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Town Commission

Minutes Regularly Scheduled Meeting

Tuesday • September 10, 2019 • 7:30pm

1.Call to Order: 7:30pm

2. Invocation and Pledge of Allegiance to Flag

3. Roll Call

*Commissioners Attending:*

* Joseph Aufmuth, Mayor Present
* Timothy Parker, Mayor Pro Tem Present
* Ed Burnett Present
* Troy Blakely Present
* Mike Roberts Present
* Debbie Gonano, Town Administrator Present
* Patty Polk, Deputy Town Clerk Present
* Scott Walker, Town Attorney Present
* Andrea Parker, Town Attorney Present

4. Consent Agenda Approval

 A) Agenda Approval

Request by Attorney Parker to add the Alachua County Public Service Answering Point (PSAP) ILA to the Attorney’s Report.

 B) Minutes of Regular Meeting of August 13, 2019 and Special Meeting of August 26, 2019

 C) Review and Acceptance of Financial Transactions and Reports

***Motion made and second (Parker/Blakely) to approve the consent agenda; Passed 5-0***

5. Guests

 A) Carolyn Wallace, Alachua County Library District, Micanopy Branch

Carolyn Wallace reported that September is National Library Card Sign Up Month and the library is offering local incentives; requirements to obtain a library card are that the applicant must be a resident of Florida. Also, the library is offering Legos and Cubelets programs for children. There are adult programs including duct tape crafting and pine needle basket making.

6. Citizen’s Forum

 No comments.

7. Citizen Board and Committee Reports

 A) Planning & Historic Preservation Board (P&HPB) of July 23, 2019

Chair Fro Warren was present at the meeting and gave a report on the following:

1. Accessory Building discussion is continuing (LDC Article 2, Section 2.02)
2. CR234 Entrance and Sign triangle issue is going to be discussed (relative to the Commission’s August recommendation that the P&HPB work with the school to address the issue for solutions)
3. Non-conforming dog pen situation
4. Micanopy 200th Anniversary Commemoration event in 2021 starting to be planned

 B) Tree Committee

No report.

8. Town Attorney Report

A) Alachua County Public Service Answering Point (PSAP) ILA

Sheriff Darnell is asking for a signed agreement be returned by October 1, 2019. Attorney Walker has reviewed the

 agreement and found it satisfactory, except he would like to work with ACSO attorney, Cynthia Weygant, to insert a mutual 30-day “out clause” and will work to approve the addition. The ILA prioritizes emergency discussions allowing for communication through the PSAP system relative to the fire department.

***Motion made and second (Parker/Burnett) to approve the Public Service Answering Point (PSAP) Interlocal Agreement, with or without the “out clause”; Passed 5-0***

B) Status of Acquisition of CR234 Bypass Property (Parcel #16811)

 Attorney Walker reported that he had spoken with Diane Martin of the Florida Department of Environmental Protection (DEP) on the acquisition of the east 50-acre portion of the CR234 Bypass Property. The Internal Improvement Trust Funds holds title to all lands in the State of Florida and the property is leased to the DEP/Division of Recreation and Parks. Prior to being approved as surplus lands, the State Park system would need to declare the property as no longer needed for conservation purposes and the parcel would need to be noticed to universities and state agencies for lease. Ms. Martin related that the chances of the property being declared as surplus property allowing for the Town to gain ownership are unlikely and limited, at best. Further, the chance of the Town to sublease the property from the State also is unlikely because the Town’s intentional use of the property (well site, waste water treatment plan, solar farm, etc.) would be incompatible with Recreation and Parks’ conservation intentions. A third option would be a land exchange; whereby the Town would make a two-for-one land exchange with the State. This would involve the Town giving the State twice the land it would receive in return, assuming that the offered land met the State’s requirements. Additionally, there was no option to purchase the land from the State. Mayor Pro Tem Parker wanted to know if we could speak with someone in higher authority, but Attorney Walker thought that would be useless.

9. Town Administrator Report

 A) Final 2019-2020 Millage/Budget Public Hearing Monday, September 23, 2019 @ 6:00pm

 1) Rollback Rate 5.6542

 2) Tentative Millage/Budget Public Hearing had been held on Monday, September 9, 2019 @ 6pm

 3) Final Millage/Budget Public Hearing Monday, September 23, 2019 @ 6pm

Town Administrator Gonano presented the final millage/budget using the rollback millage rate of 5.6542 and budget in the amount of $1,653.114. Gonano had received a bid for liability, property, auto, and worker’s compensation insurance from Florida Municipal Insurance Trust (FMIT). All considered, the FMIT premiums would be about $1,689 less than our current insurance company Public Risk Insurance Agency (PRIA). The Commission considered the quick resolutions of two PRIA elevator lightning strike claims and a pending tree damage claim when making a decision.

