
Minutes

Town Commission

Regularly Scheduled Meeting

Tuesday • 11 February 2014 • 7:30 pm

1. **Call to Order: 7:30 pm**

2. **Invocation & Pledge of Allegiance to Flag:**

3. **Roll Call:**

Commissioners Attending:

- | | |
|-------------------------------------|--------------------|
| • Joseph Aufmuth | Absent with notice |
| • Michael Berkowitz | Present |
| • Virginia Mance, Mayor Pro-Tem | Present |
| • Richard Shutterly, Mayor | Present |
| • Jason “Tug” Huddleston | Present |
| | |
| • Debbie Gonano, Town Administrator | Present |
| • Stephen Lee, Town Attorney | Present |
| • Patty Polk, Deputy Town Clerk | Present |

4. **Consent Agenda Approval:**

A. **February 11, 2014 Agenda Approval**

B. **January 14, 2014 Regular Meeting Minutes, January 21, 2014 Special Called Meeting & February 4, 2014 Special Called Meeting Minutes.**

C. **Review & Acceptance of Financial Transactions & Reports**

Motion made and seconded (Mance/Berkowitz) to accept the consent agenda as submitted; passed 4-0

5. **Citizen’s Forum:**

Proposed Cholokka Blvd. Sidewalk Extension:

A. **Unknown person**, does not want sidewalks.

B. **Mark Gregg**, NE Cholokka Blvd, is neutral and would like to see the plan revised so it doesn’t encroach on residents’ lawns.

C. **Beth Allerton**, Micanopy Librarian, does not live in the Town, she has been the librarian here for ten years, and thinks there is a need for the proposed sidewalks as people drive too fast and many people walk down Cholokka Blvd.

D. **Bud DesForges**, NW Seminary Ave, thought the Florida Department of Transportation (FDOT) presentation before this meeting was more of a meet-and-greet than a presentation. Maybe they can have a better presentation with elevations and possibly put flags out to see what is affected. We shouldn’t kill it before we have it revised and look at it closer.

E. **Thomas Fowler**, NW Seminary Ave, is against the proposed sidewalks because it will goof up our natural old-type town.

F. **Laura Brady**, NE Cholokka Blvd, is totally against the proposed sidewalks as it will open her home up to people coming in her yard and climbing her tree. It is not fair to her or her neighbors to put these proposed sidewalks in. During the festival we need to have trash cans near her house so people will quit littering.

G. **Stanley Strobes, Jr.**, N Division St believes that the infrastructure, as in drainage, needs some attention. We need to make some changes so that Micanopy can grow.

H. **Christine Steurer**, NE Cholokka Blvd, is an affected resident as her driveway is next to where the proposed sidewalks may be. We would like our town to stay historic, and she walks down the street often with her baby stroller and doesn’t have a problem. She is against the proposed sidewalks.

