



MICANOPY, SEMINOLE CHIEF

# Town of Micanopy

## Town Commission

### Minutes Regularly Scheduled Meeting

Tuesday • May 8, 2018 • 7:30pm

1. Call to Order: 7:30pm
2. Invocation and Pledge of Allegiance to Flag
3. Roll Call
  - Commissioners Attending:
  - Joseph Aufmuth, Mayor Pro Tem Present
  - Troy Blakely Present
  - 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 April 10, 2018
  - C) Review and Acceptance of Financial Transactions and Reports  
***Motion made and second (Mance/Aufmuth) to approve the minutes and financial reports as submitted; passed 5-0***
5. Guests
  - A) James Troiano, St. John’s River Water Management District (SJRWMD)  
 James Troiano, a coordinator with St. John’s River Water Management District (SJRWMD) explained that the agency serves Alachua, Marion, Flagler, and Putnam Counties. Combined, the water management districts control 127,000 acres in eighteen counties. SJRWMD has \$16 million in funding and offers cost-share partnering help for shovel-ready projects including engineering and identifying innovative water-based projects, such as flooding, water supply and quality, and natural systems. The District has a pre-determined score sheet and offers help completing the application. An example of an innovative project would be a nutrient-reduction project, such as switching septic systems to sewer. Answering Commissioner Mance, Mr. Troiano will send a recent project list for the Town’s review so that the Town might get an idea of the funded projects recently awarded. The process is competitive, but fair.
6. Citizen’s Forum
  - A) Carolyn Wallace, Librarian, related that the second Grow Gainesville meeting has been planned and the discussion topic will be animal enclosures. Sunday, the library is offering a cardboard construction project for kids. The library’s Lego Space was popular, and a second program is being offered. Summer reading program is starting and is offering a free book for children ages ten and under. The final Author Series is being offered downtown on May 30<sup>th</sup>. Mayor Pro-Tem Aufmuth suggested that the library be listed as a regular agenda item.

7. Citizen Boards and Committee Reports

A) Planning and Historic Preservation Board, Chair Fro Warren

- 1) Certificate of Appropriateness – Approved roof repair at ‘Simonton House.’
- 2) Certificate of Appropriateness – Approved Sign, sidewalk, painting, and fence at the ‘Old Post Office.’ A lighting issue was not on the agenda, but briefly discussed.
- 3) Site Plan – Approved for placement of a modular classroom at the Micanopy Academy
- 4) Concept Review – 8.8 acres on the Okehumkee Street Flag Lot. No decision was made, but questions were posed for the developer, and it was recommended that the developer obtain professional help.
- 5) Ad Hoc Committee obtained and fertilized the trees in the downtown islands. Chair Warren wanted to thank Debbie, Patty, and Courtney for help with P&HPB matters.

B) Tree Committee, Paul Cohen

- 1) Discussion regarding grape vines and their benefits/detriments to live oak trees.
- 2) Summary of April 27, 2018 Arbor Day events at Micanopy Academy.
- 3) Town Administrator offered to help Mr. Cohen with creation of a tree brochure.
- 4) Commissioner Mance suggested that the Tree Ad Hoc Committee be terminated, as their assigned functions were completed. When Mayor Pro Tem Aufmuth asked the Ad Hoc Committee Members who were present at the meeting if they thought that their assigned responsibilities had been completed, the Committee Members overwhelmingly responded “yes.” Commissioner Blakely thought that the Committee could be used for other projects, but it was decided that another ‘task-specific’ ad hoc committee could be created, if necessary.

***Motion made and seconded (Mance/Aufmuth) to discharge the Tree Ad Hoc Committee; passed 5-0***

Although the Request for Proposal (RFP) and drawings were sent to at least 30 vendors, no bids had been received. The Commission directed the Town Administrator to leave the RFP posted on the website and extend the due date until June 12, 2018. Additionally, Gonano was asked to research ‘Amish pergola kits’ to determine if the kits would be suitable for our Florida climate. Resident Bud DesForges suggested that the Public Works crew could build the structure with help from Town volunteers. Commissioner Mance thought that we could approach the original company who dealt with the Ad Hoc Committee and ask them to resubmit a bid if the Town would pull the permits.

