



MICANOPY, SEMINOLE CHIEF

# Town of Micanopy

Town Commission  
Minutes Regularly Scheduled Meeting  
Tuesday • February 13, 2018 • 7:30 pm

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1. Call to Order: 7:30 pm
  2. Invocation & Pledge of Allegiance to Flag
  3. Roll Call  
Commissioners Attending:
    - Joseph Aufmuth, Mayor Pro-Tem Present
    - Troy Blakely Present
    - Virginia Mance, Mayor Present
    - Timothy Parker Absent with notice
    - Mike Roberts Present
  
    - Debbie Gonano, Town Administrator Absent with notice
    - Patty Polk, Deputy Town Clerk Present
    - Scott Walker, Town Attorney Present
    - Courtney Johnson, Town Attorney Absent
  4. Consent Agenda Approval
    - A) Agenda Approval
    - B) Minutes of Regular Meeting of January 9, 2018 and Special Meeting of January 18, 2018
    - C) Review & Acceptance of Financial Transactions & Reports  
**Motion made and seconded (Aufmuth/Blakely) to approve the Minutes and Financial Reports as submitted; passed 4-0**

Mayor Mance announced that she had participated in the December 17, 2017 celebration of the 50<sup>th</sup> Anniversary of Father Les Singleton’s ordination as a priest of the Episcopal Church and congratulated him again.
  5. Guests
    - A) Richard Powell, Powell & Jones, CPA – 2017 Audit Report Delivery  
The clean, unmodified audit opinion presents the highest level of assurance of an accurate analysis of the Town’s financial status and reported no audit findings. Mr. Powell reported September 30, 2017 General Fund cash and equivalents totaling \$1,323,827 included in total assets of \$1,343,169. Liabilities totaled \$49,959; leaving \$932,862 in unrestricted fund balances and \$360,348 in restricted balances. Annual revenues of \$682,183 were sufficient to cover expenses of \$575,687; leaving an excess of \$106,496 in the general fund account. The Water Enterprise Fund reported \$488,538 in cash included in total assets of \$618,453. The Enterprise Fund had \$42,907 in liabilities at September 30, 2017 with \$492,321 in unrestricted fund balances. Annual operating revenues of \$145,083 were sufficient to cover operating expenses of \$111,139 leaving an increase in net position of \$33,944. Mr. Powell related that it is very unusual where an enterprise fund is without bonds or debt, and it is commendable that Micanopy is one of the few that does not. The budget vs. actual report shows that the budget was well developed and that the Town lived within its budgetary limits, and Mr. Powell commented that it is a pleasure to audit a client who takes pride in looking after its finances. Mayor Pro-Tem Aufmuth thanked Powell and Jones for auditing our books again this year. The audit answers frequent questions and it is a testament to the Town Administrator and Town Staff. Mayor Pro-Tem Aufmuth offered his copy for review and related that copies are available in the Town office.  
**Motion made and seconded (Aufmuth/Blakely) to accept the September 30, 2017 financial audit as provided by Richard Powell, Powell & Jones CPA; passed 4-0**
  6. Citizen’s Forum
    - A) Carolyn Wallace, Library Manager, provided some fliers for a seed-swap function to be held Thursday night. The Library has a weekly program every Sunday in March. The Library will be closed on Monday, February 12<sup>th</sup>.

7. Citizen Board and Committee Reports

A) Planning & Historic Preservation Board: Chair Fro Warren was absent from the Commission meeting, but had provided a hard copy summary of the P&HPB meeting which had been held on January 23<sup>rd</sup>. Fro Warren was retained as the chair and Ann Baird was chosen as the vice chair for the Board.

1) Special Use Permit & Site Plan Review – The Assembly of Deliverance Church

Public Hearing was continued from the December 19, 2017 meeting. The P&HPB members voted to approve the requested Special Use Permit.

2) Resolution 2018-02 – Medical Marijuana Dispensary Moratorium

The P&HPB voted to approve Resolution 2018-02 to be sent on to the commission.

3) Floor Area Ratio (FAR)

The P&HPB continued to discuss and analyze the FAR contained in the code.

4) IMLA Model Sign Ordinance

B) Tree Committee

Paul Cohen asked about the final tree ordinance, and it was posted on the Town website soon after its passing. Mr. Cohen related that he has submitted the Tree City USA application; and Mayor Mance volunteered to attend this year's Arbor Day event. The Mayor recommended that Mr. Cohen speak with both principals (elementary and middle school) regarding an Arbor Day event. Paul Cohen spoke about upcoming information to be supplied by the Tree Committee to residents (historic walk, tree identification, and tree planting and care).

