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# Minutes

**Town Commission**  
**Regularly Scheduled Meeting**  
**Tuesday • August 11, 2015 • 7:30 pm**

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1. Call to Order: 7:35 pm
2. Invocation & Pledge of Allegiance to Flag
3. Roll Call:  
Commissioners Attending:
  - Joseph Aufmuth Absent with notice
  - Michael Berkowitz, Mayor Pro-Tem Present
  - Virginia Mance, Mayor Present
  - Richard Shutterly Present
  - Mike Roberts 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 held on July 14, 2015
  - C. Review & Acceptance of Financial Transactions & Reports  
*Motion made and seconded (Berkowitz/Roberts) to accept the minutes of the July 14, 2015 regular meeting minutes and the Financial Transactions and reports as submitted;*  
*Commissioner Shutterly would like to add an item 4D to provide voting on the motions made at the previous budget workshop meeting; passed 4-0*
  - D. **Budget Workshop Overview**  
*Motion made and seconded (Berkowitz/Shutterly) to accept the roll back rate of 5.9283 Mills; passed 4-0*  
  
*Motion made and seconded (Shutterly/Berkowitz) to appropriate \$60,000 for Town Hall renovations with the emphasis on HVAC improvements for both the first and second floors, and \$30,000 toward the Fire Station renovations, specifically design and implementation of dormitory improvements; passed 4-0*
5. Guests: None
6. Citizen's Forum (public comments limited to 5 minutes per speaker, please)
  - A. Tom Brady, NE Chokolka Blvd, this weekend in St Augustine, the West Point Society of North Florida, the Dade Battle Society, and the Seminole War foundation are holding a two-day commemoration event for the internment of second Seminole War soldiers. Saturday morning there will be reenactments and a parade. The Seminole War Foundation received a grant from the State to produce a Seminole Wars Heritage Trail book, and the book will be officially distributed on Saturday at no cost.
  - B. Mike Campbell, Seminary Ave, has noticed that the Town staff has been doing some maintenance between the pavement and property lines, it has been overlooked for a number of years, and he is happy that we are back in the business of maintaining the streets.

- C. Beth Allerton, Micanopy Librarian, discussed a tree in the library parking lot that has been losing limbs. Debbie Gonano has already applied for a tree permit which is in process. Mike Campbell discussed the need for dead limb removal; he will discuss it with David Holton.

7. Citizen Board and Committee Reports:

- A. Planning & Historic Preservation Board – Fro Warren gave a verbal report from the July 28, 2015 Planning & Historic Preservation Board Meeting. The board finalized their discussion for the Open Air Sales ordinance, which they referred to the Town Commission for approval. To be fully prepared, the board is working on a check list for public hearings.
- B. Tree Committee – Michael Campbell gave a verbal report on the following three topics.
1. Tree Ordinance - they are continuing to develop the tree ordinance and may have one more element to be placed in the proposed ordinance. The proposed ordinance may have issues with Duke power-line trimming.
  2. Duke Power Line Tree Trimming (GPS Mapping of Town's Specimen Trees). Duke Energy representatives present: Mike Mangan, Amy Mangan, Dusty Bremer, and Jimmy Bent. Discussion ensued regarding the Vegetation Management Plan (VMP) proposal provided by Duke Energy. Mike Campbell discussed the ramifications of the VMP provided by Duke Energy in lieu of a tree permit required by our Tree Ordinance. Attorney Lee inquired, "Has this been reviewed, and is it satisfactory to Duke Energy?" Amy Mangan, speaking for Duke Energy answered that they are satisfied with the VMP with one small change. The area of concern is on page 6, under upper diameter limit, slow growing species 2" and fast growing 4" limits. Mr. Bremer explained their concern with the 2" limit is getting back to a proper lateral, you can stub a limb off and say I stopped at 2" but it is going to cause die back which can result in the whole lead having die back. If you get a proper cut the tree can heal itself on a live oak. Duke committed to having Dusty Bremer, a Certified Arborist, create a GIS map identifying specimen trees and marking their coordinates which will be available in three years. Duke would like to donate trees and help educate the citizens of Micanopy about choosing species of trees to plant near power lines. Attorney Lee questioned the means in which agreements of VMPs are made with other municipalities. Duke responded that verbal agreements are made between Duke and the municipality contact person. The VMP will be followed as written with Mr. Bremer, certified arborist, supervising the crews. The crews will be in close proximity to each other, and the Tree Committee will be on call.  
***Motion made and seconded (Berkowitz/Roberts) to accept the Vegetation Management Plan (VMP) as submitted; passed 4-0***  
Attorney Lee will work with the Tree Committee to complete the draft tree ordinance to present to the Town Commission. Power line trimming will be omitted from the proposed ordinance.
  3. Tree Removal Permit Decision – Live Oak on Livingston (Sanders) – Mayor Mance discussed the denial of a tree permit applied for by the Town for removal of a live oak as it has been hit by lightning. Mayor Mance believes that this tree is in danger of falling on Mr. Sanders' home. Mike Campbell believes that this tree was not seriously damaged by the lightning strike and should be periodically observed for future possible changes in stability. No action will be taken at this time.
  4. Emerald Thompson, 211 NW Hwy 441, has produced a survey detailing the trees he would like to remove for the planned used vehicle sales lot, and he is working with the tree committee to complete the permit.