***Motion made and second (Burnett/Blakely) to retain PRIA as the Town’s insurance provider; Passed 4-0 (Roberts’ recused himself because of a pending insurance claim and will file Form 8B.)***

B) Savings Account Investment Options

Town Administrator Gonano provided an option for a CenterState Bank Super Savers Account paying a 1.5% variable interest rate. The Town’s current interest rate is variable at .5%. The account requires a minimum balance of $10,000 and contains withdraw restrictions, but the restrictions probably wouldn’t have any effect. Also, a CD maturing on September 21st (currently collecting interest at 1.37%) will be renewed for 9 months at 2%.

***Motion made and second (Roberts/Burnett) to approve transferring the savings account balance to the Super Savers Account; Passed 5-0***

10. New Business

 A) Duke Energy Battery Storage

Dorothy Pernu, Government Community Relations Manager and Adam Nygaard, Business Development Manager, Renewable Division presented information on a proposed battery storage plant to be located on Parcel #16799-004-000 on Hwy. 441 adjacent to the Micanopy Animal Hospital. Mr. Nygaard explained that the battery storage plant would use lithium-ion batteries to balance energy load with demand, enabling the grid to operate more efficiently and reducing fuel costs. Plummeting battery costs, as a result of electric vehicle research has produced affordable lithium-ion batteries. Mr. Nygaard explained that Duke Energy has five planned battery storage plants in Florida including Micanopy (as part of a 2017 settlement agreement with the Florida Public Service Commission (FPSC)), in addition to plants in South Carolina, Ohio, Indiana, and Kentucky. The planned battery storage plant will serve the Duke A-51 feeder line stemming from the McIntosh substation and is broken down into four separate sections: Section 1 (including McIntosh) with reported 11% outages, Section 2 with 15% outages, Section 3 (including the Micanopy area) with 20% outages, and Section 4 (north of Micanopy) with 54% of the reported outages. Currently, an outage in Section 1 will shut down the power throughout the entire A-51 feeder line. A battery storage plant (which would be located at the junction of Sections 2 & 3) would allow opening of a recloser, thereby isolating a particular section, and enabling the battery backup to power the remaining feeder line. Secondary uses of the battery storage plant include peak load shaving, frequency regulation, and volt control. The plant layout includes a concrete battery rack enclosure, inverter, transformer, switch gear pad, site control center, underground cables, overhead distribution conductors, and chain-link fence topped with barbed wire. Duke Energy is planning to keep the existing vegetative buffer on the chain-link fence line, including along Hwy. 441. The battery is not meant to be used for major events and expected battery life, dependent on current charge and demand, will provide power for three to twelve hours, but most likely four hours. Answering Town Administrator Gonano, Adam Nygaard explained that the battery is not a self-charging battery and, although there is some risk, lithium-ion batteries produced outside of China are safe, and Duke will use only reliable vendors. Also, Duke’s oldest battery plant was commissioned in 2011 and has been operating safely since. Answering Commissioner Burnett, the battery cells would be placed inside a concrete storage container (which would contain any unexpected seepage or spillage); they are not portable and the intention is not to move them. Answering a question posed by Commissioner Roberts, Mr. Nygaard stated that the battery storage plant would not cost the Town or citizens of Micanopy anything; Dorothy Pernu agreed and explained further that the battery storage plant will be built as a result of a 2017 settlement agreement with the FPSC and Duke will absorb the project costs. Ms. Pernu added that the Town will receive additional property taxes on the improved lot. An additional question from Commissioner Roberts concerning vegetative buffers was answered that Duke will consult with the Town to ensure a proper buffer. Commissioner Roberts was concerned about nearby property owners, but the plants don’t produce noise or emissions. Answering Mayor Aufmuth, Mr. Nygaard related that once approved, the project is scheduled to be completed by the fourth quarter of 2020; with the timeline considering archeological and environmental studies, permitting, site preparation, and site construction. Answering a question from Mayor Pro Tem Parker, the site will be secured with fencing, barbed wire, off-site monitored video surveillance, fire suppression equipment, and an emergency response plan. Answering Cheryl Roberts *(551 NW Seminary Avenue)*, the battery storage plant doesn’t emit radiation or any other emissions; the lithium-ion battery plant is safe.