- I. **Patricia Crass**, Micanopy Museum, is against the proposed sidewalks.
- J. **Phil Savino**, Restaurant owner NE Chokolka Blvd, is against the proposed sidewalks. He counts 23 trees which are in the way of the proposed sidewalks and these trees need to be considered.
- K. **Michael Roberts**, NW Seminary Ave, is against the proposed sidewalks, yes many people walk down the street but they do have the common sense to move when traffic is coming. He doesn't think you can legislate safety as a reason for sidewalks.
- L. **Jeff Hays**, Transportation Planning Manager for Alachua County, this funding comes from what is known as the Transportation Enhancement Program, which is Federal funding. Florida Department of Transportation (FDOT) who requests direction from the Alachua County Commission for urban areas to rank projects for submission to the different FDOT districts. We do this every year at the County. Traditionally, we try to spread that funding around to the different municipalities. This project was one of three projects Mr. Kelley, former Town Administrator, submitted to Alachua County, but this is the only one that we have sufficient right-of-way to proceed with. We like to have at least one continuous side walk corridor on a collector roadway or higher and this road meets that description. It is a County right-of-way so there is some County purpose but ultimately it is the Town's application. We often coordinate with the FDOT to do these projects and improve drainage as we go. He is here to answer any questions.
- M. **Karen Hill**, N Division St, is concerned about the trees and if FDOT going to consider them. This sidewalk is only going to Hwy 441 which is not a safe road to cross. To her this sidewalk is just going no-where. Residents walk down Division St to go to the store on this side of Hwy 441, so the sidewalk which would curve around to the store-gas station is not needed.
- N. **John Thrasher**, has been in the Micanopy area for years and over 31 years ago he worked with the National Historic Registry to get this district put on the registry. We were concerned with the ambiance and historic character of the Town at that time, and we are still concerned. He agrees that the sidewalks are unnecessary and is concerned with the historic character of the town and doesn't see how you could leave the Oak tree in front of the Museum and put in a sidewalk, as it is too close to the road. He is against the proposed sidewalk issue.
- O. **Jerry Smith**, NW Okehumkee St, Mr. Thrasher has said everything that she feels, and she thinks it would be a major mistake to make any changes to the entry way to the Town. They came here because of the ambiance of the community, and, if it is changed, they may as well move to Gainesville where there are plenty of sidewalks.
- P. **Frank James, NE Chokolka Blvd**, has lived here for about 28 years, he loves Micanopy and people here are connected, and he wouldn't like Micanopy to change very much. He thinks that the sidewalk is needed for safety reasons. This is a business district, the whole length of Chokolka Blvd; he would like to see a plan for the sidewalk that doesn't intrude on residents' property or take out the trees. Sidewalks would help with safety and he is for the proposed sidewalks.
- Q. **Bill Henderson**, FDOT, Planning & Environmental Management Office, he oversees the enhancement program which is actually the Transportational Alternative Program. He has Barney Bennett, Program Manager, with him and he's the "hands-on" guy that when they get all the applications from the 18 counties, he combs them out to decide which project to program. This one met our requirements; it is a good candidate project, so they put it into their work project. Also here tonight from FDOT are Greg Teal, Senior Project Manager, and MyrnaWidmer, Project Manager. Where we are now, is we have the program, have the money, and we are in the very early stages. It is a concept and has not been worked out yet. We are here tonight to hear concerns, and we will work with you. We have built sidewalks in many small towns in Florida with little impact to trees and the environment.
- R. **Jerry Renick**, Certified Arborist, the plan is not set in concrete, the intent is to preserve the trees. It is the plan, and always has been the plan with this project, clearly these trees are very important to everyone, and this project is for the community, not for the FDOT. That's why we are here to get your input and it is too early to say exactly what we would do because we don't know exactly the alignment of the potential sidewalks with relation to each individual tree. There are technologies out there that will have the least amount of impact to the trees and all possibilities will be entertained as we go through this process. To reiterate, there will be *no trees removed*. There will be some landscaping that's related to private properties if it falls within the right-of-way, but the trees shouldn't be any impact. No private property will be touched. Mr. Renick answered more questions from the citizens explaining that some roots will be impacted, but they will do everything they can to protect them.

- S. **Bud DesForges** stated that Mr. Renick is correct. If any of you would like to witness this, come over to Ed Glover St. where they put asphalt and there are huge 200 year- old oak trees in his yard. Tree roots were cut, and those trees are doing fine.
- T. **Mayor Shutterly** stated that he has been watching pedestrian traffic for the past two months and has been inviting people to this meeting and they may be better served with a workshop earlier in the day for people who can't get here in the evening. We should have a workshop or possibly two. We need to move forward on this by setting up a workshop to get more citizen comments and thoughts.

Motion made and seconded (Huddleston/ Berkowitz) to set up a workshop if the FDOT would bring more defined drawings, some street shots, and some flags or stakes that show where the sidewalks may be; Passed; 3-1 (Mance opposed);

