

**Town Commission**

**Tuesday • May 11, 2021 • 7:00pm**

**Minutes Regularly Scheduled Meeting**

1.Call to Order 7:01pm

2. Invocation and Pledge of Allegiance to Flag

3. Roll Call

*Commissioners Attending:*

* Joseph Aufmuth, Mayor Present
* Timothy Parker, Mayor Pro Tem Present
* Troy Blakely Present *(arriving after roll call)*
* Mike Roberts Present
* Virginia Mance Present
* Debbie Gonano, Town Administrator Present
* Patty Polk, Deputy Town Clerk Present
* Scott Walker, Town Attorney Present

4. Consent Agenda Approval

A) Agenda Approval

B) Minutes of Regular Meeting of April 13, 2021 and Special Meetings of April 19, April 26, and April 28, 2021

C) Review and Acceptance of Financial Transactions and Reports

***Motion made and second (Parker/Mance) to move Item 10B) Firehouse Playground Park Sunshade to insert as Item 7A) and add Item 11C) Town Administrator Exit Plan; Passed 5-0***

***Motion made and second (Mance/Roberts) to accept amended Consent Agenda; Passed 5-0***

***Later motion made and second (Parker/Mance) to insert Item 11A) Grant Funding; Passed 5-0***

5. Guests

A) Lena McNeer, Alachua County Library District

Librarian, Lena McNeer, spoke about the Library’s Summer Reading program starting on June 1st for children and adults.

6. Citizen’s Forum – Public Comment

A) Homer Jack Moore *(153 NW Seminary Avenue)* argued that the developer of the Dollar General was not conforming to the Alachua County Uniform Land Development Code (ULDC). He had asked the Commission to consider *“to accept and advise Alachua County accordingly of adherence to at least the principle of the law. I can’t imagine why anybody would vote against the principle of upholding the law.”* Jack Moore expressed hope that tonight the Commission would reconsider last month’s failed 2-2 vote to write a letter to Alachua County. Mr. Moore argued that Alachua County had called the proposed 8,960 sq. ft. Dollar General store a ‘retail store’, as opposed to a ‘convenience store’, which permitted a maximum of only 8,000 sq. ft. Jack Moore claimed that conflicted, unelected County employees were making decisions.

B) Bud DesForges *(554 NE Seminary Avenue)* spoke about joyriding golf cart thefts in Town which were leading to necessary golf cart repairs. Mr. DesForges didn’t want anything bad to happen to a trespasser, because it isn’t safe sneaking around at night.

C) Marian Baron *(108 Whiting Street)* complained about the Dollar General Stakeholder process and criticized Town Administration for not having forwarded a response letter to Town residents which had been received from Attorney Theriaque of Concept Companies. Ms. Baron said that a transcribed copy of the April 6th Stakeholder Meeting should be available and, speaking to Attorney Walker, wanted him to get a copy of the transcription. Additionally, Marian, not willing to file a written complaint, complained about lack of action regarding ‘known’ code violations. Ms. Baron maintained that Town Administration was aware of code violations involving safety issues in Town and wanted Town staff to do their jobs; Marian wanted the incoming Town Administrator to address these issues. Further, Marian, who has been a member of the P&HPB since February 2020, just learned that the Town has design guidelines and wanted all design guideline plans (signs, variances, subdivisions) to come before the Planning & Historic Preservation Board (P&HPB) prior to sending them straight to the County for approval. *(LDC Section 3.01.06(C) Design Guidelines apply to C-1 Zoning and already requires a Certificate of Approval (CA) from the P&HPB. LDC Section 7.01 applies to sign specifications, most of which are in C-1 Zoning and already require CA approval from the P&HPB. LDC Section 8.0 applies to subdivisions, which are already submitted to the P&HPB for approval.)*

D) Leslie Straub *(Florida Wildlife Care, Inc.)* detailed information about a 50-acre facility planned by the Florida Wildlife Care center to be located at Camp Cuscowilla and asked for letters of support from the Town and residents. The sanctuary would be used as an educational facility and as a rehabilitative and recovery facility for native Florida wildlife.

