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# Minutes

Town Commission  
Regularly Scheduled Meeting  
Tuesday • 11 March 2014 • 7:30 pm

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1. **Call to Order: 7:40 pm following the Canvassing Board Meeting**

2. **Invocation & Pledge of Allegiance to Flag:**

3. **Roll Call:**

Commissioners Attending:

- |                                     |                    |
|-------------------------------------|--------------------|
| • Joseph Aufmuth                    | Present            |
| • Michael Berkowitz                 | Absent with notice |
| • Virginia Mance, Mayor Pro-Tem     | Present            |
| • Richard Shutterly, Mayor          | Present            |
| • Jason “Tug” Huddleston            | Present            |
|                                     |                    |
| • Debbie Gonano, Town Administrator | Present            |
| • Stephen Lee, Town Attorney        | Present            |
| • Patty Polk, Deputy Town Clerk     | Present            |

4. **Consent Agenda Approval:**

A. **March 11, 2014 Agenda Approval**

B. **February 11, 2014 Regular Meeting Minutes, February 17, 2014 Town Commission /Planning & Historic Preservation Board Joint Meeting Minutes.**

C. **Review & Acceptance of Financial Transactions & Reports**

*Motion made and seconded (Huddleston/Mance) to accept the consent agenda as submitted; passed 4-0*

Mayor Shutterly questioned Sabine Dickel’s current membership on the Planning & Historic Preservation Board, as she cannot serve concurrently on a quasi-judicial board and on the Town Commission.

Sabine Dickel presented her resignation from the Planning & Historic Preservation Board.

*Motion made and seconded (Huddleston/Mance) to accept Sabine Dickel’s resignation from the Planning & Historic Preservation Board; passed 4-0*

5. **Micanopy 2014 Town Commission Election Results – Swearing in of new Commissioners.**

A. **Organizational Meeting: Vote for Mayor & Mayor Pro-Tem**

Town Administrator, Debbie Gonano, swore in Richard Shutterly and Sabine Dickel as Micanopy Town Commissioners.

*Motion made and seconded (Aufmuth/Mance) to table voting for Mayor and Mayor Pro-Tem until we have a full Commission; passed 4-0*

6. **Citizens Forum:**

- A. **Mark Gregg** is here to represent Flora Todd, 251 NW Seminary Ave, her February water bill was \$284.69 and she would like a reduction of this bill. Ms. Todd was out of town for a while and a leak in the pipe was unnoticed, as rain every day made the leak undetectable. “Is it possible to have this bill adjusted to an average bill?”

*Motion made and seconded (Mance/Aufmuth) to adjust Ms. Todd's water bill to an average bill using a 12 month average; passed 4-0*

- B. **Eugene Bradley**, 552 Church Ave, is concerned about the condition of NW Church Ave (dirt part), which has been in bad shape for many years. The ditches and the drains are clogged up with puddles in the road 3' wide, and one neighbor has rain water flooding her garage. He is concerned and wonders what can be done about the drainage problems. Mr. Bradley will talk to our Town Clerk soon and see what can be done. A street sweeper would be very helpful also.

**Commissioner Aufmuth** spoke of ongoing drainage problems for years, and acknowledged that we are trying.

**Mayor Shutterly** spoke of this issue, we have started on NE 441 and N Division St, and we are working on storm water drainage issues and are doing what we can. It is a goal that the Town has had for some time, and we are working on it.

**Commissioner Dickel** would like to see a time commitment and a written plan to get these ditches cleaned out. **Mayor Shutterly** responded that we cannot commit to a timetable as the Town is mostly flat and the rain is causing problems for everyone in Town.

**Bud DesForges**, 554 NW Seminary Ave, County and State roads should be cleaned first to help with our drainage problems. SE Tusawilla Rd has not been cleaned for years and there are palm trees growing in the ditches. **Mayor Shutterly** directed Town Administrator Gonano to call the County regarding ditches on SE Tusawilla Rd.

- C. **Faye Roberts**, 309 SW Whiting St, would like to commend the public works employees for doing a good job, as the Town looks great.
- D. **Jennifer Tyler**, Resident, thank you Sabine Dickel. She works with the Community Garden and says thank you and can't wait until she can plant again.
- E. **Joe Pierce**, 502 W Smith Ave, would like to discuss the sidewalk issue. **Mayor Shutterly** informed Mr. Pierce that the sidewalk issue will be discussed in May and residents will have a notification mailed to them, but you can discuss the sidewalk issue now if you like.

7. **Guests:**

A. **Consideration of Employee Retirement Account – FL League of Cities Presenting**

**Matt Dickey** with Florida League of Cities Representative presented a 457 deferred Retirement Plan for Town of Micanopy employees. Member education is included at no cost, semi-annual visits to our members to review accounts and answer any questions.

*Motion made and seconded (Aufmuth/Mance) to support the Florida Municipal Pension Trust Fund plan 457 Deferred Compensation retirement services for our employees; passed 4-0*

Discussion ensued. Attorney Lee referred to a resolution for the above retirement plan which Mr. Dickey will send to our Town Administrator.

