



MICANOPY, SEMINOLE CHIEF

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# Minutes

## Town Commission

### Regularly Scheduled Meeting

Tuesday • April 12, 2016 • 7:30 pm

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1. Call to Order: 7:40 pm
2. Invocation & Pledge of Allegiance to Flag
3. Roll Call:  
Commissioners Attending:
  - Joseph Aufmuth On Sabbatical – Joined meeting via speaker phone
  - Virginia Mance, Mayor Present
  - Timothy Parker Present
  - Mike Roberts Present
  - Richard Shutterly, Mayor Pro-Tem Present
  
  - Debbie Gonano, Town Administrator Present
  - Stephen Lee, Town Attorney Present
  - Patty Polk, Deputy Town Clerk Present
4. Consent Agenda Approval:
  - A. Agenda Approval
  - B. Minutes of Regular Meeting & Special Meeting (Canvassing Board) on March 8, 2016
  - C. Review & Acceptance of Financial Transactions & Reports  
***Motion made and seconded (Shutterly/Parker) to approve the consent agenda as submitted; passed 5-0***
5. Guests: None
6. Citizen's Forum (public comments limited to 5 minutes per speaker, please)
  - A. Jim Delaughter, NE Bay Ave, discussed the basketball court lights and the need to have them shut off at a decent hour. For the past month or more, the same group of men have been using the court and using foul language without regard for their audience. Mayor Mance agrees that this behavior is objectionable and the issue will be discussed tonight during 11 D) Draft Ordinance – Municipal Park Rules.
7. Citizen Board and Committee Reports:
  - A. Planning & Historic Preservation Board – Unavailable
  - B. Tree Committee – Karen Hill, Chair presented  
They had 5 tree permits which were all approved.
8. Town Attorney Report:
  - A. Public Hearing: Second & Final Reading Ordinance No. 2016-01 Indoor Entertainment Venue  
Attorney Lee read on short title. Discussion ensued.  
***Motion made and seconded (Shutterly/Roberts) to adopt the Second & Final reading of Ordinance 2016-01 as submitted; passed 5-0***
  - B. Micanopy Area Cooperative School Reverter Clause – Attorney Lee explained that he has communicated with Mr. Block, the attorney representing the MACS school. In February, MACS asked to have a release of the reverter clause from the Town for the Strobes Center property to broaden their ability to obtain financing opportunities.

The Commission, who spoke against the release, asked the school to form a proposal and present it to the Commission. MACS Board Members would like a release of the mineral rights and the reverter clause changed to read that the bank will have a year to find another charter school to take over if this loan ever goes into foreclosure. Commissioner Shutterly does not support a change to the agreement for this historic site. Commissioners Aufmuth and Roberts agreed with Commissioner Shutterly. Commissioner Parker has reviewed the information provided, and he would like to retain the agreement as is.

Why is the school having trouble obtaining a loan? Mr. Block responded that the school has had a relationship with M & S Bank for over a decade and this bank has been acquired by Ameris Bank; and Mr. Block stated that Ameris Bank had taken a risk with closing the loan today. The rear two lots that the school owns do not have a good ingress and egress and this ham strings the value of the property and encumbers any future loans to the school. The school would also like the Town to release the automatic reservation in the phosphate, minerals, oil, and gas rights. The Town can exercise the right to explore and extract those resources, but Mr. Block doubts that the town will ever exercise these rights. These mineral rights could cause a detriment to the school and the lender.

Principal, Brenda Maynard, stated that the school is planning potential future loans of an estimated \$1 million in approximately 10 years to replace the portable classrooms with permanent concrete structures similar to others on the campus. Commissioner Shutterly stated that the school should come back in 10 years to discuss the matter again. Status stays the same with no motion from the commission. Mayor Mance congratulated the school board on their progress.

DeDe DesForges questioned if alternative routes to the rear entry of the school have been discussed? Many cars go down Ed Glover St several times a day damaging the road and requiring maintenance. Mayor Mance will meet with Brenda Maynard to discuss traffic issues.

- C. The elected official mandated 2016 Sunshine Law Public Ethics Course is available with instructions; and completion by the end of the year is required.