- U. **Commissioner Mance** has accumulated a record of what people are saying to her, between 40 – 50 people, and they do not want the sidewalks. Many people are concerned with how the trees will be impacted, and we do not need sidewalks and these sidewalks do not lead anywhere. People are concerned with how close the sidewalks will be to their homes and what will happen to the landscaping improvements they've made on the easement over the years. There are many trees and palms which are part of the ambiance and beauty of Chokolka Blvd. The tree roots will be damaged if sidewalks are put on top of them, and if the roots continue to grow, then the sidewalks will eventually be damaged. Will the Florida Statutes governing historic sites be honored? On the front of the Museum front wall and Chokolka Blvd there are 100 year old steps which may be in the way of the proposed sidewalks. This sidewalk issue was brought up in the past and it was declined. Why is it being brought up again when we said no once? In summation, what she has been inundated with has been the consensus that the citizens do not want the proposed sidewalks.
- V. **Bill Henderson** this is a federally funded program and we have a process called the Section 106 Act of the National Historic Preservation which we have to follow. We haven't started that process because we just have a concept, and we will coordinate with the State Historic Preservation Officer in Tallahassee. We have met the requirement most of the time on similar projects. Section 106 Act is required on all their projects
- W. **Mayor Shutterly** stated that there are roughly 640 people in this Town, and we need to work it all out with all the citizens. Regarding the proposed sidewalk towards 441, if developed, the parcel on the left would require a sidewalk per our design guidelines. People do cross 441 often, but they cross safely. He would like to move forward with a workshop for the proposed sidewalks and give all the citizens the opportunity to give their input on this proposed project.
- X. **Commissioner Mance** stated that historically with the workshops, people do not always show up for every workshop or meeting. Her understanding was that this meeting would have more details, letters were sent out to people directly impacted by this proposed project, and a notice was in the Gainesville Sun (placed by FDOT).
- Y. **Myrna Widmer** stated that this meeting was very preliminary since there was a difference in opinion and instead of wasting money, if you move forward and have another meeting, we will have more comprehensive plans with more detail available. This meeting was just planned because this project was submitted by an administrator who is no longer employed by the Town. We want to hear from the people who are here to give their opinion. We met with Mr. Kelley, former Town Administrator, and he wanted to wait until after the holidays to start this procedure.
- Z. **Mayor Shutterly** explained that Mr. Kelley applied for this grant, as he had applied for many grants. With grant money received, we have purchased fire trucks, the Micanopy Native American Historic Preserve, and numerous other projects which have been funded by grant money. The next step is to have workshops and see what FDOT has to offer completely. We need to explore this with more of the citizens from Town.
- AA. **Mike Campbell**, Seminary Ave, is someone who walks, jogs, and rides around Town daily. This works well for him and always has, and he doesn't see a need for sidewalks which will cost the taxpayers' money. My professional point of view as a tree committee member is that it can be done, but if it is not done correctly, it will harm trees.

Former Town Administrator, Charles Kelley, Request for Additional Vacation Payment:

Charles Kelley, former Town Administrator, when he left employment, he did an estimate on his unpaid sick and vacation leave for which he has since been paid. Following that payment, Mr. Kelley has since prepared a more detailed spreadsheet for requested additional unpaid sick and vacation time which he has provided to the Commission. Discussion ensued whereby the Town acknowledged that we had written two checks for accrued sick leave and an additional check for unpaid vacation leave. Mr. Kelley acknowledged that he had overpaid himself for 14 hours of sick leave. He asked that the overpaid sick leave hours be deducted from an additional 63 hours of requested vacation hours, leaving Mr. Kelley's calculated unpaid leave totaling 48.5 hours. Mr. Kelley asked to be reimbursed for salary in the amount of \$1,115.50 (48.5 hours) and \$55.00 for his mobile phone for November 2013.

Motion made and seconded (Mance/Berkowitz) to issue a check to Mr. Kelley for \$1,170.50 with regard to his retirement payment request according to his report;

Amend above motion (Mance/Berkowitz) to include a basic report search, a cursory reporting to verify the amount requested; passed 4-0

Discussion ensued. Commissioner Berkowitz would like someone in our office to check this report with our records. Commissioner Huddleston agrees that it is a valid point to have Mr. Kelley's spreadsheet double checked.

Mayor Shutterly stated that it would be prudent to have Mr. Kelley go over this report with Ms. Gonano before paying the above amount. If Ms. Gonano doesn't agree with the amount, she will bring it back to the Commission with any discrepancies.

Town Administrator Gonano questioned paying Mr. Kelley for 100 % of his vacation time and 50% of his total sick time accumulated over 12 years. Mr. Kelley explained that he had used comp time for any vacations or sick days that he had used in the past 12 years.

Charles Kelley – Purchase 1953 Dodge Fire Truck:

Mr. Kelley stated that he would like to purchase the 1953 Dodge Fire Truck from the Town, including an old hose reel, and if there is a surplus generator for it, he would like that also. He offered \$1,500.

The Micanopy Historical Society Museum does not want the truck, as they do not have space for it. This truck was the first fire truck per Mike Roberts. Discussion ensued.

Motion made and seconded (Berkowitz/Mance) to sell the 1953 Dodge Truck for \$1,500 to Mr. Kelley contingent on Attorney Lee's consent; passed 4-0

Attorney Lee states that if the municipal property is valued at less than \$5,000 it is legal to sell the property.

