



MICANOPY, SEMINOLE CHIEF

# Town of Micanopy

Town Commission  
Minutes Regularly Scheduled Meeting  
Tuesday • April 10, 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 (left at 8:52pm)
    - Virginia Mance Present
    - Timothy Parker, Mayor Present
    - Mike Roberts Present
  
    - Debbie Gonano, Town Administrator Present
    - Patty Polk, Deputy Town Clerk Present
    - Scott Walker, Town Attorney Present
    - Courtney Johnson, Town Attorney Present
  4. Consent Agenda Approval
    - A) Agenda Approval
    - B) Minutes of Regular Meeting of March 13, 2018
    - C) Review & Acceptance of Financial Transactions & Reports  
**Motion made and seconded (Mance/Roberts) to approve the Minutes and Financial Reports as submitted; passed 5-0**
  5. Guests
  6. Citizen's Forum
    - A) Grace Fuller thanked Mayor Mance for her years of service as Mayor and congratulated Mayor Parker on his recent appointment as Mayor. Additionally, she complained about debris piled at 803 NW Seminary; however, Town Administrator Gonano had been working with the owner, and the majority of the debris had already been removed and cleared.
    - B) Librarian Carolyn Wallace said that the library was celebrating National Library Week; reported on the library's partnership with Grow Gainesville; reported that the library had acquired Legos for the children; reported about movie showings hosted by the library; and reported on author-series visits at the library headquarters.
    - C) Carol Young, a self-admitted chronic complainer about speed on NW Seminary, complained again about the speeding traffic on that street and the need for something to be done concerning the speeding.
    - D) Ed Burnett complained about a dead oak tree at the SE corner of Division and Smith.
    - E) Cheryl Roberts complained about a hollow tree on the SE corner of Seminary and Ed Glover which is partially on her property and the Town's property.
    - F) Paul Cohen asked about the accuracy of surveys and was answered by the Mayor and Mayor Pro Tem. Paul complained about bubbles in the tap water.
  7. Citizen Board and Committee Reports
    - A) Planning & Historic Preservation Board
      - 1) Certificate of Appropriateness – *Antiques Plus* Sign Permit Approved
      - 2) Certificate of Appropriateness – *Grasshoppa Gallery* Sign Permit Approved.
      - 3) Variance for 53' Lot Width – 404 Okehumkee Street (Parcel #16552-018-002) Approved.
      - 4) Teeter Totter placement approved for Town Staff to decide.
      - 5) Flag Lot Concept Review – Subdivision being considered for 11 lots.

- 6) Modular Units Placement – Micanopy Academy being considered.
- 7) Floor Area Ratio (FAR) discussion was tabled.
- 8) Sign Ordinance discussion was tabled.
- 9) Tree Committee Ad Hoc Committee – dissatisfaction with pergola design approved by Commission.

B) Tree Committee

- 1) Arbor Day Proclamation – April 27, 2018  
***Motion made and seconded (Aufmuth/Mance) to approve the Arbor Day Proclamation; passed 5-0***
- 2) Paul Cohen reported that the Tree Committee was considering adding any previously ‘specially-dedicated tree’ to the specimen tree list; and he detailed their efforts to form a walking-tour brochure.
- 3) Ad Hoc Committee – Request for Proposal (RFP) Historic Downtown Pergola  
Town Administrator Gonano summarized that at the March meeting, the Commission had voted to write a Request for Proposal (RFP) for the pergola design; she had written the RFP; Attorney Walker had reviewed the RFP; and the RFP had been sent to approximately 20 vendors. Bids are due by April 30.

