

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



**REGULAR SESSION  
TUESDAY FEBRUARY 13, 2024  
TOWN HALL**

Having been duly advertised as required by law, Mayor Mack called this rescheduled Regular Session meeting to order at 6:34pm. He gave the invocation and led the led the Pledge of Allegiance.

**Members Present:**

Mitchell Mack, Mayor  
Stephen Cross, Vice-Mayor  
Zane Teeters  
Orita Issartel – Arrived at 6:40 pm  
Jeanne Quiros

**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 approximately eighteen guests.

**CITIZENS QUESTIONS AND COMMENT**

***Mr. Banks Helphric 9100 Sams Lake Road Clermont***, who is running for State House District 25 gave a short talk on farmers and foreign workers and promoted his farm, orchard, vineyard and vegetable garden at Sams Lake Road in Clermont which is open the second Saturday of each month.

***David Quiros 25928 Dogwood Lane, Astatula***, spoke of an increase in speeding in the community and the vibration created by machinery in Tula Parc.

***Susan Richert, 13040 Delaware Avenue, Astatula***, stated that she was opposed to a cell tower being erected in the cemetery.

***Jennifer Anthony, 14240 Tennessee Avenue, Astatula***, also stated that she was opposed to a cell tower being erected in the cemetery. There was some general discussion about the cemetery and the cemetery committee that stopped during COVID.

**AGENDA REVIEW**

It was agreed to table item 9 of new business - Discussion and Approval Power DMS Resource Software to a future meeting. The motion was made by Vice-Mayor Cross, seconded by Councilwoman Quiros and voted 4-1 for with Councilman Teeters voting against.

**MEETING MINUTES**

Councilman Teeters requested that the outsourcing of minute writing be put on the next agenda.

Approval of Minutes for January 9, 2024 Regular Council Meeting.  
Approval of Minutes for January 16, 2024 Regular Council Meeting.  
Approval of Minutes for January 31, 2024 Special Council Meeting.

**Motion by Vice-Mayor Cross to approve the minutes shown above; SECONDED by Councilwoman Issartel**

**For: Cross, Quiros, Issartel, Mack**

**Against: Teeters**

**MOTION CARRIED 4-1**

## **STAFF REPORTS**

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

***Chief Hoagland*** – said that he was working on two grants; one was for workstation computers and the second was a residual grant for police vehicles and light towers. He talked about setting a community awareness group to be led by Corporal Calhoun. It will allow residents to report by email, anything suspicious activity that they notice around town or that they think the PD or code enforcement should be aware of.

He said that his public works crew were doing a good job cleaning up the town and that he was to have two additional helpers on work release. He informed council on what was happening with the burnt-out building and that the unsafe structure behind town hall had pulled a demo permit.

***Town Clerk & Finance Officer – Graham Wells***

## **BUDGET AND FINANCE REPORT REVIEW**

The Clerk went over the finance report. The full finance report is available on the town's website.

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

General Fund:	1,346,185.88
Impact Fees:	165,440.72
Transportation Fund:	60,592.94
Infrastructure Fund:	165,604.74
Enterprise Fund:	33,229.87
Cash Drawer:	150.00

## **PUBLIC HEARING**

### **FINAL READING OF ORDINANCE 2024-04 CORRECTING A SCRIVENER'S ERROR IN ORDINANCES 2023-10, 2023-11 AND 2023-12.**

**AN ORDINANCE OF THE TOWN OF ASTATULA, FLORIDA, AMENDING ORDINANCES 2023-10, 2023-11 and 2023-12 ADOPTED BY THE TOWN COUNCIL ON NOVEMBER 14, 2023, CORRECTING A SCRIVENER'S ERROR IN THE LEGAL DESCRIPTION IN THE ORDINANCES, PROVIDING AN EFFECTIVE DATE AND REPEALING ALL PARTS OF THE ORDINANCES IN CONFLICT HEREWITH.**

The surveyor acting for County Materials annexation made a minor error in the legal description of the parcels being annexed into the town. The ordinances for the annexation, 2023-10, Comprehensive Plan Amendment 2023-11, and Rezoning 2023-12 were recorded before the error was found. This ordinance rectifies the error and will be recorded following the final reading. A motion to read the ordinance title only was made by Vice-Mayor Cross, seconded by Councilwoman Issartel. The Mayor read the title and requested comments from the board; there being none he asked for a motion to adopt the ordinance.

**MOTION by Vice-Mayor Cross to adopt Ordinance 2024-04; SECONDED by Councilwoman Issartel.**

**A roll call vote was taken.**

**Cross YES**

**Quiros YES**

**Issartel YES**

**Teeters YES**

**Mack YES**

**MOTION CARRIED 5-0**

## **NEW BUSINESS**

### **DISCUSSION AND APPROVAL OF RESOLUTION 2023-27 AMENDING SECTIONS 7.1 AND 7.7 IN CHAPTER 7 OF THE TOWN'S POLICY AND PROCEDURE MANUAL.**

This issue had been discussed at the October 19, 2023 Council Workshop and a proposal was put forward for part-time employees to be paid for the town's official holidays. Following discussion, it was agreed that a resolution adding this to the policy manual would be brought back to the council at a future meeting.