6. **Guests:** None

7. **Citizens Board and Committee Reports:**

A. **Planning & Historic Preservation Board (P&HPB)**, Fro Warren gave a verbal report.

B. **Ginny Mance announced that the Thrasher Warehouse Board has a new president** - Tom Staley

8. **Town Attorney Report:** Attorney Lee doesn't have anything specific. The proposed medical marijuana is on the November ballot, as the Florida Supreme Court has approved it for the ballot. The Town may want to consider what to do in the event that it passes.

9. **Town Administrator Report:**

A. **Facility Upgrades:**

1. **Native American Heritage Preserve barn and pavilion re-roofing** – Completed.

2. **Gutter and down spout installation on Town Hall** – Have received the recommendation from P&HPB.

Motion made and seconded (Mance/Berkowitz) to approve the quote from Gale Insulation for \$1,950 to put gutters over openings; passed 4-0

Quoted for bronze without leaf guards.

- B. Update on drainage ditch maintenance.** Public works is doing a good job. Next step is Church Avenue. Mike Campbell stated that FDOT is protective of their drainage ditches and there is a culvert on Division and Hwy 441 which is crushed. FDOT is responsible for this culvert.

10. New Business.

- A. Installation of a Town Hall Drop Box** – Town Administrator Gonano would like the Commission to consider installing a drive-up drop box. Commissioner Berkowitz would prefer a wall-mounted drop box. Commissioner Mance would like a less conspicuous wall-mount box. Commissioner Huddleston thought we should wait on this until some of our other projects are finished.

Motion made and seconded (Berkowitz/Huddleston) to table the drop box until a future date; passed 4-0

Mayor Shutterly would like to discuss further when the parking lot is paved.

- B. 1953 Dodge Truck** – Possible donation to Museum – Museum is not interested as they do not have space for it. Sale to Mr. Kelley approved under Citizens Forum.

- C. Application for service on Tree Committee – Christine V. Steurer** – Discussion ensued.

Motion made and seconded (Berkowitz/Mance) to approve as submitted; passed 4-0

Welcome!

11. Unfinished Business:

- A. Well Inspection & Potential Repair Cost on Pump #1-** Pump #1 pulled 120' section of the shaft and there were several holes in three segments. The pump is bad and will need to be replaced. Earl's Well Drilling pulled the pump and submitted two quotes to replace the pump and damaged shafts.

Motion made and seconded (Mance/Berkowitz) to approve the quote from Earl's Well Drilling for \$15,800; Amend above motion (Mance/Berkowitz) to include Ms. Gonano's discretion on the warranty and her findings; passed 4-0

- B. Wild Spaces & Public Places Reserve Funds – Proposed ideas for project**

Motion made and seconded (Huddleston/Mance) to approve the new list and send it to Alachua County for approval;

Discussion ensued.

Amend above Motion (Huddleston/Mance) to add to the above list of projects; modernize the restroom and concession facilities at the ballpark; passed 4-0

- C. Derelict Housing Status – Discussion ensued.** Mike Campbell advised that the Town should check for the presence of asbestos in the derelict houses. After the houses are demolished, an expense list will be presented to the Town Commission for further action.

- D. Consideration of Employee Retirement Account** – FL League of Cities to Attend March 11, 2014 to offer a power point presentation.

- E. Town Investments** – Ms. Gonano to research investment options.

12. Town Commissioner Reports:

- **Commissioner Joe Aufmuth** – Absent with notice
- **Commissioner Mike Berkowitz** – Would like to offer electronic payments and pass the fees onto our customers. He will research the cost of electronic payments.
- **Commissioner Tug Huddleston** – This is his final report, business is good and he would like to spend more time with his family. He'll be back.
- **Commissioner Ginny Mance** – Enjoyed serving with Tug and thank you for your service. There are three different residents in Micanopy breeding pit bulls, some residents are concerned with mistreatment of dogs, and Animal Control is monitoring the sites of these animals.

- 13. Mayor Richard Shutterly Report:** - Asked Tug to generate an estimated cost for the Fire Department addition so the Commission will have a better idea of how it'll fit into our budget? Thank you for your service Tug, he remembers when he started on the Commission and it takes a couple years to get a feel for the work up here.

The Town is running well, and Mayor Shutterly really appreciates our public works department doing the ditches, and the Town's people are happy with their work.

Micanopy Library is a central point in Town and Beth Allerton, Librarian, will bring a potential sign to us soon.

14. Adjourn: 11:10 PM

MINUTES APPROVED:

As submitted _____ as amended _____ at Town Commission Meeting _____

Richard Shutterly, Mayor

Patty S. Polk, Recorder