8. **Citizens Board and Committee Reports:**

A. **Micanopy Fall Harvest Festival – Request for Overnight Vendor Camping**

DeDe DesForges and Jan Slean presented their request to have vendors' self-contained overnight RV camping (no tents) during the Fall Harvest Festival for Friday and Saturday nights. Overnight camping has been allowed in the past at various locations. Some concerns are RV owners opening up holding tanks where they should not be opened and restrictions should be set for use of generators to eliminate possible neighbors' complaints. Discussion ensued. Micanopy Fall Festival Committee to present a development plan to the Commission next month.

*Motion made and seconded (Mance/Aufmuth) that we approve camping on an annual basis strictly for the Fall Harvest Festival for the evenings of Friday and Saturday night in perpetuity to include a development plan showing where the RV's will be placed in Town ;*

*Motion and second amending the above motion to be on an annual basis instead of perpetuity; passed 4-0*

**B. Application for service on Tree Committee – Karen Hill**

Karen Hill presented her qualifications and desire to join the Tree Committee as she has the education and experience to help.

*Motion made and seconded (Aufmuth/Mance) to accept Karen Hill's application to join the Tree Committee; passed 4-0*

Congratulations.

**C. Planning & Historic Preservation Board – Chair, Fro Warren, gave report for the February 25, 2014 meeting.**

A. Two roof replacement action items were approved by votes of 4-0 for Certificates of Appropriateness for roof replacements for Strawberry Bank and O. Brisky Books.

B. Discussion item – a gentleman has approached the board and would like to find a way to retrofit a building that is presently on a non-conforming lot, parcel #16720-027-001. The structure has been listed on the derelict housing list for some time, and it is a 680 square foot shell on a ¼ acre lot, which makes it a non-conforming lot. Attorney Lee stated that a variance is the way to handle this property.

**Mayor Shutterly** stated that a Variance is the proper way to proceed with this parcel.

**Town Administrator**, Debbie Gonano, referred to the Land Development Code (LDC) which clearly states the intent to permit these non-conformities to continue until they are eliminated, but not to encourage their survival.

**9. Town Attorney Report:** Regarding Bill 718 which would affect meeting advertising in great detail. This bill would require a description of everything that is to be discussed at the meeting, and, if it's not on the agenda, then it could not be discussed. Ms. Gonano stated that at her previous employer they had passed a procurement resolution about advertising that would take a lot of the need to advertise in a newspaper off the table making electronic advertisements acceptable and less expensive. This would save money when advertising for many different reasons. Attorney Lee stated that Florida Statutes would require advertisement in a local newspaper for certain applications. Mayor Shutterly would like a resolution written and brought before the Commission regarding advertising electronically on our website.

**10. Town Administrator Report:**

A. Facility Upgrades:

1. Gutter and down spout installation on Town Hall – Completed by Gale Insulation – We saved \$200 off the estimate.
2. Pump #1 Well Repair Status – Earl's Well Drilling – March 10, 2014 Completion – We saved on this also.
3. Pre-fab Metal Maintenance/Garage Building Estimate – We have two more quotes. We had accepted a quote from Olympia and their contract was not acceptable. Discussion ensued.  
The two new quotes we have are from Vulcan Steel and Mesco Building Solutions. Discussion ensued.

*Motion made and seconded (Aufmuth/Mance) to reject the Olympia Steel bid as we were unable to reach an acceptable contract; passed 4-0*

*Motion made and seconded (Aufmuth/Mance) to obtain contracts from Vulcan Steel and Mesco Building Solutions and have the attorney review the contracts; passed 4-0*

B. **Update on drainage ditch maintenance** – Town Administrator Gonano presented and stated that we have been one person short for two weeks, and it has been raining too much to move forward with the project.

**11. New Business:**

A. **Prompted by Commissioner Mance, Dayna Miller**, Waste Pro USA, discussed their expiring contract, which will expire on June 30, 2014 and they are more than happy to work on a new contract and bring it back to the Commission. Now is the time to discuss changes if we have any questions or concerns. Waste Pro provides a service and it is more than just picking up garbage. She will bring a new contract to the Commission for consideration.

**Mayor Pro-Tem Mance** would like to work with Waste Pro as we have a long term working relationship with them and they do a good job for us.

**Attorney Lee** will put together a bid contract form. You should allow 45 – 60 days for the bidding process.

**Commissioner Dickel** is interested in sending out for bids.

**Town Administrator Gonano**, would like to send out for bids as there has been interest expressed in bidding from other waste companies.

Discussion ensued. The Commission would entertain a renewal contract from Waste Pro, but will not rule out obtaining bids from other interested solid waste companies.

**12. Unfinished Business:**

- A. **Wild Spaces & Public Places (WSPP) Reserve Funds – List Presented on 2/13/14 to Oversight Committee** – We haven't heard back from the Oversight Committee.