B) Gainesville Rugby Club Request for Additional Field Use

Jennifer Meisenhelder of the Gainesville Rugby Club, with whom the Town has an existing agreement to use the ball field on Thursday nights from 7pm – 9pm, requested that the rugby team be allowed to use the ball field on Tuesdays, as well. Commissioner Roberts had reported that the group had been turning on lights for more than one field; and Town Administrator Gonano answered that the $20/night field use fee was to cover the electric for the use of one field. Commissioner Roberts thought that the fee was to cover the cost of lights on the small field, but the team had switched to the large field. Gonano will speak to the club about the lighting issue.

***Motion made and second (Parker/Burnett) to allow Town Administrator Gonano speak with the rugby team about field use issues and allow use of the ball field on Tuesday nights; Passed 5-0***

 C) Derelict Structures

A complaint had been received about the derelict structure at 109 SW 7th Street (Parcel #16720-028-007). Additionally, the structure at 108 NW 8th Street (Parcel #16520-067-001) was found to be derelict. Town Administrator Gonano reported that the SW 7th Street property owner was reportedly still living on site in his vehicle. Both houses are vacant, and there are no water utility services at either property. Town Administrator Gonano related that the Town has taken down about 16 houses, and we are quite familiar with the process, but we’re looking for Commission approval. The process involves asking the property owners to demolish the structures, and if they don’t, the Town will remove the structure and lien the property for reimbursement of the demolition cost. Answering Mayor Aufmuth, Town Administrator Gonano related that an unoccupied structure would not qualify for a CDBG Housing Rehabilitation Grant; and additionally, with a CDBG Neighborhood Revitalization Grant currently open, it is not possible to qualify for another CDBG grant. It would be at least three years, if not longer, before another CDBG grant could be applied for.

***Motion made and second (Parker/Blakely) to initiate the derelict house process for the structures on 109 SW 7th Street and 108 NW 8th Street; Passed 5-0***

D) US Constitution Week September 17-23 Proclamation

Mayor Aufmuth read a proclamation declaring the week of September 17-23, 2019 as Constitution Week celebrating the 232nd anniversary of the framing of the US Constitution in 1787 to audience applause.

11. Unfinished Business

 A) Fire House Renovation

Town Administrator Gonano presented the Engineer Ranking Sheet to be used at the September 23, 2019 special meeting and had given the Commissioners copies of all of the engineer responses received in response to the RFQ that the Town had issued in August 2018.

 B) Resolution 2019-12 Fee Resolution

Mayor Aufmuth summarized that there was a special meeting held on August 26th to pass Resolution 2019-12 for purposes of passing solid waste increases on to consumers. Town Administrator Gonano reminded the Commission that Commissioner Blakely and Mayor Pro Tem Parker had previously asked for this matter to be placed back on the agenda so that the Commission might revisit other fees on the schedule. Parker thought that some of the fees being charged were excessive and wanted to compare the fees to other municipalities. Commissioner Blakely was not in favor of comparing fees to other municipalities. The Mayor acknowledged that these fees had been in effect for maybe 15 years and recommended that Blakely review the list and bring back suggested changes to the Commission. Responding to Mayor Pro Tem Parker asking for definitions of the charges, Gonano explained that all of the actions on the fee schedule are defined in the Land Development Code (LDC) or the Code of Ordinances. Commissioner Blakely thought that the Town had copied these charges from other municipalities, but Mayor Aufmuth explained that when the code was reviewed years ago, a corresponding schedule of fees was passed through a resolution. Grace Fuller, P&HPB Member, agreed that the Town might start with another municipality’s information, but that the Board researches the information line-by-line prior to suggesting any changes to the Micanopy Code. *(Later in agenda item 12. Town Commissioner Reports, responding to comments about the procedure for Commissioners to submit suggested fee schedule changes, the Mayor suggested that the P&HPB work with Commissioner Blakely and others for review and input.)*

 C) Ballpark Improvement Project

 1) RFP – Playground Equipment

Commissioner Roberts and Town Administrator Gonano provided ten different playground equipment responses to an RFP issued last month. The representative from KorKat was the only vendor which had made a site visit and KorKat Option 1 submittal at a price of $20,168.80 (to be installed by public works) was staff’s first pick because of the climbing rock and mountain walls, chain climbing wall, overhead horizontal ladder, and spinner. Other responses considered were received from Southern Recreation, A&A Playgrounds, Playworx Playsets, and Playmore.