To be included in the resolution was they would be paid a pro-rated number of hours against full-time employees based on the number of hours that they were employed to work, mirroring the policy for sick leave. This would apply to employees other than police officers and the Resolution clarifies the distinction. Part-time employees would not be paid if the holiday fell on their day off.

Vice-Mayor Cross brought up that the clarification part of the resolution for police officers was not right and following discussion made a motion to table the resolution, seconded by Councilman Teeters and unanimously agreed.

### **DISCUSSION AND APPROVAL OF THE SECOND AMENDMENT OF THE PROFESSIONAL SERVICE AGREEMENT WITH M.T. CAUSLEY, LLC.**

The original agreement for permitting inspections between the Town and M.T. Causley, LLC which was effective in March 2020 provided for automatic 12-month terms with an annual increase in their fees to correspond to the CPI rate for the previous 12-month period, not exceeding 4%. M.T. Causley, LLC are proposing to increase their rate by 3.4% for the upcoming 12 months beginning March 24, 2024. In addition, they have added Project Engineering Fees to their Fee Schedule, should the town wish to use their engineering services.

**MOTION by Vice-Mayor to approve the second amendment of the professional service agreement between the Town of Astatula and M.T. Causley, LLC; SECONDED by Councilwoman Quiros.**

**A roll call vote was taken.**

**Cross YES**

**Quiros YES**

**Issartel YES**

**Teeters YES**

**Mack YES**

**MOTION CARRIED 5-0**

Vice-Mayor Cross requested that the date of approval by the council be added to the agreement.

*At 7:56 pm the Mayor called for a five-minute break. The meeting reconvened at 8:07pm.*

**DISCUSSION AND APPROVAL OF THE TULA PARC DEVELOPMENT AGREEMENT.**

The agreement has been reviewed by the town's attorney and the suggested changes have been agreed to by LGI Homes. Section 3. Development-Related Conditions of Approval (d) provides for LGI to deed the ownership of the wastewater plant to the town. The Homeowners Association will assume maintenance for the plant for one year after the certificate of completion is issued for Phase 1. Dedication of the roads, Tract for the wastewater plant if taken by the town, and the canal will be done on the final plat. After discussion a motion was made by the Mayor.

**MOTION by Mayor Mack to approve the agreement as written; SECONDED by Councilman Teeters.**

**A roll call vote was taken.**

**Cross YES**

**Quiros YES**

**Issartel YES**

**Teeters YES**

**Mack YES**

**MOTION CARRIED 5-0**

*At 8:40 pm a motion to extend the meeting by 30 minutes was made by Vice-Mayor Cross, seconded by Councilman Teeters and unanimously agreed.*

**DISCUSSION ON EXTENDING THE EXISTING AGREEMENT FOR SOLID WASTE COLLECTION SERVICES WITH GFL FOR A FURTHER THREE YEARS.**

The original agreement for Solid Waste Collection Services expires in September 2024. The contract provides for a further 12-month extension should both parties request it, or a Request for Proposal (RFP) be sent out and all Solid waste firms would have the opportunity to bid for a new contract. History shows that if this happens the cost for trash collection for residents of Astatula would likely increase greatly.

During initial discussions, GFL would likely not want to extend the contract for just one year but would entertain a three-year extension. In addition, they are seeking to increase the annual fee increase from 70% of the CPI to 100% with a cap of 6%.

The Clerk had asked the attorney for options and whether the contract would allow for a three, rather than one-year extension. Her response was yes if GFL agrees, the Town can extend the agreement for another three-year increment. In any event, both parties can always agree to amend and extend a contract, and the very end of Section 2 provides that negotiation of subsequent one-year extensions shall proceed in the same manner "unless otherwise agreed upon in writing." If an agreement is reached between the parties, that can be memorialized in a second amendment to the agreement. Following discussion a motion was made.

**MOTION by Vice-Mayor Cross to move forward with the agreement extending the existing agreement for solid waste collection services with GFL for a further three years; SECONDED by Councilman Teeters.  
For: Cross, Quiros, Issartel, Teeters, Mack  
MOTION CARRIED 5-0**

**DISCUSSION AND APPROVAL OF A PAYMENT REQUEST FOR THE PURCHASE AND INSTALLATION OF A 10-INCH GATE VALVE AT THE WATER TREATMENT PLANT.**

The Tula Parc subdivision Adams Street line extension required the removal of the Town's 8-inch by 10-inch pipe assembly and the installation of 10-inch control valve connection at WTP. A request has been made by Frymyer Construction to reimburse the cost and installation of the valve. The Town had this planned for as part of future phase two upgrade. Phase two has been delayed due to funding applications. The Mayor gave a detailed explanation on the necessity for the valve and following discussion a motion to pay the invoice was made.