**Mayor Shutterly** met with Brian Pope, with Lube Bat Conservancy, regarding bat houses, and we have three prime locations. The Conservancy will help us with brochures, kiosk, and promotions. Bat houses have the potential to bring tourists to Micanopy.

**Commissioner Dickel** inquired about a price for bat houses, and Mayor Shutterly answered approximately \$35,000.

**Mayor Pro-Tem Mance** discussed the park plan that two UF students had drawn for us as a possible park for the Town's vacant SW 6<sup>th</sup> St location, and the students' plan was not feasible for the area or our needs. We may put in a barbeque grill, park benches, swing sets, or similar equipment for the residents as they seem to like this idea, and it will make the area into a family-friendly area where the neighborhood can come together.

**Mike Roberts** stated that he spoke to people in that area and they do not want to have a park down there where people will hang out. **Cheryl Roberts** stated that is it a drug area and it may not always be a safe area.

**Eugene Bradley** stated that he spoke to his Alachua Sheriff Office friends, and, if the suggested improvements are made, we may be setting up an area for the drug people to hang out.

**Mike Roberts** discussed the possibility of using WSPP money to purchase a derelict house that is next to the Community Garden which could then be removed to expand the community garden.

**Mayor Shutterly** stated that the money is for Wild Spaces and Public Places, and he's not sure if a house would be a qualified project. It is up to the Oversight Committee to approve projects on the list.

- B. **Derelict Housing Status** - Two houses are down. Public Works employees, David & Raul, have been working very hard on this project. The owners of the third targeted derelict house asked for a 10-day extension, and they will either remediate the house in question or consider taking it down with a contractor hired by them. Looking forward three months, we have chosen two more houses that we may tackle. If the Commission is serious about taking care of these houses, then next month we can send notices to two more houses.

**Mayor Pro-Tem Mance** would like to continue with the process of demolishing the derelict houses.

- C. **Request for Excess Unused Vacation Pay – Charles Kelley**

Mr. Kelley was here last month, and he presented a spreadsheet of accrued vacation and sick time. He had already paid himself two checks for accumulated sick time and a check for 240 hours of vacation time. Since leaving employment, Mr. Kelley had reviewed his time, and he felt that he had more unpaid vacation time due him. Town Administrator Gonano read the policy and procedure manual and it states that vacation time can be accrued up to a maximum 240 hours. Town Administrator Gonano had sent out an email to the Commission regarding another 100 hours of sick leave that Mr. Kelley had paid himself, but he had erroneously miscoded the final paycheck as sick leave, and she apologized for any confusion.

**Commissioner Aufmuth and Mayor Shutterly** agree to direct the Town Attorney to look at Mr. Kelley's spreadsheet and let us know what our obligations are and finalize it with the Town Administrator.

Referring to Mr. Kelley's part-time status served as Code Enforcement Officer, DeDe DesForges stated that part-time employees do not get paid for vacation, holiday, or sick time. Jennifer Cialona, a part-time employee, did not get any benefit pay any of the years she worked here.

**Commissioner Aufmuth stated** the Attorney can sort out the difference between permanent part-time employees vs part-time employees. Part-time employees who feel that they were entitled to benefits should bring the matter to the Town's attention. We may need to have Mr. Powell come in and audit this information.

**13. Town Commissioner Reports:**

- **Commissioner Joe Aufmuth** – Welcome to our new Commissioner. It would've been a pleasure to work with any one of the individuals who ran for the Commission office, and he looks forward to working with you on the Town Commission.
- **Commissioner Mike Berkowitz** – Absent with notice

- **Commissioner Sabine Dickel** – Is excited and stunned that she won by one vote. She is honored and hopes to fulfill everyone’s expectations of her. This is her first elected position so she hopes she doesn’t stumble too much.
- **Commissioner Ginny Mance** – Welcome and congratulations to Sabine Dickel. Congratulations to Mr. Roberts and Mr. Glenn for running a good campaign for the last month. Commissioner Mance commented that the candidates did a great canvassing job of doing what you were called to do, and again congratulations.

Chuck Chestnut said that Mr. Watson pulled the Boundary Adjustment bill because it was too late to submit the bill.

14. **Mayor Richard Shutterly Report:** - Is totally disappointed in our House Representative, Clovis Watson, for withdrawing our Boundary Adjustment Act. Neither Mr. Watson nor his staff has returned the Mayor’s phone calls, and he is very disappointed. The Mayor expressed his opinion that the County does not respect the Town.

The Mayor looks forward to up-and-coming things this year, the Commission is doing a good job, we are good stewards of the citizens’ money, and we try to do our best. He thanked everyone for letting him sit here as Mayor and representing our Town to other municipalities.

15. **Adjourn: 10:00 PM**

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**MINUTES APPROVED:**

As submitted \_\_\_\_\_ as amended \_\_\_\_\_ at Town Commission Meeting \_\_\_\_\_

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**Richard Shutterly, Mayor**

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**Patty S. Polk, Recorder**