



Minutes

Town Commission
Regularly Scheduled Meeting
Tuesday • April 8, 2014 • 7:30 pm

1. Call to Order: 7:30 pm
 2. Invocation & Pledge of Allegiance to Flag
 3. Roll Call:
Commissioners Attending:
 - Joseph Aufmuth Present
 - Michael Berkowitz Present
 - Virginia Mance, Mayor Pro-Tem Present
 - Richard Shutterly, Mayor Present
 - Jason “Tug” Huddleston Absent with notice

 - Debbie Gonano, Town Administrator Present
 - Stephen Lee, Town Attorney Present
 - Patty Polk, Deputy Town Clerk Present
 4. Consent Agenda Approval:
 - A. April 08, 2014 Agenda Approval
 - B. March 11, 2014 Regular Meeting Minutes, and March 31, 2014 Special Called Meeting Minutes
 - C. Review & Acceptance of Financial Transactions & Reports
Motion made and seconded (Aufmuth/Mance) to accept the consent agenda as submitted; passed 4-0
 5. Organizational Meeting: Vote for Mayor & Mayor Pro-Tem – Tabled until after the Run-off election is complete.
 6. Citizens Forum:
 - A. Owenson Humphreys, NE Weaver Run, inquired about the bad condition of Weaver Run road. Mayor Shutterly answered that our Public Works Manager will check the road condition.
 7. Guests: None
 8. Citizens Board and Committee Reports:
 - A. Planning & Historic Preservation Board Membership Changes:
 1. Resignation of Crystal Gates
 2. Application for service on Planning & Historic Preservation Board – Julie Penrod-Glenn
 3. Application for service on Planning & Historic Preservation Board – Stuart H. Smith
 4. Application for service on Planning & Historic Preservation Board – K. William Avery
 5. Application for service on Planning & Historic Preservation Board – Joseph C. PierceMayor Shutterly presented that we have 4 openings on the P&HPB. Inadvertently, last year when the Land Development Code (LDC) was adopted, a previous ordinance reducing the number of board members from 7 to 5 was missed. Thus, the attorney related that the P&HPB has 7 positions. There are 4 openings and 4 applicants to review. Two of the applicants are present for the meeting, Julie Penrod-Glenn and Joe Pierce.
Motion made and seconded (Aufmuth/Berkowitz) to accept all 4 applications to the Planning & Historic Preservation Board; passed 4-0
- Mayor Shutterly asked Attorney Lee to attend the next Planning & Historic Preservation Board meeting to instruct the new P&HPB and Tree Committee members on sunshine laws.

9. Town Attorney Report:

A. Ordinance No. 2014-01 Human Rights Ordinance – First Reading

Mayor read Ordinance 2014-01 on short title

Motion (Aufmuth/Mance) to approve Ordinance 2014-01 as submitted; passed 4-0

Mayor Shutterly explained the ordinance stating that it in no way reduces any human rights, but provides for home rule. Mayor Pro-Tem Mance stated for citizens benefit that Section 1 deals with investigations of complaints; Section 2 deals with processing of those complaints; Section 3 deals with adjudication hearings; Section 4 details a procedure for review of the Town Commission's disposition of any complaint and the complainant's right to appeal to the Circuit Court of Alachua County; Section 5 specifies the relationship to state and federal law and that nothing should be deemed to interfere with either of those; and Section 6 deals with severability. This is the first reading for this ordinance; a second and final reading will be advertised for next month.

B. Resolution No. 2014-02 Employee 457 (b) Retirement Account – Mayor read resolution on short title.

1. 457 (b) Trust Joinder Agreement

2. 457 (b) Adoption Agreement

Motion made and seconded (Aufmuth/Berkowitz) to approve as submitted; passed 4-0

Mayor Shutterly explained that the retirement plan is an employee-funded plan. It is operated by the Florida League of Cities which is a good group and well known for protecting municipalities. Mayor Pro-Tem Mance stated that the plan will benefit all departments of the town, excluding part-time firefighters.

C. Resolution No. 2014-04 Procurement Policy - Mayor read on short title and discussion ensued

Motion made and seconded (Aufmuth/Berkowitz) to approve Resolution 2014-04 as submitted; passed 4-0

Mayor Shutterly explained that this resolution replaces resolution 96-D allowing the Town to advertise on the Town's website for a number of items. Mayor Pro-Tem Mance discussed that we want to save money on alternative advertising, as newspaper print advertising is very expensive. Ordinances, Budget/Millage Rates, and other legal documents will still require newspaper ads. Commissioner Aufmuth discussed the levels and requirements for the bid processes. Attorney Lee pointed out that some limits have been raised from the previous resolution and that the law requires bidders to be notified in writing if the bid calls for local preference.

10. Town Administrator Report:

A. Great American Clean-Up Day Saturday, April 26, 8:00 am – 11:30 am – will wrap up around noon or so, and we need volunteers to make this clean up a success.

B. Run-Off Election Date set for May 6, 2014 – Run-off election between Mike Roberts and Sabine Dickel. We will have a canvassing board meeting directly following the election. Commissioner Huddleston will remain a commissioner until after the election. Town hall will advertise the run-off election date and post notices in town.

