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Town Commission

Minutes Regularly Scheduled Meeting

Tuesday • October 8, 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 Absent
* 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

B) Minutes of Regular Meeting of September 10, 2019; Tentative & Final Millage/Budget Public Hearings of September 9, 2019 & September 23, 2019; and Special Meeting of September 23, 2019

C) Review and Acceptance of Financial Transactions and Reports

***Motion made and second (Parker/Burnett) to approve the consent agenda; Passed 4-0***

5. Guests

A) Jerry Dabkowski & Grant Bush, George F. Young, Inc.

Mayor Aufmuth explained that during the Engineer Ranking Special Meeting held on September 23, 2019, the Commission had followed the Consultants’ Competitive Negotiation Act (CCNA) ranking process and selected George F. Young, Inc. as our first pick for engineers, and the Mayor introduced Jerry Dabkowski, Senior Vice President of Local Government, and Grant Bush from George F. Young. Mr. Dabkowski introduced himself and noted that the firm is celebrating its 100th anniversary this year, working with area municipalities such as Hampton, Gainesville, Worthington, and the City of Alachua. Mr. Dabkowski stated that they are an all-inclusive service firm providing services from the initial survey through expert witness; however, the firm does not have an architect on staff, but they work with local architects, including Kail Partners and McVeigh & Mangum. New innovation techniques include the use of drones for survey information and laser technology capable of pinpoint accuracy. The firm has recently worked on four area fire station projects, including Belair, Dunedin, Bradenton, and Hampton. Mr. Dabkowski stated that there was a lot of grant funding available, and he was willing to look for grant funding for the project. Grant Bush is a licensed surveyor and acts as the Gainesville location Office Manager. Mr. Dabkowski explained that he had walked around the outside of the fire house and wondered if the bay area accommodates all the necessary fire vehicles, explained the importance of good ventilation, and he thought that the living quarters area would have to be brought up to current standards. Mayor Aufmuth suggested holding a workshop for the fire house project. Attorney Walker asked Mr. Dabkowski to send him a copy of their standard contract for review.

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

Carolyn Wallace detailed programs happening at the library, both locally and county-wide, including an Addams Family celebration event, Q-BA-Maze marble run activity for children, Beekeeping for Beginners, Folklore of Haunted Hometowns with Christopher Balzano, and the Friends of the Library book sale in Gainesville on October 19-23rd.

6. Citizen’s Forum

A) Paul Cohen *(102 NE Seminary Road)* spoke about global warming and wanted to know if the Town has an official position on the matter, as he was concerned about red oaks.

B) Homer Jack More *(153 Seminary Road)* spoke about the Micanopy Historic Preservation Trust’s upcoming plans to restore the historic jail.

C) Bud DesForges *(554 NW Seminary Road)* complimented Town Hall on its fall decorations and spoke about the Town’s vulture nuisance, especially at the water plant, and he wanted the Town to curb the turkey buzzard population. It was his understanding that special permits can be obtained for humane removal. Town Administrator Gonano answered that the Town had purchased and used an approved buzzard control launcher and screamers, with no lasting effect. Bud volunteered to use the Franklin Crate whistle, but he was afraid of neighboring complaints. Cheryl Roberts *(551 NW Seminary Road)*, who lives next door to the water plant, agreed that special permits could be granted for the humane removal of the buzzards, and she was considering obtaining a permit. Attorney Walker will look into legal removal of the buzzards.

D) Frank Dahmer *(201 NE Cholokka Blvd.)*, not being aware of the Town’s recent unsuccessful efforts, spoke about the need to acquire the CR234 Bypass Property

7. Public Hearing

A) Application No. CPA 19-01 (Evaluation Based Amendments to the Comprehensive Plan): Consideration of an application by the Town Commission to amend the text and Future Land Use Plan Map of the Comprehensive Plan, based upon an evaluation completed by the Town, to reflect changes in state requirements pursuant to Section 163.3191, Florida Statutes, as amended. The first reading was completed in June, and this will be the second and final reading of the comprehensive plan amendment. Attorney Walker summarized that the changes are minor and performs a cleanup of terms in the existing document.

1) Public Comments in Favor of CPA 19-01: No public comment.

2) Public Comments Opposed to CPA 19-01: No public comment.