9. Town Administrator Report: Town Administrator presented.

- A. Community Garden Picnic Area: Holly Morris has offered to donate up to 3 picnic tables to make the community garden area more inviting and comfortable to citizens utilizing the garden. Commissioner Shutterly discussed that when the garden was approved, we chose not to place picnic tables there. The Garden was supposed to be kept very neat, clean, attractive, and picked up; but it looks like a weed fest. The Fire Department utilizes this area to park cars during the Fall Festival and has already sacrificed spaces to the garden; and he is against placing picnic tables here. Commissioner Roberts appreciates the offer, but before tables could be considered, the garden would need to be cleaned up. Mayor Mance stated that this lot is used for a fundraiser for the Fire Department, and we made a promise to keep the garden area to a minimum. Commissioner Parker would like to know what would have to happen before picnic tables could be placed there or is there another place for them. Commissioner Shutterly discussed the possibility of placing picnic tables outside of town hall where the shuffle board courts had been located. Holly Morris explained that the intent was to put 1 to 3 tables by the garden to encourage use of the garden, to promote more sense of community, and to maybe have some events, such as farm to table. Mrs. Morris stated that if you don't take chairs with you, there is no place to sit. She theorized that if there were tables at the community garden, it would make it more inviting and more people may participate. Jim Delaughter discussed the odor coming from the bat houses and that no one would want to eat there. Bud DesForges inquired about the statistics and who is the leader? Joe Pierce is the contact person for this project. Mayor Mance directed Mrs. Gonano to get more information from Joe Pierce and let him know that the garden is suffering from overgrowth, and we cannot take action at this point with the picnic tables.

- B. Micanopy Great American Clean Up April 2<sup>nd</sup> – The weather wasn't very good, but we had a good turnout and we collected: Tires 7080 pounds, Metal 5660 pounds, Bulk 18,440 pounds, and Hazardous Waste 3,198 pounds. Thank you to all our volunteers for all your hard work. Thank you to DeDe DesForges for the great food and to Blue Highway for the 8 pizzas donated. It was another successful clean-up day in Micanopy.

- C. Interlocal Agreement for Fire Suppression & First Response EMS/Rescue Services Between Alachua County and the Town of Micanopy.

Discussion ensued. This will extend the time period for termination without cause for the calendar year 2016 to allow the parties' further time to consider their options.

***Motion made and seconded (Shutterly/Aufmuth) to accept the amendment to the Interlocal Agreement between Alachua County and the Town of Micanopy; passed 5-0***

- D. Parcel #16720-028-015, 104 SW 6<sup>th</sup> St, Micanopy, FL  
The sale of this parcel was approved by the commission previously and for many reasons it has been delayed and now is moving forward, and we should be closing on it soon.
- E. Generator Engineered Drawings – We received the last proposal for engineered drawings from Campbell Spellicy Engineering and the cost for the three locations will be \$112,000. The 3 generators we have are not UL Listed to be in compliance with NFPA 110, as is required for “emergency” power sources.  
***Motion made and seconded (Shutterly/Roberts) to send the 30 KW generator and one of the 60 KW generators back to the Forestry Division with our thanks for offering them to us, and we will keep the other 60 KW generator in our town garage for possible emergency use; passed 5-0***

10. New Business:

- A. Application for Appointment to P&HPB:
- 1) Don Duer – Commissioner Shutterly asked Mr. Duer, “If he is appointed to the board, will he follow the rules of our Land Development Code (LDC)?” Duer answered “Yes, of course, you have to follow the rules.” Mayor Mance discussed some of Duers credentials and experience.  
***Motion made and seconded (Aufmuth/Shutterly) to appoint Don Duer to our Planning & Historic Preservation Board; passed 5-0***
  - 2) Carmen Polk – Commissioner Shutterly asked Mrs. Polk, “If she will follow the rules of our LDC?” and she will. She admits she doesn’t have very much experience but is willing to learn.  
***Motion made and seconded (Shutterly/Roberts) to appoint Carmen Polk to the Planning & Historic Preservation Board; passed 5-0***
- B. Merchant Advertisement Pole – Commissioner Roberts presented the idea he has from a trip to Tennessee. He would like to have a metal pole with space on it that merchants can advertise their business on an arrow pointing the way. Possibly place in the median near Chokolka Blvd and Seminary Ave. Commissioner Aufmuth remembers considering an idea like this; but he cannot recall why an agreement was not reached during a previous attempt. Mayor Mance suggested that maybe this would be an idea for the Micanopy Area Chamber of Commerce. If the idea proceeds, this matter will need to be presented to the Planning & Historic Preservation Board. Commissioner Roberts will talk to Monica Fowler to see if the Chamber of Commerce will be interested in this project.
- C. Proclamation – April – Water Conservation Month – Mayor Mance read the proclamation in its entirety. Discussion ensued.  
***Motion made and seconded (Aufmuth/Parker) to adopt the Water Conservation Month Proclamation; passed 5-0***
- D. New Micanopy Library Sign – Postponed