***Motion made and seconded (Aufmuth/Mance) to extend the RFP due date until June 12 while researching options to get the pergola built; passed 5-0***

8. Town Attorney Report

A) Resolution 2018-03 Florida Department of Transportation (FDOT) Signal Maintenance Agreement

Attorney Walker read Resolution 2018-03 by title only. Questioned by Mayor Pro Tem Aufmuth, the added language in this year’s agreement authorizing the Mayor to approve all future FDOT agreements was clarified by Attorney Johnson as limiting this authorization only until the end of the agreement term.

***Motion made and seconded (Aufmuth/Blakely) to adopt Resolution 2018-03 for the annual Signal Maintenance Agreement; passed 5-0***

9. Town Administrator Report

A) Town Administrator Gonano presented the latest brochure in the “Meet Me in Micanopy” series detailing *Seminole Heritage*; for which such information had come directly from the panels on the kiosk at the Micanopy Native American Heritage Park (MNAHP).

B) The Micanopy Trust for Historic Forts & Battlefields was asking permission to use the MNAHP parking lot to hold a kiosk dedication event scheduled for Saturday, May 26 from 4:00-6:00pm. Mayor Pro Tem Aufmuth, scheduled as a guest speaker for the upcoming event, thanked the citizens of the Town for preserving a piece of the battlefield, and he thanked the water management district for help in creating the kiosk panel maps.

***Motion made and seconded (Mance/Aufmuth) to allow use of the MNAHP parking lot for the kiosk dedication; passed 5-0***

Town Administrator Gonano stated that Chris Monaco had advised that the Trust was planning to direct traffic at the dedication ceremony; but Town Administrator Gonano pointed out that Tuscowilla Road is county owned and that permission for that activity should come from Alachua County. Gonano advised that, for legal reasons, the Town probably should not give permission for the group to direct traffic. Mayor Pro Tem Aufmuth volunteered to handle that situation. Attendance estimates range from 50 to 400 visitors for the event.

- C) Town Administrator Gonano advised that the City of Waldo is looking for a letter of recognition in support of their request to the State to be designated as a member of the Florida Main Street Program.

***Motion made and seconded (Aufmuth/Mance) to approve sending a letter to the State in support of Waldo's application for the Florida Main Street Program; passed 5-0***

10. New Business

- A) Chief Modican – Mobile Dispatch Terminal (MDT) and Building Renovation Status

1) Chief Modican presented an offer to have a Mobile Dispatch Terminal (MDT) device installed in the main apparatus. Chief Modican related that the MDT would be a huge benefit for Micanopy, as it would allow the crew to view dispatch information which is unable to be broadcast over the radio such as patient disease status, mental illness, or known weapons possession. The device provides real-time information and also allows Alachua County to view the responding unit's exact position. Other Alachua County rescue stations having an MDT get the benefit of receiving the information, but Micanopy does not. The estimated cost of the MDT equipment is \$2,200 with a monthly maintenance fee of \$37/month for the air card.

***Motion made and seconded (Aufmuth/Mance) to approve purchase of an MDT unit.***

The Mayor asked if the current personnel would need training; and Chief answered that he was currently trained on the system and would train the crew with a Power Point presentation, refresh as necessary, and would train new personnel in the future.

***Motion amended and seconded (Aufmuth/Mance) to approve purchase of a Mobile Dispatch Unit (MDT), additional docking station for the second apparatus at a cost not to exceed \$3,000, plus the monthly maintenance fee; passed 5-0.***

2) Chief Modican reminded the Commission that the fire station was never built to accommodate a full-time, 24-hour watch department, and he invited the Commission to visit and view the current condition of the building. Commissioner Mance expressed that she has been supportive of repairing the fire department building for at least three years. Now that we have successfully passed the Insurance Services Office (ISO) fire response requirement, we are in a position to complete those renovations. Chief explained that he is an experienced grant writer and there are grants available for renovation; but there are no grants of which he is aware that would increase the footprint of the building. Mayor Tim Parker expressed interest in touring the building and planned to meet with Chief in the near future.