***Motion made and second (Mance/Roberts) for the Town to write a letter of support; Passed 5-0***

*(This issue will be put on the June 8th agenda for further discussion as a result of a recent article stating that the organization was holding animals in poor conditions and that Leslie Straub had been cited by the Florida Fish and Wildlife Commission for operating without proper licensing.)*

E) Jeffrey Forbes *(206 E Ocala Avenue)* reported that Alachua County had designated Tuscawilla Road as a *County Scenic Road*. Mr. Forbes stated that because of the designation, large trucks would be banned from using Tuscawilla Road and will need to file for a variance to use the road. Also, Forbes detailed that the developer would be better advised to create a US Hwy. 441 entrance, which they don’t want to do. The designation also stymies Rhodes’ plans to build an office and HVAC warehouse on the larger parcel abutting the Micanopy Native American Heritage Preserve (MNAHP) parcel. On May 19, the BoCC will hear plans from Growth Management to redesignate all Business Highway parcels in Alachua County from allowable 10,000 sq. ft. buildings to 3,000 sq. ft. buildings. Lastly, Mr. Forbes does not support any attempt to throw out existing US Hwy. 441 Design Guidelines, and he thinks that anyone proposing changes to these guidelines should be held accountable.

7. Barbara Finch: Firehouse Playground Park Sunshade

A) Barbara Finch introduced Micanopy Girl Scout Troop 452 to present research she had done for the purposes of installing a sunshade over the playground equipment at the Firehouse Playground Park. Various sunshade options were presented. The Troop offered to contribute up to $1,000 to the Town towards purchase and installation of the structure.

***Motion made and second (Mance/Blakely) to match the $1,000 offer from the Girl Scout Troop. Motion amended.***

For liability purposes, Town Administrator Gonano thought that any placement of sunshades in the municipal parks should be performed by a commercial playground equipment manufacturer. Additionally, Commissioner Roberts wanted to research the cost of a sunshade for the Ballpark Playground, as well.

***Motion amended (Mance/Blakely) to research the costs for installation of playground sunshades and funding the projects with WSPP funds; Passed 5-0***

8. Citizen Board and Committee Reports

A) Planning & Historic Preservation Board (P&HPB)

Chair, Fro Warren reported that at the March 30th P&HPB meeting:

1) The Board had discussed decorations for the Town’s Bicentennial. The Town has only six banner frames. Commissioner Mance stated that additional frames would cost between $1,000-$2,000 each.

***Motion made and second (Roberts/Parker) to spend up to $1,000 on six Bicentennial Banners; Passed 5-0***

2) The Board had started discussions regarding a solution to nonconforming ¼-acre lots in Town.

3) Responding to complaints from Stoney Slaton *(104 NE Seminary Avenue)*, the Board had discussed an appropriate location to relocate the existing downtown island sundial.

4) Responding to comments from Stoney, it was determined that the downtown island trash receptacles were working, as is.

5) The Board asked about the status of the *4-way* *STOP* sign. *(The Town is awaiting detail from the Speed Spy.)*

6) The Board discussed anticipated Dollar General light pollution issues.

B) Tree Committee

Paul Cohen reported that:

1) Paul Cohen had located grant funding in the amount of $20,000-$25,000 from the Arbor Day Foundation Green Space grant program and was going to research the program.

2) The Tree Committee had been contemplating planting a *Bicentennial Tree* and mentioned several different sites, including the downtown islands, which might accommodate a winged elm tree. Mayor Aufmuth wanted to investigate the possibility of holding this tree planting as one of numerous events planned for the Bicentennial. Also, the committee was looking for a space to possibly plant a live oak, and the Mayor asked for a map of possible locations to plant the trees.

9. Town Attorney Report

A) Sara Owen Employment Contract

Attorney Walker presented an employment contract, which had been requested by Sara Owen, to the Commission which detailed particulars of her employment as a *‘Senior Management Service’* employee; therefore, Ms. Owen would not be subject to the Employee Handbook covering other employees. Among other benefits, the contract offered:

1) Annual salary of $60,000,

2) Initial accrual of vacation leave of 52 hours for a six-month period; accrual of 104 hours annually after six months,

3) Initial accrual of sick leave of 52 hours for a six-month period; accrual of 104 hours annually after six months,

4) Healthcare benefits 100% paid by the Town,

5) Holiday time-off allowances as offered to other Town employees,

6) Participation in any offered retirement plans,

7) 40 Hour work week and additional hours as required,

8) Overtime excluded,

9) Payment for professional development, travel expense, and membership dues,

10) Save harmless agreement,

11) A three year employment term with successive one-year renewals,

12) 60 day written notice of voluntary termination.