Resident Deborah Kennedy had submitted a letter to the P&HPB and later to the Commission on March 27 asking for the Commission to reconsider its decision to build a pergola; and to build a roofed post and beam structure instead. Apparently a related petition had also been passed around. Mayor Parker asked Town Administrator Gonano to summarize the pergola-related events to date. Gonano answered that the pergola had been referred to at publically-advertised meetings since last April. Additionally, the pergola design had been discussed in at least two separate public monthly meetings (P&HPB and Commission) for at least eight months; and additionally discussed in about six advertised and noticed Ad Hoc Committee meetings. Mayor Pro Tem Aufmuth recognized that there had been no one who has stood up and complained about the pergola in those meetings. Deborah Kennedy disagreed and stated that she had complained at every meeting; although the official P&HPB and Commission meeting minutes from May 2017 through February 2018 record no such complaints. Commissioner Mance reminded attendees that in July 2017, P&HPB Chair, Fro Warren, had presented three separate models of the pergola design, and the design was chosen with much fanfare shown for Chair Warren’s notable hard work. Resident Frank Dahmer, who admitted not having known about the pergola until two months ago, complained about there being an adversarial ‘disconnect’ between downtown merchants and the Town’s people; and he claimed that the merchants aren’t aware of what’s happening in Town. Dahmer claimed that he had a petition of 33 residents who supported a roofed structure and proceeded to read a letter written by him which was addressed “*To the Micanopy town commission and other interested parties.*” Homeowner Bud DesForges stated that he could get as many signatures on a petition as the next person. Again, Mayor Pro Tem Aufmuth, previously having collected hundreds of petition signatures, advised that there is a correct procedure spelled out in the Charter for collecting petition signatures. Mr. Dahmer complained that the merchants no longer get monthly documents from Town Hall, and he felt that all notices should be posted downtown; however, it was acknowledged that all notices are posted on the Town website and calendar. Mr. Dahmer stated that “the only thing that the merchants have got in downtown Micanopy was the arrival of my building, and this structure will be the first structure built since I built my building in 1981.” Dahmer claimed that “the downtown islands should be the centerpiece of town, as they were the only park that this town would ever have.” Grace Fuller wondered, why if the merchants felt a ‘disconnect,’ a merchant’s association representative doesn’t regularly attend monthly meetings? Mayor Pro Tem Aufmuth asked Chair Warren how the pergola design was chosen. Chair Warren answered that he was not aware if any other design was ever considered, but that the Ad Hoc Committee had chosen the pergola design and presented the chosen design to the P&HPB. Further, Chair Warren stated his interpretation that upon bid receipt and acceptance, the design would again come before the P&HPB for final acceptance. Mayor Pro Tem Aufmuth concluded that the P&HPB at no time rejected the pergola design because it was not compatible for the Town. Bud DesForges stated, “because you are ignorant and don’t pay attention to what’s going on in your Town is no reason to come forward at the last minute and try to change all the work that many people have done and the many hours put in” on this project. DesForges explained that the project is out to bid and if the vendors are called to stop work on this project, you will never get them to bid again. The cedar trees were removed and this structure was only intended to provide shade.

Frank Dahmer stated that he appreciated Bud’s views and admittedly didn’t understand Sunshine Laws, but questioned the ethics of the Ad Hoc Committee relevant to Sunshine Laws, as the Committee had not canvassed the Town to get residents’ opinions. Mayor Pro Tem Aufmuth agreed with Mr. Dahmer that Mr. Dahmer did not understand the Sunshine Laws. Further Aufmuth stated that Sunshine Laws deal with open meetings and discussion and not having members communicate back and forth with others or third parties on a topic that may

come before them for consideration. Frank Dahmer interrupted and stated that “they do;” meaning that Committee members had discussed topics among themselves. Mayor Pro Tem Aufmuth answered that if that is the case, the issue needed to be discussed with the Town Attorney. Annoyed, Aufmuth stated that he has been on the Commission for 18 years and takes this issue very seriously. Mr. Dahmer answered that he was not accusing Mayor Pro Tem Aufmuth; Aufmuth answered that he was accusing the process; and Aufmuth advised Dahmer not to ever bring this up if there were no ethics violations taking place. Further, no merchants ever objected to the pergola design while this entire process was following its course. Otherwise, this discussion has been going on for months. Upset, Chair Warren wanted to know who Mr. Dahmer was accusing of not working within the Sunshine Laws; but Mayor Parker moved the meeting forward. Mayor Parker asked for any motion to support the suggested design changes. Commissioner Blakely offered up a motion to proceed with the pergola, but that motion had already been offered last month, and it was withdrawn by Blakely.

Hearing no motions supporting design change, Mayor Parker wanted to move the meeting forward. Deborah Kennedy did not understand what action was being taken. Mayor Parker explained that there was no motion to change the pergola design and that the design would stay as is; any bids received would be opened at an advertised meeting.

8. Town Attorney Report

A) Duke Energy Water Plant Easement Agreement

Duke Energy presented an easement agreement necessary to complete renovations at the water treatment plant. Attorney Johnson recommended making one change to the agreement being presented. Under the rights herein granted to GRANTEE by GRANTOR, (f) the agreement language will be changed so as to allow only approved equipment from third parties to be attached.

**Motion made and seconded (Aufmuth/Mance) to approve the agreement presented with the revised language; passed 5-0**

B) Quasi-Judicial Training

Attorney Johnson wanted to schedule quasi-judicial training for elected officials and interested board members. She suggested several dates, and Town Administrator Gonano will work out the details with the Commission and P&HPB.

C) Medical Marijuana Treatment Center Dispensing Facilities

Sandra Joseph from the North Central Florida Regional Planning Council had presented a draft schedule and proposed language for review by the P&HPB and Commission proposing to allow the dispensaries in the C-2 zone. The P&HPB public hearing will be scheduled for May and the two commission public hearings will be scheduled in June and July.