- B) Harbor Bank CD Matures June 20, 2018

Town Administrator Gonano detailed that the current Harbor Bank 12-month CD will mature on June 20, 2018. Currently, CenterState Bank (Harbor Bank) is offering a promotional 15-month CD at 2.03%; however, this rate may not be available when the CD matures next month. The Town cannot obtain the same rates as individuals because the Town is limited to public fund depositories.

***Motion made and seconded (Aufmuth/Roberts) to approve allowing the Town Administrator the ability to move forward with the maturing CD; passed 5-0.***

- C) Community Development Block Grant (CDBG) Citizens Action Task Force (CATF)

Town Administrator Gonano summarized that she had asked for suggestions from the Commission for prospective members to serve on the Citizens Action Task Force (CATF) for the upcoming Community Development Block Grant (CDBG). The CATF committee needs to consist of at least five members, with three of them being low-to-moderate income (LMI). Commissioner Mance had submitted five names for possible members; but no other suggestions had been received. Additionally, Commissioner Mance suggested extending an invitation to the 2011 CDBG grant recipients, but anyone who is interested should be considered. Committee members will be excluded from receiving grant funds.

11. Unfinished Business

A) Mittauer & Associates Water Plant Renovation Status

US Water personnel were on site today, May 8<sup>th</sup>. Blocking up the water plant window should be completed by the end of the week, with the motor being pulled soon after. US Water had disconnected our backup pump with no immediate plans for providing a backup, which is required in the event of a power failure. The situation was brought to their attention and resolved; and a backup generator will be on site tomorrow. The Mayor asked for email updates regarding the status of the water plant renovation.

B) Town Administrator Gonano provided an updated copy of the Willie Mae Stokes Community Center Agreement, as the payouts had changed. All back taxes on the property had been paid as requested by the Commission, and the first payout in the amount of \$8,055 had been made to the Center to cover the cost of the septic system and electric.

12. Town Commissioner Reports

- Mayor Pro Tem Aufmuth thanked staff and the citizen boards for their service.
- Commissioner Blakely had no comment.
- Commissioner Mance thanked the town attorneys for the quasi-judicial training offered to the Commission and P&HPB prior to the regular meeting. Additionally, she praised the Tree Ad Hoc Committee for their plantings and expressed that the downtown islands looked great.
- Commissioner Roberts
  - 1) Commissioner Roberts has been in contact with the Florida Department of Transportation (FDOT) and reported that FDOT plans to reduce the speed limit on CR234 from 65mph to 55mph and will install intermittent lights in 6-9 months which will be activated by traffic; however, final approval has not yet been received for the changes. Additionally, the turn lane onto CR234 from Southbound Hwy. 441 will be extended by 300', but won't be completed until the year 2021-2022.
  - 2) Commissioner Roberts announced that he had attended the April 24<sup>th</sup> P&HPB meeting at which the P&HPB approved a site plan for placement of a modular classroom at the Micanopy Academy in front of the existing school building. The school is adding an 11<sup>th</sup> grade modular and plans to add a 12<sup>th</sup> grade modular in the near future; both to be placed in front of the existing building. Commissioner Roberts conceded that Alachua County had given approval for 90 students; however, Roberts related that the school had never received approval from the Commission for their expansion. The middle school had already expanded to grades 9 and 10 without consulting the Commission. Resident Bud DesForges asked if the school needed Town Commission approval to expand; but it was not clear if they needed to ask for permission. A Sheriff's Deputy, who is a friend of Roberts', informed the Commissioner that he had spoken with the principal and advised the principal that the intended placement of the modular building was a safety hazard for the students and that the modular buildings should be placed behind the existing school building. Commissioner Roberts said that the principal, in her presentation at the April P&HPB meeting, had not disclosed that information to the P&HPB Members. Commissioner Roberts had reviewed the situation on site at the school with the Deputy. Placing the modular classroom in front of the existing school building would mean that safety hazards would exist for the loading and unloading of vehicles and providing for a potentially disastrous drive-through active shooter situation. As there will be no School Resource Officer stationed at the school, you could expect delays in the response time from the Alachua County Sheriff's Office. Adding school grades where the students are of driving age should be taken into consideration, as there is currently limited parking for the school staff and the school's access road is a dirt road. Roberts wanted to confirm that the students will be safe and asked the Commission to reverse the P&HPB decision to allow the approved placement. After some initial misstatements, Attorney Walker confirmed that the Land Development Code (LDC) Article 10, Section 10.13.03 allowed for an appellate review by the Town Commission and possible reversal of the P&HPB's April 24<sup>th</sup> decision regarding placement of the modular classroom. The Commission review would take place upon receipt of a request for a review of the P&HPB final decision by an aggrieved person, which Commissioner Roberts is considered per LDC Article 10, Section 10.13.02(C). Commissioner Roberts confirmed that he would be asking for a review of the P&HPB decision. Answering a question posed by Mayor Pro Tem Aufmuth, Chair Warren confirmed that the site plan was given much consideration by the P&HPB Members, especially as the modular classroom was to be placed in front of the existing school. Chair Warren expressed that the LDC does not classify lack of safety as a reason for disallowing the planned placement, and he stated that the school would ultimately be responsible for the safety of the students and staff. Member Massey