Attorney Walker had added a reference to State Statute 215.425 indicating that at termination, severance pay not exceeding 20 weeks of accrued vacation/sick leave would be paid.

***Motion made and second (Parker/Blakely) to accept the Professional Services Agreement for Sara Owen; Passed 5-0***

B) Proposed Charter Changes

Attorney Walker presented and detailed the few final proposed Charter changes made by the Commission at the last meeting and detailed in the final version of the Charter being presented. Answering Mayor Aufmuth, Attorney Walker detailed that the next step in the process would be for the Town Commission to pass the changes via an ordinance and provide the changes to the Supervisor of Elections to be included on an upcoming ballot.

***Motion made and second (Parker/Mance) to have the attorney prepare an ordinance for the charter changes; Passed 5-0***

C) Land Development Code (LDC) Changes Procedure and Approval

Attorney Walker will have the requested information regarding procedures used for variance approval by other local municipal governments for the next meeting. Mayor Aufmuth summarized that the information presented next month will be informational only, as Commissioner Blakely was concerned about being in attendance for any vote taken on this matter.

10. Town Administrator Report

A) Budget 2021-2022

Town Administrator Gonano presented a ‘tweaked’ proposed budget, both in annual and monthly format, for 2021-2022 which included a $21,000 increase in the County Fire ILA, 9% decrease in fuel tax revenue effective in January 2022 per the County ILA, $60,000 annual salary and health insurance for the new Town Administrator, and a switch in property, liability, and workers’ compensation insurance from Public Risk Insurance Agency (PRIA) to the Florida Municipal Insurance Trust (FMIT) for a savings of almost $9,000.

***Motion made and second (Mance/Roberts) to switch insurance carriers from PRIA to FMIT in conjunction with the upcoming policy renewal in October 2021; Passed 5-0***

B) Independence Day Parade and Activities *(to be held on Saturday, July 3rd)*

Town Administrator Gonano had been in contact with the Alachua County Assistant County Manager and was informed that Alachua County does not have any mandates in place for parades, fireworks, etc. for Independence Day activities. Mayor Aufmuth wanted to ensure that participating staff is comfortable with a decision to proceed prior to planning. Commissioner Mance recommended that a *‘use* *at your own risk’* sign be placed on the bounce house.

***Motion made and second (Parker/Roberts) to hold the annual Independence Day activities; Passed 5-0***

11. New Business

A) Grant Opportunities

Marian Baron wanted the Town Commission to pursue grant opportunities and volunteered to work with the incoming Town Administrator or Commissioner Parker to accomplish that. Mayor Aufmuth suggested that any projects should be offered through the P&HPB. Marian Baron wanted to be copied on communications between Commissioner Parker and the engineers; Attorney Walker warned that these types of communications could run afoul of the Sunshine Laws and all communications should be done in a public setting.

B) Proclamation: *May is Alachua County Public Schools Teachers & Staff Month*

Mayor Aufmuth read a proclamation declaring May as Alachua County Public Schools Teachers & Staff Month.

***Motion made and second (Mance/Roberts) to accept the proclamation; Passed 5-0***

C) Town Administrator Exit Plan

After declaring admiration and appreciation for Town Administrator Gonano’s 7½ years of service to the Town of Micanopy and in conjunction with Gonano’s approaching retirement, Commissioner Mance wanted to discuss employee payout of accrued compensatory time. Mayor Aufmuth acknowledged Debbie Gonano’s devotion and money saved by her on behalf of the Town, and the Mayor had requested accrual information estimated at 240 hours of accrued vacation, 361¼ hours of accrued sick leave, and 50 hours of accrued comp time. Commissioner Parker agreed that the money is due, Commissioner Roberts said that it is money well spent, and Commissioner Blakely agreed, as well. Attorney Walker commented that the Commission’s decision regarding a severance package is well within acceptability of the law.