C. Update on drainage ditch maintenance – We are behind schedule due to rain. Next step is to concrete the ends of the newly-installed culverts before they become crushed.

D. Pre-fab Metal Maintenance/Garage Building Status – Mayor Shutter presented. Discussion ensued regarding building regulations, engineering drawings, wind loads, and contracts.

Motion made and seconded (Mance/Aufmuth) to accept the Mesco contract and have Attorney Lee begin contract negotiations; passed 4-0

11. New Business:

A. Solid Waste RFP (Request for Proposal) – Waste Pro Contract expires June 30, 2014 – Dayna Miller, Waste Pro USA, presented. Ms. Miller would like to ask the Commission if they would consider giving formal directive to staff to enter into negotiation with Waste Pro for a renewal contract. If an agreement cannot be made, then staff will recommend to the Commission that we advertise a Request for Proposal (RFP) for a new solid waste contractor. Discussion ensued regarding time restraints and time needed to send out for an RFP, if needed. Waste Pro will work with us, and Ms. Miller stated that Waste Pro will not leave us with a gap in service. Commissioner Aufmuth questioned when the decision to send out for RFP was made. As the Commission had directed Mr. Lee in the March commission meeting to send Ms. Gonano a solid waste bid format to use, and the contract with Waste Pro USA required a 90-day notice of intent to terminate, the Town Administrator had no choice but to send a termination notice to Waste Pro to keep the RFP option open.

Motion made and seconded (Aufmuth/Berkowitz) to extend the current contract with Waste Pro USA on a month-to-month basis and give Dayna Miller the opportunity to work with Town Administrator Gonano on a possible contract renewal; passed 4-0

12. Unfinished Business:
- A. Derelict Housing Status:
1. Total Derelict Houses Demolished = 3
 2. Total Derelict Houses Planned for Demolition = 2
 3. Derelict Houses to be Considered for Demolition = 2
 - a. 701 NE 2nd Street (Easy St)
 - b. 110 SW 6th Street

Motion made and seconded (Aufmuth/Mance) to approve pursuing the derelict houses at 701 NE Easy St and 110 SW 6th Street; passed 4-0

Mayor Pro-Tem Mance would like to consider periodically reviewing the demolition process to discuss the amount of money the Town has invested in the demolition of derelict houses and how those expenses are budgeted. Town Administrator Gonano reviewed the cost associated to date with the derelict houses. The first two houses (one owner) cost the town \$3,300 and the third house cost the town \$1,900. Most of the demolition costs are soft costs, as in salaries and such. Discussion involved the process of billing the property owners and reimbursing the Town for costs incurred. A list of derelict houses which have already been noticed and future scheduled houses would be nice to have posted where visible to residents.

- B. Vacation Pay Overpayment – Charles Kelley
- Town Administrator Gonano presented Mr. Kelley’s payment requests, which had changed twice on this day alone. Attorney Lee stated that under Florida law, after you have paid someone all you owe them, it is illegal to pay them more money. Per Mr. Lee, Mr. Kelley has been paid the maximum amount of accrued time allowed according to our Town policy and was overpaid for 29 ½ hours. Mayor Shutterly agreed that we have overpaid 29 ½ hours, and we should ask for the money back. Mayor Pro-Tem Mance stated that Mr. Kelley must adhere to all the same rules that he imposed on other Town employees. Commissioner Berkowitz is glad that we had Town Administrator Gonano review the spreadsheet supplied by Mr. Kelley and found the 29 ½ hours overpaid to him. Commissioner Berkowitz suggested that and we should ask for the overpayment to be reimbursed to the Town by Mr. Kelley.

Motion made and seconded (Berkowitz/Mance) to direct the Town Administrator and Attorney Lee to ask Mr. Kelley to reimburse the Town for the 29 ½ hours for which he was overpaid; passed 4-0

13. Town Commissioner Reports:
- Commissioner Joe Aufmuth – Nothing
 - Commissioner Mike Berkowitz – Inquired about survey flags. In May the sidewalk issue will be discussed and the flags will be gone.
 - Commissioner Huddleston – Absent with notice
 - Commissioner Ginny Mance - Next month is the sidewalk workshop, and she would like a flyer sent out to all of our residents to get as many people involved as possible. No decisions have been made on the proposed sidewalks, and Commissioner Mance invited residents come to the workshop to learn more.

14. Mayor Richard Shutterly Report: - When it rains, the Mayor reported that he looks at different streets and ditches to see where the water is flowing; the curve on Hunter Ave needs some work. The Mayor reported that Alachua County workers had been working near Hwy. 441, but he wasn’t sure what they were doing. It’s a wet year, and the Mayor felt that the Town is doing what we can to keep the water flowing. Hope we have a good turn-out for our next election.

15. Adjourn: 9:03 PM

MINUTES APPROVED:

As submitted _____ as amended _____ at Town Commission Meeting _____

Richard Shutterly, Mayor

Patty S. Polk, Recorder