3) Close Public Comment for CPA 19-01

8. Citizen Board and Committee Reports

A) Planning & Historic Preservation Board (P&HPB) of September 24, 2019

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

1. Non-conforming lot – 203 NW Eestaulstee Avenue approved. The P&HPB recommended that the Town Commission forgive a demolition lean placed on this property in 2014 totaling $3,850 plus 6% interest.
2. Entrance triangle – Chair Warren had plans to survey the CR234 parcel for the Board’s upcoming discussion.
3. Fee schedule – The Board reviewed the current fee schedule and decided that no action needed to be taken.
4. Airbnb – The Board discussed a short-term rental policy for the Town.
5. Accessory buildings – Discussion is currently on hold.
6. Dog pen issue – The unpermitted dog pen was discussed again.
7. Old Save Way building – The Board would like to get the code enforcement board involved with the issue.

B) Tree Committee

Paul Cohen spoke about a public meeting whereby he spoke with the only other Tree Committee member, Matt Palumbo, by telephone. The posted meeting, which no members of the public attended, was held on speaker phone. Attorney Walker explained that a meeting of that sort is legal as long as the board member who was not present did not vote on any matters. No votes were taken during the meeting. Paul had met with Lacy Holtzworth, an arborist with Alachua County Parks and Conservation Lands regarding an Arbor Day winged-elm tree planting project on the post office property. Gonano had suggested planting on the entrance triangle, but the County was not interested in planting at that location.

9. Town Attorney Report

A) Ordinance No. 2019-03 Comprehensive Plan Amendment (CPA 19-01) Second Reading of Comprehensive Plan Evaluation Based Amendments

Attorney Parker read Ordinance 2019-03 Comprehensive Plan Amendment by title only. Mayor Aufmuth explained the importance of the comp plan.

***Motion made and second (Parker/Burnett) to approve the second and final reading of Ordinance No. 2019-03 for Comprehensive Plan Amendments; Passed 4-0***

B) Ordinance No. 2019-04 First Reading Occupational License Tax (Business Tax Receipts)

Attorney Parker read Ordinance 2019-04 Occupational License Tax by title only. Town Administrator Gonano explained that revision of the occupational license ordinance was necessary to add the fee for Insurance Occupational Licenses, which was passed by the Commission at the August 2019 meeting based on the recommendation of Attorney Parker. Commissioner Roberts, who was absent from the August meeting, questioned the need to include insurance agencies. Attorney Parker answered that additional potential income can be collected by the Town for insurance agencies doing business within the Town with enforcement provided by the Florida League of Cities for a portion of the proceeds. The attorney explained that an occupational license would need to be obtained by any insurance agent having an office in Micanopy or by agents whose offices were located outside of Town, but who were selling insurance inside Town limits. Answering Mayor Aufmuth, Attorney Walker stated that Commissioner Roberts would not have to recuse himself from the vote because Roberts had stated that he does not maintain an office in Town or sell insurance within Micanopy Town limits.

***Motion made and second (Parker/Burnett) to approve the first reading of Ordinance No. 2019-04 for Occupational Licenses; Passed 4-0***

C) Resolution 2019-18 Fee Schedule

Town Administrator Gonano presented a new fee schedule incorporating a fee for the *Insurance* category relative to next month’s passing of Ordinance 2019-04. This will be presented for a reading at the November 12, 2019 meeting.

10. Town Administrator Report

A) Town Administrator Gonano reported that an overwhelming 87% of survey respondents thought that the regular monthly meeting start times should be changed from 7:30pm to 7:00pm.

***Motion made and second (Burnett/Parker) to approve changing the regular monthly meeting start time to 7:00pm; Passed 4-0***

11. New Business

A) Nomanbhoy Family, Ltd. Partnership – Request for Forgiveness of Demolition Lien Parcel #16520-031-001 totaling $3,850.30

The Mayor and Town Administrator explained that the lien was placed against a property for which the Town had followed a procedure and demolished a derelict structure back in 2014. The proposed buyer was asking for the Town to forgive the lien ($3,850.30 & 6% interest) so that he could build a spec house for resale. Attorney Walker explained the legal process but expressed a conflict of interest, as an attorney in his firm is the purchaser’s closing attorney.

***Motion made and second (Roberts/Parker) to deny the request for forgiveness of lien on Parcel #16520-031-001; Passed 4-0***

12. Unfinished Business

A) Duke Energy Battery Storage Plant

Attorney Walker reported that he had spoken with Sandra Joseph from the North Central Florida Regional Planning Council (NCFRPC) about the procedure that Duke Energy would follow for the construction of the proposed battery storage plant. The process will include approval of a site plan by the P&HPB for permitting. Sandra Joseph, NCFRPC, is preparing an application process form for Duke’s use.