***Motion made and second (Aufmuth/Mance) to pay Town Administrator Gonano for unused, accrued vacation, 50% of sick leave, and compensatory time estimated at $15,323.38 for Gonano’s devotion, service, and money saved on behalf of the Town; Passed 5-0***

Town Administrator Gonano answered that for the most part, the last 7½ years have been an absolute pleasure, and she sincerely appreciated this recognition.

12. Unfinished Business

A) *Speed Spy* Results

Town Administrator Gonano reported that the *Speed Spy* device is still in place collecting information, and the Town has not yet received the compiled data. Marion Baron, after detailing a traffic incident leading her to follow the culprit and after reciting the resultant dialogue, criticized the Commission for having voted to place a *4-Way STOP* sign at the intersection of Seminary Avenue and Division Streets, but having taken no action on the vote. Commissioner Mance wanted to see the report generated by the *Speed Spy* prior to installing the *STOP* sign. Commissioner Roberts agreed with Commissioner Mance. Past resolved issues with the site triangle at that intersection were discussed.

***Motion made and second (Mance/Roberts) to postpone the placement of the 4-Way STOP sign until after the Speed Spy data has been compiled and presented and history of the intersection could be investigated further; Passed 5-0***

13. Town Commissioner Reports

* Commissioner (Seat 2) Tim Parker – 1) Commissioner Parker was not happy to see Town Administrator go, but he was glad that she did not quit and leave us hanging, and he was looking forward to working with Sara Owen.

2) Commissioner Parker looked forward to working with Marian Baron on future grant opportunities.

3) Commissioner Parker was very happy about the July 4th celebration being back this year.

* Commissioner (Seat 3) Ginny Mance – 1) Commissioner Mance wished Debbie Gonano and her husband well in her retirement. It’s been wonderful to know you.

2) Commissioner Mance welcomed Sara Owen and hoped that she would be here for quite a while.

3) In conjunction with information and pictures sent to the Commission by Town Administrator Gonano this week, Commissioner Mance wanted to discuss needed repairs to the building located at the Micanopy Native American Heritage Preserve (MNAHP), and she asked for that issue to be placed on next month’s agenda.

* Commissioner (Seat 4) Troy Blakely – 1) Commissioner Blakely thanked Debbie Gonano for the wonderful job done.

2) Commissioner Blakely looked forward to working with Sara Owen.

3) Commissioner Blakely asked about the progress of sale of the Town’s Silverado diesel truck. Town Administrator Gonano answered that she had sent out an email to the Commission detailing that the auto industry is experiencing a global microchip shortage which is causing a shortage of new vehicles, especially trucks. Gonano felt that it would be a good time to sell the Silverado, but a few phone calls to auto dealers had produced no replacement vehicle. Commissioner Blakely offered to research a connection that he has for vehicles.

* Commissioner (Seat 5) Mike Roberts – 1) Commissioner Roberts welcomed Sara Owen to Micanopy.

2) Commissioner Roberts said that he would really miss Debbie and appreciated that she had kept us straight.

3) Commissioner Roberts recognized that the MNAHP needed repairs, and he wanted to install a metal standing seam roof on the building and pavilion.

14. Mayor (Seat 1) Aufmuth Report – 1) Mayor Aufmuth recognized that he had worked with three different Town Administrators in his years of service and said that Town Administrator Gonano has been fantastic with everything she’s done for the Town and gets the ‘star.’ He appreciated the new basketball court, facility upgrades, well project, downtown modifications, and for continually trying to raise Micanopy to remain alive and vibrant.

2) The Mayor welcomed Sara Owen and recognized that Sara clearly has a lot to offer the Town; further, anything that we can do to help you, please let us know.

3) Mayor Aufmuth summarized that there is a new wind blowing in the County Commission, and he was looking forward to the joint meeting which is scheduled for the June 8th regular meeting.

Marian Baron issued a strong statement that, for the purpose of showing unity, all the Micanopy Commissioners and P&HPB members, unless they support the proposed Dollar General, need to be in attendance at the Alachua County final plan review meeting for the proposed Dollar General.

15. Adjourn 9:12pm

**MINUTES APPROVED:**

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

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**Joseph L. Aufmuth, Mayor Debbie Gonano, Town Administrator/Clerk**