***Motion made and second (Roberts/Burnett) to approve the PS3-32512-3 Option 1 bid submitted by KorKat, Inc. playground equipment at a cost not to exceed $23,000; Passed 5-0***

The Commission didn’t ask for prices for playground surfaces and they are not included in this price; however, the KorKat rep had provided three different choices for the playground surface: 1) Engineered Wood Fiber (EWF) installed for $4,150, 2) Poured-in-Place EPDM installed for $17,728, and 3) Artificial Turf installed for $19,113. Mayor Pro Tem Parker voiced his preference for sand, but Mayor Aufmuth responded that cats tend to use the sand as a litter box. Homer Moore *(153 NW Seminary)* recommended that the Town put sod down, but Town Administrator Gonano related that parents at past meetings voiced their opinions about installing a safe playground surface. Additionally, the Mayor, who had previously held a position as park ranger, explained the legal repercussions suffered from injuries caused by installing an inferior substrate surface. The Commission directed the Town Administrator to research playground surface option costs.

2) RFP - Roofing

Town Administrator Gonano had received two responses to the ballpark roof replacement RFP for the concession stand, 5 dugouts and 2 score keeper booths. A response from Big ‘D’ Don Strauss Roofing Services for a standing seam roof was $33,990 and the classic rib price was $27,995. Keeler Roofing, LLC proposals were $30,200 for a standing seam and $23,400 for the classic rib. Commissioner Roberts liked the Strauss Roofing quote because their estimate included replacing rotten wood with ½” DCX plywood and the use of dry-in peel and stick underlayment. Roberts had called but hadn’t received a response regarding Keeler Roofing’s estimate as to the type of wood replacement (plywood or OSB) and the proposed type underlayment material. Bud DesForges wanted to know the total number of squares on the structures.

***Motion made and second (Parker/Roberts) to table the discussion until more information is received; Passed 5-0***

12. Town Commissioner Reports

* Commissioner (Seat 2) Parker –
1. Mayor Pro Tem Parker commented about the status of the CDBG grant procedure and Town Administrator Gonano reported that one response had been received for each ad run in the Gainesville Sun (requirements were to advertise in a regional newspaper): Fred Fox Enterprises for the administration ad and Kimley-Horn for the engineering ad. Per Fred Fox, if the Town wanted to run the ads again, the Commission would need to reject the responses received and re-advertise the ads again in the Gainesville Sun. The one-day ads cost $1,872.
2. Mayor Pro Tem Parker commented about acquiring the 206.8 acre CR 234 Bypass Property, installing a solar farm, and using income collected from Duke Energy to pay a lease on the property.
3. Parker was grateful that the hurricane missed us and he appreciated citizen attendance at the meeting.
* Commissioner (Seat 3) Burnett –
1. Commissioner Burnett asked that the Town have the Ford F-150 truck sitting on the County right-of-way at the intersection of Cholokka Blvd. and Ocala Avenue removed. Gonano will speak to the owner.
2. Burnett was glad to see more use of the ballfield.
3. Commissioner Burnett had received citizen comments about the possibility of holding the regular Commission meetings at 7:00pm instead of 7:30pm. Mayor Aufmuth and Mayor Pro Tem Parker thought that might cause them a burden, and Commissioners Roberts and Blakely were noncommittal and wanted more time to think about the issue.

***Motion made and second (Burnett/Aufmuth) to consider the change; Motion and second withdrawn***

Town Administrator Gonano offered and the Commission agreed to send an email to all those citizens on the email recipient list to determine interest in changing the meeting start time from 7:30pm to 7:00pm.

* Commissioner (Seat 4) Blakely – Commissioner Blakely asked if he could take the fee schedule to the P&HPB for review and input. Gonano related that this year’s total projected income from these types of fees was $3,400. Mayor Aufmuth agreed that was a good suggestion.

* Commissioner (Seat 5) Roberts –
1. Commissioner Roberts suggested that the Town should consider using an alternative ‘Roundup’ product.
2. Commissioner Roberts wanted to install ‘No Trespassing’ signs at the ballpark so that the Sheriff can enforce the codes.

***Motion made and second (Roberts/Burnett) to place ‘No Trespassing’ signs every 300’ or 500’ around the ballpark; Passed 5-0***

1. Commissioner Roberts suggested that the ballfield behind the concession stand be dragged to impede grass intrusion.

13. Mayor Aufmuth Report – Mayor Aufmuth reported that Senator Rick Scott called to determine needs during the recent hurricane scare.

14. Adjourn 9:44pm

**MINUTES APPROVED:**

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

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