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# Minutes

## Town Commission

### Regularly Scheduled Meeting

Tuesday • September 9, 2014 • 7:30 pm

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1. Call to Order: 7:32 pm
2. Invocation & Pledge of Allegiance to Flag
3. Roll Call:  
Commissioners Attending:
  - Joseph Aufmuth Present
  - Michael Berkowitz Absent with notice
  - Virginia Mance, Mayor Pro-Tem Present
  - Richard Shutterly, Mayor 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 on August 12, 2014
  - C. Review & Acceptance of Financial Transactions & Reports  
*Motion made and seconded (Mance/Aufmuth) to accept the consent agenda as submitted; passed 4-0*
5. Guests:
  - A. Rick Tisdale, Two Fold Water – Unavailable
  - B. Brenda Maynard & Raul Gonzalez presented – MACS 5K and Christmas Parade 2015
    - With the Commission’s approval, the Micanopy Area Cooperative School (MACS) would like to sponsor a 5K family fun run to be held on February 21, 2015 to bring families and people to Micanopy.
    - Christmas Parade 2015- Our Fire Chief brought the idea to Raul, and the school would like to pursue this idea with the Commission’s approval. They would like to have the parade held in conjunction with ‘Light-Up Micanopy’, and they will begin planning soon.
      - Mayor Pro-Tem Mance is sure that the routes were chosen with care, family fun run is great, and she supports it. Much more detail is needed, especially with crowd and traffic control. The Christmas parade is a good idea, and the store owners should be involved early in the planning stage.
      - Commissioner Aufmuth suggests working with our Town Administrator and our code to put on the family fun run and/or a parade.
      - Mayor Shutterly questioned the 5K route through the cemetery and suggested clearing this with the cemetery board. There is a process to follow, as a family run and/or parade will affect the residents and businesses.
      - Commissioner Roberts likes both the 5K and parade ideas.
    - Establishing a Key to the City award – MACS would like to give their students some incentive to obtain academic excellence and motivate them by pursuing a Key to the City or Citizenship award. Ms. Maynard will look at the criteria to facilitate this idea.

6. Citizen's Forum:
- A. Layton Glenn, N Division St, mentioned problems he was having trying to find where the *Alachua County Today* newspaper is being distributed. Ms. Gonano responded that the budget and notice of budget will be published in the newspaper, and she will find out where it is distributed. (*It is available at Pearl's.*) Additionally, the budget will be mailed, is published on our website, copies available on the town's bulletin board, and copies are available in town hall.
  - B. Sally Stein, Micanopy Tutoring Program, provided a copy of their budget to the Commission and requested that funds budgeted last year for the tutor program now be distributed. She stated that their program benefits the local area and there is an ongoing need for material and text books.  
***Motion made and seconded (Aufmuth/Mance) to release the budgeted amount of \$1,000 to the Micanopy Tutor Program; passed 4-0***
7. Citizen Board and Committee Reports:
- A. Planning & Historic Preservation Board – Unavailable
  - B. Tree Committee - Unavailable
8. Town Attorney Report:
- A. Amendment to the Traffic Signal Maintenance and Compensation Agreement for 2014/2015- Attorney Lee presented and pointed out that the change is in paragraph 5 regarding maintenance.  
***Motion made and seconded (Aufmuth/Mance) to approve the 3<sup>rd</sup> version of the traffic signal maintenance agreement; passed 4-0***
  - B. Thrasher Warehouse Lease Addendum – Attorney Lee presented and discussed the changes to the lease documenting that the Town pay for electricity, termite inspection, and fire extinguishers.  
***Motion made and seconded (Aufmuth/Mance) to continue to have Mayor Pro-Tem Mance present the changes to the Thrasher Warehouse Board; passed 4-0***
9. Town Administrator Report:
- A. Buy-Out GE/Ricoh Copier Lease – Not available
  - B. Sale of Surplus Town Property: Tractor & Dodge Truck – Ms. Gonano presented  
David Holton has offered to buy the old, inoperable Ford 2000 diesel farm tractor sitting out back of the town garage for \$300.  
***Motion made and seconded (Mance/Aufmuth) to sell the tractor to David Holton for \$300; passed 4-0***
- 1953 Dodge Fire Truck – We have two offers for this truck which Mr. Kelley had previously offered to buy for \$1,500 and didn't follow through. Reddick Hardware has given us a verbal offer and Commissioner Roberts has submitted a written offer to purchase the truck for \$1,500.  
***Motion made and seconded (Mance/Aufmuth) to sell the Dodge Fire Truck to Mike Roberts for \$1,500 as is; passed 3-0 (Roberts recused)***
- Motion made and seconded (Aufmuth/Mance) to donate the proceeds from the tractor and Dodge Fire Truck in the amount of \$1,800 to the Micanopy Tutoring Program; passed 4-0***
10. New Business: None
11. Unfinished Business:
- A. Status of RFP – Structural Red Iron Steel Maintenance Shop/Garage – Ms. Gonano presented  
We have emailed and faxed a copy of Attorney Lee's RFP to local contractors, it is posted on our website, and Ms. Gonano has contacted several commercial contractors. One contractor came out and looked at the site. Letters of intent to bid on the project are due on September 15, 2014.
  - B. Derelict Housing Status:
    1. Total Derelict Houses Demolished = 8
    2. Total Derelict Houses Planned for Demolition = 3
    3. Status of Assessing Liens – Code of Ordinances Section 5.27

Ms. Gonano has mailed certified letters requesting payment for the demolition of derelict houses on two properties, and we have a public hearing scheduled on October 14, 2014 – 6:30 pm to approve lien assessment on those properties.