9. Town Administrator Report

A) Updated 2018-2019 Budget

Attempting to keep the Commission up to date with next year’s forthcoming budget, Town Administrator presented an updated 2018-2019 budget. Additionally, she reminded the Commission of the impending need to revise this year’s budget by approximately \$70,000 for the balance of the unbudgeted water treatment plant renovation costs.

B) Elevator Lightning Strike

Gonano advised that the elevator took a hit from the lightning storm this past weekend and thyssenkrupp has estimated the repair estimate at \$15,000. The insurance company advises that they will cover the loss.

Commissioner Blakely left the meeting due to illness.

10. New Business

A) Melissa Fox, Fred Fox Enterprises

Melissa Fox presented Community Development Block Grant (CDBG) information to the Commission. Because the Town has not had a CDBG grant in the last five years, our point ranking will be higher and more adept to qualify for the \$600,000 in grant funds. Alachua County low-to-moderate (LMI) annual income is set by HUD and ranges from \$36,350 - \$68,550. There are four categories of grant funding: 1) Housing Rehabilitation – Usually affecting about 9-10 homes, this category brings existing homes up to current codes or would cover replacement of homes beyond the scope of repair. This category of grant requires passage of a Housing Assistance Plan to rank LMI applicants and specify what will be allowed. 2) Commercial Revitalization – Addressing the downtown area with streetscaping, building façade work, etc. To qualify for these funds, income for the entire Town (service area) would need to qualify as 51% LMI. 3) Neighborhood Revitalization – Addressing infrastructure in at least 51% residential LMI areas (service areas)

including water line repair/replacement, water system improvements, paving, drainage, community center, etc. 4) Economic Development – Provides infrastructure on Town easements or property to a new business or expansion of existing businesses. The business must create new long-term jobs for LMI residents and be included as the ‘participating party’ in the application.

The application process requires the Town to: 1) Appoint a Citizens Advisory Task Force (CATF). 2) Advertise and hold a CATF meeting to discuss possible projects. 3) Advertise and hold a public hearing where they obtain public comment and direction by Commission to move forward on a determining a project. 4) Advertise and hold a fair housing workshop. 5) Advertise and hold a second public hearing to finalize the application, which estimates an August 2018 submission date.

Ms. Fox outlined ways in which the Town could maximize application points. Total points available in an application are 1,000. Based on criteria used in the FY 2016 CDBG cycle, the Town would score a competitive 735.40 in points. The Town is free to select any grant writer once an award is made. Mayor Pro Tem Aufmuth spoke highly regarding the previous 10 homes on which CDBG grants funds were secured and administered by Scott Modesitt, and he asked Ms. Fox about their expected percentage of involvement. Ms. Fox offered to help in any way possible. Town Administrator Gonano related that the Town had not qualified for the 51% LMI limitations in the past, but Ms. Fox countered that per the 2010 census data, Micanopy’s LMI was recorded at 50.35%. A door-to-door survey could be conducted to determine if the Town would meet the 51% LMI; however, the CATF would be tasked with picking the project to be funded. Commissioner Mance remembered that previously the Housing Rehabilitation category was chosen because the Town was unable to meet the requirement for the 51% LMI.

***Motion made and seconded (Aufmuth/Roberts) to move forward with a CDBG grant; passed 4-0***

B) Debby Preble, Dewberry (Engineering/Architect) Recreation Building  
At the invitation of Commissioner Roberts, Debby Preble, of Dewberry, was present to discuss project funding opportunities. Dewberry is a national engineering and architectural firm. Ms. Preble was successful in getting recent funding for the City of Archer and was familiar with the Wild Spaces & Public Places (WSPP) funding, having worked with Gainesville, Archer, and High Springs on WSPP projects. Ms. Preble briefly mentioned the recreation building and how the WSPP funding would probably not be enough to fully fund the project. She mentioned that the other cities are aggressively seeking other funding sources to complete their projects. Ms. Preble estimated that Micanopy would collect about \$28,000/year (*our budget estimated \$34,800*) received directly from the State for WSPP which must be spent according to an ordinance passed, but was broadly available for recreational opportunities. The second source of WSPP funds are from an \$85,000 matching grant with Alachua County. Once the County approved a project, an agreement would be executed. Ms. Preble also mentioned our water treatment plant project and the possibility of receiving some portion of \$6 million FEMA hazard mitigation funds to jointly complete the project. She thought that we might qualify for some of the FEMA funds to pay for an emergency generator. Additional funding sources might be the USDA, State of Florida State Revolving Fund, Small Communities Water System Program, Water Management District, and CDBG funds. Ms. Preble explained that Dewberry does not charge for engineering on a project until the grant is funded, at which time the customer is expected to hire the firm. Mayor Pro Tem Aufmuth recommended holding a workshop with the P&HPB with the purpose of compiling a list of projects for which the Town has talked about completing. Town Administrator Gonano will coordinate the appropriate parties to schedule a meeting.