**MOTION by Vice-Mayor Cross to pay the invoice from Frymyer Construction; SECONDED by Councilwoman Issartel.**

**A roll call vote was taken.**

**Cross            YES  
Quiros          YES  
Issartel        YES  
Teeters        YES  
Mack            YES**

**MOTION CARRIED 5-0**

**DISCUSSION ON THE INSTALLATION OF A CELLPHONE TOWER ON THE CEMETERY SITE.**

The majority of residents present were against having a cell tower erected in the cemetery. It was requested to reconvene the cemetery committee and have them draw up an agreement to keep it as a cemetery in perpetuity. Following discussion by the board, a straw poll was taken, and it was unanimously agreed not to move forward with the cell tower proposal.

**DISCUSSION AND APPROVAL TO APPOINT COUNCILWOMAN QUIROS AS LIAISON TO THE POLICE DEPARTMENT.**

**MOTION by Vice-Mayor Cross to appoint Councilwoman Quiros as liaison to the police department; SECONDED by Councilman Teeters.  
For: Cross, Quiros, Issartel, Teeters, Mack  
MOTION CARRIED 5-0**

**DISCUSSION AND APPROVAL TO ASSIGN HUMAN RESOURCES TO LEGAL LIAISON – COUNCILMAN TEETERS.**

Mayor Mack asked Councilman Teeters to explain how this issue came about. He responded that a town hall employee had come forward at the October 19, 2023 workshop to request that as the town does not have a dedicated HR representative, that a council member take that role so that they had someone to go to if they did not want to talk to the Clerk or the Mayor. As part of the discussion, attorney Ramos recommended that the HR liaison be under the legal liaison which is Councilman Teeters. As it was a workshop, a policy decision could not be made and was now being discussed again.

Councilman Teeters, who had accepted the responsibility, said that he had spoken to the HR attorney and would sign up for a twelve-week HR consultant course. He said that he would take the role seriously with honor and professionalism. Councilwoman Issartel did not think that it should be a council position and Vice-Mayor Cross added that an employee can talk to any council member or their own attorney at any time.

Mayor Mack asked what he thought the role encompassed and whether he would be fair to all employees. Councilman Teeters said that absolutely he would be fair and felt that his role would be to de-escalate any situation or refer it to the town 's HR attorney if he could not. He added that he had no ill intent and would do right by all employees.

The Mayor added that confidentiality was a key issue and that if it is just a liaison position then he was good with it, but it would have to be defined. Councilwoman Quiros reiterated that an employee could come to any council member and Councilwoman Issartel agreed. *At 9:23 pm a motion to extend the meeting by 30 minutes was made by Vice-Mayor Cross, seconded by Councilman Teeters and unanimously agreed.*

Former Mayor Judy Tice said that there is a grievance procedure outlined in the Policy and Procedure Manual. Town hall employee Jennifer Long said that it should not be one person as there may be a personality conflict. She added that she may be more comfortable with different people depending on what the issue is. Following further discussion, Councilman Teeters said that it should be taken to a vote and that he would make a motion.

**MOTION by Councilman Teeters to incorporate HR into the Legal Liaison; SECONDED by Mayor Mack.**

**A roll call vote was taken.**

<b>Cross</b>	<b>NO</b>
<b>Quiros</b>	<b>NO</b>
<b>Issartel</b>	<b>NO</b>
<b>Teeters</b>	<b>YES</b>
<b>Mack</b>	<b>YES</b>

**MOTION FAILED 2-3**

## COUNCIL DEPARTMENT & COMMITTEE LIAISON REPORT

**Councilman Cross (Finance)** – said that he had spoken to the Clerk and to the Chief that whoever is in charge of a department budget, has the responsibility to provide the proper documentation and approvals for purchases made including those approved by a liaison or council. Any approval should be notated so that the information is readily available and does not require looking back over previous minutes.

**Mayor Mack (Public Works)** – brought up an issue with LGI about assets such as valves and caps that had been destroyed at Colina Del Lago which need to be repaired. He also said that he had been in touch with the developer over the breakup of the road at Florida and Washington. He spoke of the lot split on Massachusetts and CR561 where the site had some chemical contamination. The builder was planning to demolish the structure on the property and the mayor asked if the council was interested in it. Following discussion, they decided no.

He suggested that a workshop be appropriate to discuss the landscaping at the community center and the Power DMS software. He also gave an update on his visit to Tallahassee regarding the town's appropriations request for the two phases of a new public safety complex and also a visit to the Department of Commerce regarding the fiber grant.

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

**Councilwoman Issartel (Economic Development)** – NONE

**Councilwoman Quiros (Law Enforcement)** - NONE

## REVIEW

Items for Workshops and possible dates – **Community Center Landscaping and Power DMS software.**

Items for Next Regular Council meeting – NONE

Items for Special Meetings and possible dates – NONE

**COUNCIL MEMBER MISCELLANEOUS COMMENTS - NONE**

## ADJOURNMENT

The Vice-Mayor adjourned the meeting at 9.45 pm.

Respectfully submitted,



Mitchell Mack, Mayor

ATTEST:



Graham Wells, CMC, Town Clerk