Deborah Kennedy reported that a huge tree on Cholokka Blvd. needs to be pruned; but it was not sure if the tree belonged to Michael Brisky or Valerie Shutterly. Paul is working on this challenge.

8. Town Attorney Report

A) Ordinance 2018-01 Medical Marijuana Dispensary Moratorium – First Reading

Attorney Walker performed a first reading of Ordinance 2018-01 setting a one year moratorium on medical marijuana dispensaries. The second and final reading of Ordinance 2018-01 will be in March. Commissioner Aufmuth related that the State does not have their act together with regard to this issue. The one-year moratorium will allow the Commission to study and plan for the dispensaries.

Answering Grace Fuller, Attorney Walker stated that a number of communities have enacted such moratoriums until the best zoning districts and proper regulations can be established for these facilities. Mayor Mance related that last November, the public voted to have these medical marijuana facilities approved. The Florida legislature established the required legislation. Micanopy is compelled to allow such businesses, but we need to establish such zoning districts. Father Les Singleton thought that Micanopy should take the lead in allowing such facilities to operate and not put such a moratorium in effect. Mayor Mance announced that there is a dispensary open in Gainesville on 34<sup>th</sup> Street and several local growers operating. The P&HPB had asked the commission to take a look at this issue, and the Commission wants to get the issue right prior to a formal request being made. Town resident, Judah Cordovano, wanted to ensure that a one-year moratorium would not be used to repeatedly extend the issue (the current moratorium would expire on December 12, 2018); and worried that there is a prejudice against cannabis use. Attorney Walker will be working with North Central Florida Regional Planning Council to properly plan the forthcoming ordinance.

***Motion made and seconded (Aufmuth/Roberts) to approve the first reading of Ordinance 2018-01 setting a one year moratorium on medical marijuana dispensaries; passed 4-0***

Attorney Walker will contact Sandra Joseph with NCFRPC to determine if this matter is within the bounds of our current contract.

9. Town Administrator Report

10. New Business

A) Micanopy Great American Cleanup – Saturday, April 7, 2018

Mayor Mance announced that the Great American Cleanup Day had been set for Saturday, April 7, 2018 from 8:00am until noon. Mayor Pro-Tem Aufmuth welcomed all volunteers.

- B) 1995 Freightliner (Engine 261) Repair Estimate  
 Chief Modican had Mid State Power Systems prepare the estimate presented in the amount of \$3,363.30 to repair the pressure relief valve and tank to pump valve to enable the engine to pass the pump test. These repairs are necessary to bring the 1995 Freightliner Engine (Engine 261) up to acceptable standards. The Chief is looking to have the commission accept the estimate so that repairs can be completed. Commissioner Roberts would like to see a second estimate for the work. This is the engine for which we paid \$8,775 last August to have the water tank removed and replaced. Chief Modican estimates that the engine pump has about 2-3 years of life expectancy and will eventually need to be replaced at a cost of about \$8,000-\$10,000. Mayor Pro Tem Aufmuth voiced his opinion that the Town needs to determine when repair of this vehicle is no longer viable because of its age. The Mayor has spoken to Chief Modican about writing a grant for a new fire engine.  
**Motion made and seconded (Aufmuth/Roberts) to approve repair of the pressure relief valve and tank to pump valve at a cost of \$3,363.30; Motion and second withdrawn**  
 The Mayor asked for the Town Administrator to receive another estimate for the work.  
**Motion made and seconded (Aufmuth/Roberts) after receipt of second bid to approve repair of the pressure relief valve and tank to pump valve at a cost not to exceed \$3,363.30; passed 4-0**
- C) Public Works Request – Purchase of a Box Blade  
 The Mayor requested that the Town purchase a King Kutter Box Blade for \$619.99 from Rural King for the Public Works crew. Commissioner Roberts wanted to spend more money and get a good commercial quality box blade. Resident Bud DesForges suggested that three bids be received, a choice be made, and the box blade be purchased accordingly.  
**Motion made and seconded (Aufmuth/Roberts) to receive three bids for a commercial box blade and purchase be made at a cost not to exceed \$5,000; passed 4-0**  
*(After receiving three bids, a commercial-grade box blade was purchased from Ocala Tractor in the amount of \$974.)*
- D) House Bill 1237 Alachua County/Gainesville CRA Opposition Letter  
 Mayor Mance presented a letter written by her to oppose HB 1237 giving Alachua County more authority and to allow Gainesville to have representation on the CRA, as originally intended.  
**Motion made and seconded (Aufmuth/Blakely) to approve the letter written by Mayor Mance to Representative Chuck Clemmons opposing HB 1237; passed 4-0**

