayor Mack would be the Town's representative and given authority to sign the agreement.

A motion was made by Vice-Mayor Cross to accept the attorney's recommendation; SECONDED by Councilwoman Sikkema

A roll call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Teeters YES

Mack YES

MOTION CARRIED 5-0

STAFF REPORTS

Town Attorney - Heather Ramos - Absent

Police Department - Chief Hoagland - gave an update on the second residual grant which would cover the cost of two police vehicles and two mobile information/speed signs which have radar. He added that he was trying to find four new vehicles financed by both residual grants. The fingerprint reader and new tasers had arrived and training had taken place.

He gave an update on code enforcement issues on East Kansas Avenue and Massachusetts. He said that the sidewalk on CR561 had been completed. Mr. Cross asked about a letter being sent to inform the resident that any future damage caused by them would be at their cost to repair. The Chief said that the attorney had opined that the letter should be sent by the Council, the Mayor or the Clerk rather than the Police Chief.

Public Works - Wally Hoagland - said that Scott had worked extremely hard to get Kirkwood Park finished to meet the FRDAP grant deadline.

Town Clerk & Finance Officer - Graham Wells - NONE

BUDGET AND FINANCE REPORT REVIEW

The Clerk gave his report on the financial health of the town for all funds. The full report is available on the town's website.

The Bank balances on April 30, 2023 are shown below.

General Fund:	913,827.08
Impact Fees:	152,415.43
Transportation Fund:	69,819.09
Infrastructure Fund:	53,994.84
Enterprise Fund:	13,985.49
Cash Drawer:	150.00

He informed the Council of the excessive use of water by LGI Homes at Colina Del Lago. He had spoken to them twice and also emailed them warning of a potential huge water bill. He further updated the council on the progress of connection and turn on of water to County Materials. It was expected that flow would commence just prior to the end of June so that a test could be done on the billing.

PUBLIC HEARING

FINAL 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 to benefit from County Materials and Mack Concrete expanding their manufacturing. The parcels that they are looking to build new infrastructure on are currently located in the county and it would be beneficial to have that development in the town not only giving the town control but also a marked increase in 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.)

This ordinance had first reading at the May 9, 2023 Council meeting and was advertised on June 1, 2023 in the Daily Commercial. A motion was made by Vice-Mayor Cross to read by title only, seconded by Councilwoman Issartel and unanimously approved. The Mayor opened public comment, there being none closed it, and asked for any questions or comments from the Board.

Councilman Teeters asked where we were in negotiations with County Materials and the Clerk responded that applications had been received. He added that Planning and Zoning was scheduled for June 22 and the transmittal hearing would be on July 11. He went over the procedure and timeline which should see the process completed in September or October.

**Motion by Vice-Mayor Cross adopt Ordinance 2023-07; SECONDED by Councilman Teeters
A roll call vote was taken.**

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

MOTION CARRIED 5-0

NEW BUSINESS

CONSIDERATION AND APPROVAL TO ACCEPT THE 3.57% INCREASE IN THE COST FOR THE COLLECTION AND DISPOSAL OF SOLID WASTE FOR FY2023-2024.

The contract with GFL allows them to request an annual rate increase based on 70% of the CPI-U for the preceding 12-month period.

The new rate to the town for each residence will increase from \$18.81 per month by 67cents to \$19.48 per month. The Town Council has the discretion to approve, or not to approve, the CPI adjustment.

If the rate for solid waste disposal is approved for GFL Environmental, the same percentage rate increase has historically been passed to the residents which is collected on the Tax Roll. The current equivalent monthly rate charged to the residents is \$20.16 and would increase by \$0.72c to \$20.88 per month or by \$8.64 to \$250.50 annually.

The tax collector takes 2% of what is collected (\$5.01) per year for each household assuming that they pay their taxes plus an additional cost of approximately \$5.00 per household (minimum) for the preparation of the TRIM file. There is also a cost incurred in town hall in dealing with the issues arising from the collection of solid waste.

A final decision on whether to pass on the increase will be made at the public hearing in September. Should the town absorb and not pass on the increase it would amount to approximately \$6,432.00.

This item had been discussed at the workshop preceding the council meeting. The Mayor welcomed Stuart Ellis, the Facility Manager from GFL who did his best to answer service issues raised by the council members. The Clerk said that he had asked Brittany how many issues she is now dealing with, and she responded that it was very few. Stuart said that he had come in from another area and was all about customer service and would do his best to ensure that the issues are dealt with.

It was asked what the ramifications would be if the council did not approve the increase. The Mayor said that it was a binding contract, however GFL should rectify the service issues first and then come back and request an increase. The Clerk emphasized that if the council did not accept the increase that night, there was no going back. It cannot be put on the TRIM and it cannot be added at a later date as we have to know now what the cost is going to be.