B) Community Development Block Grant (CDBG) Grant

1) Acceptance of (Department of Economic Opportunity) DEO Award Agreement

***Motion made and second (Parker/Roberts) to accept the DEO CDBG award agreement; Passed 4-0***

2) Grant Administration and Engineering awards

As part of the Town’s award agreement with DEO for the Small Cities CDBG, the Town is required to follow CDBG procurement procedures for solicitations of grant administrators and engineers. On August 27, 2019, the Town advertised in the Gainesville Sun for grant administrators and engineers. The Town received one proposal for grant administration and one proposal for engineering. As part of the procurement process the Commission needs to formally award the grant administration and engineering upon DEO approval of the Town’s procurement process for both.

1. Administration Award: Fred Fox Enterprises, Inc.
2. Engineering Award: Kimley-Horn

***Motion made and second (Parker/Burnett) to award the CDBG grant administration and engineering awards to the submitting companies; Passed 4-0***

C) Ballpark Improvement Project

Commissioner Roberts presented the roof quotes, playground equipment and surface information. Mayor Aufmuth thanked Commissioner Roberts for leading the ballpark effort.

1) Roofs

***Motion made and second (Roberts/Burnett) to accept the proposal from Big ‘D’ Stauss Roofing for a metal standing seam roof; Passed 4-0***

2) Playground Equipment

Attorney Parker presented a contract drawn for KorKat Playground

***Motion made and second (Parker/Roberts) to accept the KorKat Playground contract; Passed 4-0***

3) Playground Surface

Commissioner Roberts expressed liability concerns about installing a traditional (sand, sod, dirt, mulch) playground surface and expressed that the artificial turf was built as a safe fall zone. Homer Jack Moore spoke against paying $19,000 for a playground surface and complained that children rarely use the playground, don’t use the existing slides, and he wouldn’t let his children play there as derelict people are sleeping on the picnic tables and making it an unsafe area for children. Dr. Moore advocated for cypress mulch to be used as a playground foundation. Holly Morris *(712 NE Cholokka Blvd.)* agreed that there were unsavory characters present at the ballpark and did not have an opinion on the type of playground surface. Stoney Slaton *(104 NE Seminary Road)* favored an “old-school” playground surface.

***Motion made and second (Roberts/Burnett) to issue an RFP to install artificial turf on the playground at the ballpark; Failed 2-2 (Parker & Aufmuth opposed)***

Mayor Aufmuth asked if there was another motion to be made. The Commission asked for Attorney Walker to investigate the liability exposure which might be caused by installing a more traditional (sod, sand, dirt, mulch) playground surface.

D) RFP – Basketball Court Renovation at Firehouse Playground

Despite having obtained contractor contact information from Fred Fox Enterprises, soliciting contacts from neighboring Alachua County municipalities, and through a local internet search, Town Administrator Gonano reported that responses for an RFP issued on August 5th to renovate the basketball court at the firehouse playground had not produced any written proposals. Town Administrator Gonano added that Steve from Tennis Unlimited (the vendor who had performed work on the Town’s tennis court a few years ago) had indicated interest the RFP, but would not qualify because he did not have a contractor’s license, and he preferred to install an asphalt court instead of the concrete court specified in the RFP. Mayor Aufmuth suggested that we contact our new engineer to determine a recommendation or course of action. The Mayor corrected a misconception on social media that the basketball court would be demolished, but not replaced; this rumor was untrue, as the court would be rebuilt. Stoney Slaton complained that the basketball half court at the ballpark was in need of attention.

13. Town Commissioner Reports

* Commissioner (Seat 2) Parker – Mayor Pro Tem Parker was interested in pursuing grants for the firehouse as suggested by our engineer. He appreciates audience participation.
* Commissioner (Seat 3) Burnett – Commissioner Burnett was also interested in grant funds and spoke about water issues, including replacement of existing cast iron water lines.
* Commissioner (Seat 4) Blakely – Absent.
* Commissioner (Seat 5) Roberts – Commissioner Roberts was glad to see ballpark improvements being made, and he liked to see the ballpark being used by children.

14. Mayor Aufmuth Report – Mayor Aufmuth introduced and welcomed Jacklyn, WUFT, Micanopy beat reporter. The Mayor was looking forward to the Fall Festival. He was pained that MARC was no longer in operation and that no recreation program was available for the children. The Mayor thanked everyone for participating.

15. Adjourn 9:20pm

**MINUTES APPROVED:**

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

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