8. Town Attorney Report:

- A. Second & Final Reading: Ordinance 2015-01 Alachua County Solid Waste Management Assessment  
Open public hearing. Attorney Lee read Ordinance 2015-01 on short title, this ordinance is essentially the same ordinance adopted in prior years; the difference in this ordinance is that it will automatically renew until your consent is withdrawn. Discussion ensued. Sally Palmi, Alachua County Public Works Director, stated that it has been 16 years with the same ordinance renewing every three years, and she will keep us informed annually of the assessment and cost details.  
***Motion made and seconded (Berkowitz/Shutterly) to approve Ordinance 2015-01 as submitted; passed 4-0***
- B. First Reading: Ordinance 2015-02 Open Air Sales – Attorney Lee read Ordinance 2015-02 on short title for first reading. Mr. Lee expressed his opinion that this topic should be removed from the LDC and moved to be included in the Code of Ordinances. Discussion ensued.  
***Motion made and seconded (Berkowitz/Shutterly) to approve Ordinance 2015-02 as submitted; passed 4-0***

- C. Resolution 2015-05 Support of Alachua’s Home Rule Authority – Attorney Lee read Resolution 2015-05 on short title. Commissioner Shutterly discussed the problem that the City of Alachua is having with Alachua County concerning home rule, and we would like to show the municipality support. Alachua County is trying to over-rule the City’s decisions.  
***Motion made and seconded (Berkowitz/Roberts) to approve Resolution 2015-05 to support home rule for the City of Alachua; passed 4-0***
- D. Attorney Lee discussed an upcoming meeting planned for all Alachua County municipal attorneys to discuss the Boundary Adjustment Act ILA and the Urban Reserve Act (*Agenda item 10F*). Mr. Lee stated that he has concerns with the proposed Urban Reserve Act and our ability to enforce the Micanopy Irrigation Efficiency Code (*Agenda item 11B*) without proper resources. Mayor Mance stated that we will look forward to Attorney Lee’s report from the upcoming meeting.
9. Town Administrator Report: Town Administrator presented.
- A. Parcel 16520-021-001 – 602 NW 7<sup>th</sup> Terrace Donation Agreement Acceptance – Discussion ensued. Mr. Lee reminded the town that it will be assuming any liability for this property; and will receive a title report before we take title.  
***Motion made and seconded (Roberts/Shutterly) to accept parcel 16520-021-001, 602 NW 7<sup>th</sup> Terrace as a donation from Wells Fargo; passed 4-0***
- B. WSPP Funds
1. Plant landscaping and signs in triangle entrance parks – Claudia Larsen is working on a proposal and is meeting with a landscaper tomorrow. We have about \$45,000 remaining in WSPP funds for the project. Commissioner Shutterly would like an estimate to update benches and trash cans in the down-town center islands, and to replace the bollards.
  2. Restore MNAHP to 1774 appearance with native trees and shrubs
  3. Ballpark Restroom Improvements – estimate \$3,000 to make improvements to restrooms and concession stand.
10. New Business:
- A. Museum of Florida History – Anchor Loan Acceptance  
***Motion made and seconded (Berkowitz/Shutterly) to accept the loan as we have in the past; passed 4-0***
- B. Sex Offender Residency Restrictions – Town Administrator presented. Discussion ensued. Mr. McInnes, US Probation Officer, spoke with Mrs. Gonano regarding sex offender residency restrictions pursuant to Florida Statute and updates us to current restrictions. Discussion ensued. The Town would have to update our sign code to allow for putting up signs in front of sex offenders to use this regulation.
- C. Pilgrimage Plantation Marker QR (Quick Response) Code – The marker will be placed on Wacahoota Road and will have a QR (Quick Response) marker code corresponding to the Town of Micanopy website.  
***Motion made and seconded (Shutterly/Berkowitz) to approve including the QR code as submitted; passed 4-0***
- D. Florida Citizens Bank Purchase by Harbor Community Bank – Informational
- E. MFRD/Alachua County ILA Contract Update – Chief Northcutt sent an email stating that the BoCC budget millage rate has been set at a level that does not support increases to any of the rural contract stations.
- Chief Modican presented a proposal in an effort to start the approved process for an increase in the level of service that Micanopy Fire Rescue Department (MFRD) is currently providing from a Basic Life Support (BLS) to an Advanced Life Support (ALS) system; thereby providing the best level possible of service to our citizens of Micanopy as well as the surrounding Station 26 Fire District. Chief Modican asked for permission to speak to the Alachua County Fire Chief regarding future BoCC funding and possible grants to support any ALS certification. Commissioner Berkowitz directed Chief Modican to discuss the ALS with Chief Northcutt, and there was no opposition from the Commission.
- F. Urban Reserve Discussion at Alachua County League of Cities - Attorney Lee is planning to attend a meeting on Thursday, August 13, 2015 with Alachua County municipal attorneys where this issue will be discussed.
11. Unfinished Business:
- A. Telephone Pole Light Installation – SW 6<sup>th</sup> Street Area – Light poles are erected, but without lights yet.

B. Micanopy Irrigation Efficiency Code – Attorney Lee has a meeting on Thursday, August 13, 2015 with Alachua County municipal attorneys where this matter will be discussed.

12. Town Commissioner Reports:

- Commissioner Joseph Aufmuth: Absent with notice
- Commissioner Mike Berkowitz: His office is donating tables and chairs to the Micanopy Area Cooperative School (MACS), and the school is putting in an extra student pickup lane on the Seminary Avenue side of the parking lot for student pickup. DeDe DesForges, Seminary Ave, mentioned the damage done to Ed Glover Road from excess school traffic and discussed the need for road maintenance. Town Administrator Gonano answered that David Holton has been working on drainage in that area.
- Commissioner Mike Roberts: Nothing today.
- Commissioner Richard Shutterly: We have bats in the ballpark bat house and possibly at the MNAHP park. Waste pro did an excellent job picking up the yard trash.

13. Mayor Virginia Mance Report: Thank you for being here and sticking it out with us. Have a great week.

14. Adjourn: 10:08 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**