He added that the contract is up for renewal in 2024 and we will not be able to get back to this point. We would lose the opportunity to extend the contract at a reasonable cost and would have to go out to bid. This is what was done in Howey last year and they saw a massive increase even though the same carrier (GFL) was the low bidder. The increase they are asking for is under \$9.00 per household per year. Mr. Cross stated that it is an assessment for service provided which otherwise would come out of their taxes.

Motion by Vice-Mayor Cross to approve the 3.57% increase in the rate charged by GFL Environmental for Solid Waste Disposal and to add the new amount to the TRIM notice; SECONDED by Councilwoman Sikkema

A roll call vote was taken.

Cross YES

Sikkema YES

Issartel YES

Teeters YES

Mack NO

MOTION CARRIED 4-1

RATIFICATION TO WAIVE THE TOWN'S PORTION OF FEES FOR COUNTY MATERIAL ASSOCIATED WITH THE APPLICATION TO ANNEX PARCELS INTO THE TOWN WITHIN THE NEXT TWELVE MONTHS.

MOTION by Vice-Mayor Cross to waive the town's portion of fees for County Materials associated with the application to annex parcels into the town within the next twelve months; 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 TO RENEW THE CURRENT HEALTH INSURANCE PLANS WITH FLORIDA BLUE FOR THE YEAR JULY 1, 2023, TO JUNE 30, 2024.

A decision was made last year to change the plan for health insurance to Plan 14002 for most employees and to give the financial benefit of this plan to employees who opted to go on Plan 14771 HSA so that their spouses or children could be included. To remain on these plans the increase for the new year starting in July is set to be \$291.87 per month (3.7%) or \$3,502.44 for the next twelve months.

It was also decided that alternative quotes would be sought from another carrier and from the Florida League of Cities. A quote from Cigna was not available as they do not write small group policies. Brown and Brown provided a quote from United Healthcare, however the premiums for similar plans were higher than Florida Blue. The closest to the current plan would cost an additional \$2,392 per month.

Lindsey Larson from the Florida League of Cities email said she was trying to work with underwriting because rates came back extremely high compared to what we are currently getting from Florida Blue. Also, they have a tiered rating, so it doesn't go based on age what premium you pay, it is just one set premium (or rate) for each tier. She did not send any actual figures, only the comparative plans. This was discussed at the workshop prior to the council meeting.

MOTION by Councilman Teeters to approve to renewal of the current health insurance plans with Florida Blue for the year July 1, 2023, to June 30, 2024; SECONDED by Councilwoman Issartel

A roll call vote was taken.

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

MOTION CARRIED 5-0

CONSIDERATION AND APPROVAL OF ONE OF THE OPTIONS TO RESOLVE THE PARKING ISSUE ON GEORGIA AVENUE

There are two quotations to complete the restoration of the right-of-way and striping at the corner of Georgia Avenue and Monroe Street by the Sunoco Gas Station. One is to use concrete and the other to use asphalt. The cost of each is similar, around \$19,000.00. A schematic showing the curbing and parking bays was shared with the council. It was universally agreed that concrete would be the better option as it would last longer.

Mr. Cross said that he had an issue that the town would be providing parking for this business but not for other businesses. He was also concerned with the traffic flow along Georgia Ave. particularly when Tula Parc is built out. The Clerk said that the costs to do the repair would come out of the Transportation Fund which is what it should be used for.

Following extensive discussion with multiple options suggested, the Chief said that he wanted a definitive option as he had been working on this project for three months. The Mayor outlined the scope of work for the project which would be given to the Chief to get new quotes.

1. D-style concrete curbing from CR 561 to the entrance of the Sunoco parking lot. Concrete curbing begins again west from the end of parking lot entrance to Monroe Street.
2. Area on the west side of the parking lot entrance to be cleared, leveled and sodded.
3. A sidewalk to be constructed from CR 561 west to Monroe Street.
4. Removal of discarded materials.

**MOTION by Vice-Mayor Cross to approve the scope of work and the Chief to get new quotes for approval; SECONDED by Councilman Teeters
For: Sikkema, Issartel, Teeters, Cross, Mack
MOTION CARRIED 5-0**

UPDATE ON THE PROVISION OF FIBER INTO THE TOWN

The Mayor said that grants had been issued to Comcast and Challenger to install fiber into the town with a joint agreement with the town. The town's grant award will be used to supplement any funding shortfall.

DISCUSSION ON THE LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM (LIHWAP)

The Mayor gave an overview of the program which would benefit low-income families to hook up to the town's water supply. The town would have to register to be a part of the program.

COUNCIL DEPARTMENT & COMMITTEE LIAISON REPORT

Councilman Cross (Finance) - NONE

Mayor Mack (Public Works) - NONE

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 8.29 pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:


Graham Weils, Town Clerk