agreed that placement of the classroom was reviewed by the Board Members and the best placement for safety of the students, even though it was not the Board's purview, was taken into consideration. The representatives from the school had assured the P&HPB Members that the school office was in the front of the school building, and that placement of the modular would allow for more security by staff for the students. Deferring to the Town Administrator for additional clarification, Chair Warren stated that the LDC did not provide front setbacks for accessory structures. Gonano clarified that previous counsel had agreed with her that the lack of a front setback for an accessory structure in Zone R-2 confirmed that accessory structures were not permitted to be placed in front of a principal structure. Commissioner Mance related that she had researched accessory building placement on school property and could find no examples where accessory classroom placement was permitted in front of the main school; only ancillary building placement had been allowed in front of a main school building. Resident Holly Morris did not agree with the P&HPB's decision to allow placement in front of the school building and felt that the school's sole purpose for doing so was for economic reasons. Resident Cheryl Roberts expressed her belief that information had been withheld by the school for the P&HPB Members; but the P&HPB Members had made the best decision possible with the limited information which was presented. Commissioner Blakely wanted the Code changed to allow for the Town Commissions, who are elected officials, to be able to make the final decision on all public hearing matters. Mayor Pro Tem Aufmuth disagreed with Commissioner Blakely's suggestion, as it would require the Commission to be involved in all quasi-judicial decisions in Town and would eliminate the need to have citizen boards. Further, Aufmuth had confidence in our volunteer P&HPB Members to make informed decisions on behalf of the Town. Supporting the need for citizen committees, Mayor Parker reminded Commissioner Blakely that the Code currently provides an avenue for the Commission to review decisions. Summarizing the discussion, Mayor Pro Tem Aufmuth suggested that the Town Commission would possibly have to hear the supporting evidence at some point in the future, and any further discussion could jeopardize the process. Town Administrator Gonano summarized the appeal process as follows: upon an aggrieved person filing for a review of the decision, the Town Administrator will promptly notify the school about the complaint and the Town Commission would hold a review at its next available meeting (June 12) upon proper notice of such meeting.

13. Mayor Parker gave a summary of his vacation and thanked everybody for attending.

14. Adjourn 9:20pm

---

**MINUTES APPROVED:**

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

---

**Tim Parker, Mayor**

---

**Debbie Gonano, Town Clerk**