11. Unfinished Business

- A) Mittauer & Associates Water Plant Renovation Status  
 Mayor Mance related that the Town Administrator, David Holton, and she had met with Mittauer & Associates and US Water on January 25 for a pre-construction meeting. At the meeting, US Water presented Change Order #1 in the amount of \$11,276 to cover unanticipated well change costs. The Town Administrator had worked with Mittauer & Associates to reduce, if not altogether eliminate, the proposed additional charge. The Mayor recommended that we not pay this invoice and put this invoice on hold. Commissioner Roberts wanted to terminate the contract with both US Water, the contractor, and Mittauer & Associates, the engineer. Attorney Walker recommended that we speak with Joe Mittauer to get information and determine what needs to be done with the Change Order, but he warned that unsatisfactory work from the contractor could be the result of taking a hard line on this situation. The Mayor suggested that another meeting be set with her, Mittauer & Associates, and the Town Administrator.  
**Motion made and seconded (Aufmuth/Blakely) to approve the Mayor to represent the Town in any such meeting with Mittauer & Associates; passed 4-0**
- B) Firehouse Playground Status  
 Town Administrator Gonano has been in contact with Pro Playgrounds and receipt of the equipment is expected by the end of the next week. If accepted for the grant funding, Micanopy will use the FRDAP grant to complete demolition and rebuilding of the basketball court and other improvements at the Firehouse Playground.

The ordered playground structure is being purchased with 2016 Wild Spaces and Public Places funds. Remaining 2008 WSPP funds had been earmarked to complete the downtown pergola structure. Some of the public wanted to change the building from a pergola to an Indian *chikee hut*. The Tree Ad Hoc Committee has accepted responsibility for that structure.

Laura Bailey reported that the MNAHP barn building is starting to rot and deteriorate. Public Works will be asked to take a look at the building.

C) Fuel Tax Distribution

With expiration of the current Interlocal Agreement (ILA), negotiation of the 11 cent fuel tax distribution is still ongoing; with the cities of Newberry, Alachua, and High Springs looking for a larger percentage than what they're currently receiving of the remaining 9.2% (Alachua County and Gainesville have agreed on 90.8% of the total fuel tax proceeds). Any increase in fuel tax for Newberry, Alachua, and/or High Springs would mean a decrease for Micanopy, Archer, Hawthorne, Waldo, and LaCrosse. Attorney Walker brought the Commission up to date. Newberry City Manager, Mike New, had put together three separate proposals whereby Newberry would receive additional revenues; the more likely County-supported scenario at the expense of Micanopy, Archer, Hawthorne, Waldo, and LaCrosse. Archer voted for only Scenario #2, Hawthorne has voted against the three scenarios, Waldo is expected to vote not to accept any of the scenarios, and High Springs did not put the issue on their agenda. Commissioner Blakely stated that single member voting districts would positively change the County Commission.

***Motion made and seconded (Aufmuth/Roberts) to decline all scenarios; passed 4-0***

12. Town Commissioner Reports

- Commissioner Joseph Aufmuth: Congratulations to Commissioner Mance for another three year term.
- Commissioner Troy Blakely: Commissioner Blakely wanted to bring attention to the 'Historic Micanopy' pamphlet prepared by Town Administrator Gonano, which was prepared relative to requests for a map of downtown Micanopy
- Commissioner Parker: Not present
- Commissioner Mike Roberts: Commissioner Roberts announced that former Commissioner Berkowitz' father had passed last week. Additionally, Commissioner Roberts had contacted the State of Florida about changing the CR234 bypass (reduced speed limit, traffic lights, etc.), but had not heard back from the State.

13. Mayor Ginny Mance Report

The Mayor extended her appreciation to the P&HPB regarding their input, especially for the medial marijuana dispensary issue. Thanks also to Attorney Walker for the firm's help on this issue.

14. Adjourn: 9:55pm

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**MINUTES APPROVED:**

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

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Virginia L. Mance, Mayor

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Debbie Gonano, Recorder