C) Ballpark Pavilion Repair/Re-Build  
During Hurricane Irma, a tree had fallen on the pavilion at the ballpark. In an effort to save money on insurance costs, the Town Commission had previously deleted the pavilion from the insured schedule. David estimated that the the pavilion could be repaired and rebuilt for about \$4,000 by Public Works.  
***Motion made and seconded (Aufmuth/Mance) to allocate an amount not to exceed \$5,000 to repair and rebuild the pavilion; passed 4-0***

D) Code Enforcement Board  
***Motion made and seconded (Aufmuth/Mance) to appoint Stanley Strobles to the Code Enforcement Board; passed 4-0***  
After appointment of Mr. Strobles to the Board, there are still two positions open. Anybody feeling the desire to serve, please contact Town Hall for an application.

11. Unfinished Business

A) Great American Cleanup Day Follow-Up  
Town Administrator Gonano announced that the Great American Cleanup Day which had taken place on Saturday, April 7 from 8:00am until noon had been very successful. The Town was able to collect 2 dumpsters of tires (*later*

determined to be 2,000 pounds) , 4 dumpsters of household waste, 1 dumpster of metal, a truckload of other miscellaneous debris (mixed solid waste totaling 13,000 pounds), and an unspecified amount (3,240 pounds) of hazardous waste. Thank you to all the volunteers.

B) Mittauer & Associates Water Plant Renovation Status

Mayor Parker, Town Administrator Gonano, and David Holton met with Joe Mittauer on Monday, March 26, 2018. Mayor Parker announced that US Water Change Order #1 in the amount of \$11,276 (covering additional crane costs) had been voided by the vendor, and the Town would not have to pay that invoice. Commissioner Mance expressed her gratitude that the vendor had voided the invoice. Answering Grace Fuller, Town Administrator Gonano related that Commissioner Mance, Mayor Parker, David Holton, and she had worked diligently to have the vendor void this invoice. A work schedule should be produced soon and the work panels should be installed in May.

C) Escheated Vacant Parcel #16720-028-027 (SW 6<sup>th</sup> Street)

After exhausting attempts to sell Parcel #16720-028-027, Alachua County Commission has begun the procedure to escheat the parcel to the Town of Micanopy. The Town Administrator is awaiting final approval of mineral rights from the BoCC. Town Administrator Gonano acknowledged that she knows of two buyers who are possibly interested in the parcel if the Commission decides to sell the property and put it back on the tax rolls.

D) Willie Mae Stokes Community Center Agreement

The attorneys had written a three year agreement with the Willie Mae Stokes Community Center (a 501c3 organization) agreeing to grant \$15,750 to the community center, who would provide services to the community. Per Pastor Stokes, the Fire Marshall wanted an additional handicapped ramp to be built which was completed, the power will be turned on this week, and the computers will be delivered on April 16<sup>th</sup>. An inspection required three doors to be equipped with panic hardware, an unexpected cost. Pastor Stokes related how the scope of the work has been constantly changing; however, he expects that the CO will be issued by May 24<sup>th</sup>. Mayor Pro Tem Aufmuth commended Pastor Stokes for working for the community. There were a few required changes to be made, but otherwise the agreement was acceptable to the Commission. Since the agreement was not received until late this afternoon, Commissioner Mance wanted additional time to review the agreement; however, Mayor Pro Tem Aufmuth felt comfortable with the attorney-prepared agreement.

**Motion made and seconded (Aufmuth/Roberts) to approve the agreement for \$15,750; passed 4-0**

12. Town Commissioner Reports

- Commissioner Joseph Aufmuth:  
Apologized for missing the Great American Clean-Up Day and appreciated everybody's input.
- Commissioner Troy Blakely:  
Absent
- Commissioner Ginny Mance:  
It's good to see the process working, and she looks forward to some of the good ideas.
- Commissioner Mike Roberts:  
There are still accidents occurring out on the 234 bypass, and he and Cheryl are still working to make the situation better.

13. Mayor Tim Parker Report

The Mayor says this first meeting has been a real learning experience. His attendance at the Thrasher Warehouse Board meeting led to the announcement that there will be no fish fry following the July 4<sup>th</sup> parade. He appreciates the other Commissioners' support.

14. Adjourn: 9:44 pm

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**MINUTES APPROVED:**

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

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Tim Parker, Mayor

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Debbie Gonano, Recorder