C. FMIT Insurance Asset Survey – Ms. Gonano presented

The Town's insurance is very expensive and the Town might give thought to self-insuring some of the buildings and smaller items such as garbage cans, basketball court, sidewalks, and more by establishing a Reserve for Capital Insurance Losses. If these smaller assets are within 1000' of a major insured building, then the assets are insured up to a total of \$25,000. If these assets are deleted from the schedule, there is a risk associated with this, as it is possible to have total devastation in which we would not recover everything. Insuring Town Hall, Fire Department, Water Plant & Tower, would be essential. Self-Insuring the Thrasher Warehouse is an option to consider. FMIT will not negotiate the quoted prices and would like us to consider switching from our current co-insurance method of coverage to blanket/agreed upon coverage. However, we can continue to co-insure and work with properties that we have insured. Layton Glenn inquired if we are limited to one insurance company. Ms. Gonano responded that, although we have considered other companies, FMIT has more competitive rates than other insurance companies, as they have experience with municipal insurance. Discussion ensued regarding different options to save money on insuring the Town's assets. Commenting on the FMIT's assigned value of the Thrasher Warehouse II estimated at \$166,860, Bud DesForges, Seminary Ave, stated that you can replace the Warehouse for \$50,000. Ms. Gonano has highlighted possible properties to self-insure in blue and is directed to remove them and pay the insurance premiums.

***Motion made and seconded (Aufmuth/Mance) to direct Ms. Gonano and Commissioner Roberts go over the premiums and give their recommendations at our next meeting; passed 4-0***

D. Jennifer Cialona – Refusal of Benefit Payment & Request for Further Compensation

Mayor Shutterly recused himself from this discussion and handed the gavel to Mayor Pro-Tem Mance.

Jennifer Cialona would like to speak again on her request for benefits. The discussion last month went quickly, and she thought she would be okay with the Commission's decision, but she wasn't. Ms. Cialona stated that despite the two year statute of limitations, this was more of a moral issue than a legal issue. Ms. Cialona thought that this is a debt that the town incurred under the prior town administration and refused to pay. She summarized that she had not received holiday pay or insurance, and she doesn't know why. She is fine with insurance not being included, but would like this issue to be over with. Attorney Lee reiterated that there is a two year statute of limitations for employee problems. Holiday pay is part of the wage package offered, and it is up to the discretion of the Commission. Commissioner Aufmuth stated that the town finds itself in an interesting position, that Ms. Cialona had served the town well, and this decision is not a reflection of her personal worth. Commissioner Aufmuth thought that the Town needed to change its procedures so that it doesn't find itself in this position again. Aufmuth stated that he doesn't know what amount would make Ms. Cialona happy. Commissioner Roberts answered that there is a two year statute of limitations, and if this was a lawsuit, which it isn't, then we would be bound by the two year limit. Summarizing various methods of calculation regarding this matter, Town Administrator Gonano had detailed the estimated benefit costs two different times connected to this matter: 1) the two-year period from May 2014 (date of complaint) through June 2012; and, 2) the two-year period from her last date worked, November 2011 through October 31, 2013. Town Administrator Gonano related that, although Jennifer Cialona had already received pay well in excess of \$3,000 upon termination, severance pay is not addressed in our policy and procedure manual and should not be paid. Bud DesForges passionately appealed to the Commission to pay Jennifer, his step daughter, entitled benefits from her first day on the job, as this is a moral issue.

***Motion made and seconded (Aufmuth/Roberts) to go back to the date that Jennifer Cialona was hired to calculate her pay from 'day one' of employment; passed 3-0 (Shutterly recused)***

***Motion made and seconded (Aufmuth/Roberts) to have Mayor Pro-Tem Mance work with Ms. Gonano to act as the Commission to calculate Jennifer Cialona's pay; passed 3-0 (Shutterly recused)***

Town Administrator to correct the policy and procedure manual.

12. Town Commissioner Reports:

- Commissioner Joseph Aufmuth: Sorry that he wasn't here last month as he was on vacation. He saw in Toronto Canada what can be done with an old distillery which had been made into a flea market and possibly Franklin Crates could follow suit.
- Commissioner Mike Berkowitz: Absent with notice
- Commissioner Ginny Mance: Nothing
- Commissioner Mike Roberts: Nothing

13. Mayor Richard Shutterly Report: Has represented Micanopy to Santa Fe College, which is rated as one of the top ten colleges in the USA. He participated in a program held at the college, along with all nine mayors in Alachua County and all five representatives of the State, who were also present. He is glad that his yard has dried up from all the rain and he can mow. Our public works has done a lot with the ditches making the water flow nicely.

Bud DesForges complained that placement of the new portable at the elementary school has created traffic of 20 – 30 cars twice/day on Eestaulkee Avenue at the back entrance to the school. This is putting much wear and tear on the road. If the rain continues, it will be an issue, and the school should know that they have created a new issue. The Mayor mentioned that cars are parking across the road from the school on Seminary Avenue, which will cause problems as this is not a parking lot. These issues will need to be addressed.

14. Adjourn: 9:12 PM

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**MINUTES APPROVED:**

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

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**Richard Shutterly, Mayor**

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**Patty S. Polk, Recorder**