11. Unfinished Business:

- A. Landscape Design Contest Judging – We have two contestants here to present their submissions.
- a. Aussie Landscaping Management, LLC, Michael Sciardi presented his landscaping plan. Discussion ensued.
  - b. Robert Ritter & Gavin Wilson, Ivy League Landscapes, presented their plan. Discussion ensued.
- Commissioner Shutterly clarified that this contest is to choose the preferred design but was not a guarantee of who will complete the project. He likes a lot of the aspects of both plans; he doesn’t like the arrow or the bamboo on Ivy League’s plan nor the azaleas on the Aussie plan.  
***Motion made and seconded (Aufmuth/Parker) to award Aussie Landscaping as the contest winner; 4-1 (Shutterly opposed)***
- Discussion ensued discussing which plan works better for Micanopy; but recognizing the hard work of both contestants. A motion and second was made and withdrawn to award both contestants \$500 for compensation for their time and work after Bud DesForges spoke up against giving two awards – it is a contest and should only be one winner. Mrs. Gonano will pay the award to Aussie Landscaping Management, LLC.
- B. Fee Schedule Corrections & Amendments – Discussion ensued. This schedule has gone through some corrections only. The water meter test charge will increase from \$2 to \$25 with no other increases in fees, and the livestock permit fee will be deleted. This will be on next month’s agenda as a resolution.

- C. Draft Ordinance & LDC Amendment – Trees: Attorney Lee presented and discussed that there are two separate ordinances to consider, tree ordinance and change to the Land Development Code. Discussion ensued. Vegetation management plan information in the ordinance is to inform future tree committee members that this is required. Attorney Lee responded that we have a vegetation management plan with Duke Energy and any other utilities will need a permit or to present a plan.

***Motion made and seconded (Aufmuth/Shutterly) to move this into an Ordinance for a first reading; passed 4-1 (Roberts opposed)***

Discussion ensued. Bud DesForges would like to know if there will be much trouble in obtaining a tree permit to cut a tree that he has paid for and planted and the response is that it will depend on the situation and the tree. Commissioner Roberts believes that this permit is against a property owner's rights and a property owner shouldn't need permission to cut a tree. Commissioner Parker would like to see this procedure handled in a different manner to avoid problems with property owners in the future. Mayor responded that this tree ordinance is an accumulation of rules over the past 30 plus years and has been put in place for a reason.

- D. Draft Ordinance – Municipal Park Rules – Discussion ensued including; operating hours, animals allowed, no glass containers, no smoking, no alcohol, no camping, and lights out at 8:00 pm.

***Motion made and seconded (Aufmuth/Shutterly) to move this into an ordinance for a first reading; passed 5-0***

12. Town Commissioner Reports:

- Commissioner Joseph Aufmuth: Good night everyone.
- Commissioner Timothy Parker: Glad to see the new 2016 Sunshine Law Public Ethics Course is available and that it's audio this year.
- Commissioner Mike Roberts: Our Fire Department started in 1966 and we are coming up on our 50 year anniversary and the current and past fire chiefs should be honored with a plaque and a cookout. Mayor stated that the Masonic Lodge has a program to honor first responders and those names should be submitted to them. A float in the parade is very welcome, and we can discuss at the next commission meeting.
- Commissioner Richard Shutterly: Would like to direct Mrs. Gonano to add a lockable timer on the basketball lights. Discussion ensued. Until an ordinance is passed we will just leave the lights off.

13. Mayor Virginia Mance Report:

- The Cemetery association has invited us to join them at the cemetery this Saturday from 10:00 – 11:00 to look at the hazardous limbs in the cemetery with Mike Campbell attending.
  - MACS 2<sup>nd</sup> Annual Fun Run – April 30
  - The Micanopy Chamber of Commerce would like to have a commissioner liaison attend their meetings.
- Motion made and seconded (Aufmuth/Roberts) to appoint Mayor Mance as commissioner liaison for the Micanopy Chamber of Commerce; passed 5-0***
- Fire Department expansion – we want to include in our next agenda where to go next.
  - Jewish American Historic Society Association assisted us with the acquisition for the memorial for Moses Levy, and we will have a dedication ceremony and discuss this at our next meeting.

14. Adjourn: 11:05 pm

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**MINUTES APPROVED:**

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

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Virginia Mance, Mayor

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Patty S. Polk, Recorder