



# Town Commission

Tuesday • July 13, 2021 • 7:00pm

## Minutes Regularly Scheduled Meeting

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1. Call to Order 7:00 pm
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 |
| • Mike Roberts                  | Present |
| • Virginia Mance                | Present |
| • Sara Owen, Town Administrator | Present |
| • Patty Polk, Deputy Town Clerk | Present |
| • Scott Walker, Town Attorney   | Present |

Town Administrator Owen announced to Mayor Aufmuth that we would like to make you aware that we have submitted your name to the Florida League of Cities, John Land years of service award and you won. Mayor Pro-Tem Parker presented Mayor Aufmuth with an informal copy of the award and the Florida League of Cities will present a formal copy later in the year. Mayor Aufmuth was honored with the award and thanked everyone.

4. Consent Agenda Approval
  - A) Agenda Approval
  - B) Minutes of Regular Meeting of June 08, 2021 & Special Called Meeting of June 24, 2021
  - C) Review and Acceptance of Financial Transactions and Reports

***Motion made and second (Blakely/Parker) to accept the consent agenda as submitted;***

***Motion made and seconded (Blakely/Parker) to amend the above motion to amend the agenda adding 10. C adding future improvements to our Independence Day Celebration & D survey the lot next to ballpark and I I.B MNAHP improvements; passed 5-0***

5. Guests
  - A) Lena McNeer, Alachua County Library District – Lena McNeer, Librarian presented that the library is open from 10:00 am to 5:00 pm Tuesday thru Saturday. Come visit us as we have plenty of books and are now offering WIFI hotspots that you can check out. Saturdays at 10:00 am we have story time at the Firehouse Playground.
6. Citizen's Forum – Public Comment
  - A) John Connell (409 SE Tusawilla Rd) questioned the towns relationship with the Alachua Conservation Trust (ACT) properties on SE Tusawilla Rd, specifically the log cabin on it at 257 SE Tusawilla Rd that his family sold to ACT and it was supposed to be used for open usage for the town, the gate is always locked, and he has had no luck contacting an ACT representative. Mayor Aufmuth will speak with Mr. Connell and will contact the Alachua County Commission for more information.

- B) Homer Jack Moore (153 NW Seminary Ave) discussed the joint meeting with Alachua County and the need for an electronic sound system so that everyone can participate in the meeting. Mayor Aufmuth responded that we will add that to our list to purchase for when we are meeting in a larger room.
- C) Bud DesForges (554 NW Seminary Ave) as a representative of the Thrasher Warehouse Board, he thanked the town for supporting the Fish Fry on July 3, 2021, it was a success, he was disappointed in the quality of the meal but we will work on that for next year.
- D) Sandy Tyson (252 NW Seminary Ave) thanked the town for the fireworks, she could see them from her house this year, they had some extra punch as she could see them over the trees.

7. Citizen Board and Committee Reports

- A) Planning & Historic Preservation Board (P&HPB) – Chair Warren provided a written report  
Homer Jack Moore (153 NW Seminary Ave) has brought before the P&HPB members on two occasions a request to have signage to prevent trucks over 50000 gross vehicle weights from entering Micanopy. Also, to consider extending the limitations for the county scenic road into the town limits of Micanopy. He doesn't know where those items have gone. Mayor Aufmuth suggested that Mr. Moore take those items to the board again and ask that they bring them to the town commission.

Town Administrator Owen stated that she has more information regarding the speed spy test from Alachua County Sheriff's office (ACSO) and they will not rerun it as they only do it once a year per municipality. Commissioner Mance spoke of the speed spy results, the specifications, the correct pole location height, and discussed a previous speed spy study. A representative from ACSO gave the report from the previous speed spy and possibly this would be helpful this time. Mayor Aufmuth responded that the speed spy can be programmed to collect a certain level of data and that it was not programmed at that level this last time. Stoney Slaton (104 NE Seminary Ave) would like to contest Commissioner Mance's statement that the speed spy was set at the correct height for the study. Mayor Aufmuth responded that we will have the speed spy study repeated in another year. Stoney Slaton inquired if the 4-way stop sign would be further discussed. Mayor Aufmuth stated that the P&HPB can discuss this topic again and make a recommendation to the commission.

- B) Tree Committee – No representation

8. Town Attorney Report

- A) Public Hearing: Final Reading of Ordinance No. 2021-02 Charter Changes – Attorney Walker read the ordinance on short title. Mayor Aufmuth explained that we've gone over our charter and the minor changes are grammatical and provisions for election run-off timing. The only major change is adding language that would require a person to have lived in town for one (1) year before they could run for election,

**Motion made and seconded (Parker/Roberts) to approve Ordinance 2021-02 as submitted; passed 5-0**

The Town Charter will be on the ballot 08 March 2022. The election will be held for the Charter changes even if we do not have an election for a commission seat.

- B) Public Hearing: Final Reading of Ordinance No. 2021-03 Duke Energy Rights of Way Utilization Franchise– Discussion ensued regarding the desired term of the agreement.

**Motion made and seconded (Roberts/Mance) to go with a 10-year term for the franchise agreement; passed 5-0**

Attorney Walker read Ordinance 2021-03 on short title. Recommended provisions: paragraph 5B. Period of 10 years with 2 successive five-year rollover periods unless either party gives written notice 12 months prior to the date of the automatic renewal. Section 9 add reference to our existing vegetation agreement, Section 14 refers to governing law and venue and Section 16 changing our town administrator/clerk to Sara Owen on notices.

**Motion made and seconded (Mance/Parker) to approve Ordinance 2021-03 as amended; passed 5-0**

9. Town Administrator Report – Sara Owen, Town Administrator presented

- A) Preliminary Annual Budget

- 1) Vote on Rollback Rate 5.2281

Discussion ensued. The recommendation is to accept the rollback rate.

**Motion made and seconded (Roberts/Parker) to accept the rollback rate; passed 5-0**

- 2) Set Budget Workshop(s) – Budget Workshop set for August 12, 2021 – 6:00 pm
- 3) Tentative Millage/Budget Public Hearing September 13, 2021- 6:00 pm

- 4) Final Millage/Budget Public Hearing September 27, 2021- 6:00 pm

**Motion made and seconded (Mance/Roberts) to approve the proposed budget dates; passed 5-0**

- 5) Chief Modican request to purchase bunker gear for the firefighters to replace gear that is outdated and will cost approximately \$1,500.00 and it will be eligible for reimbursement from the TIPS program.

**Motion made and seconded (Roberts/Parker) to approve bunker gear for the firefighters; passed 5-0**

**Motion made and seconded (Mance/Parker) to amend our agenda to add this item (firefighter bunker gear) to our current agenda; passed 5-0**

- B) Report on Independence Day Festivities – Our Independence Day Celebration was a success. We sold 185 fish fry meals, the parade was a hit with very little rain, the fireworks were well attended and a good show.

10. New Business

A) Comments on Application for Alachua County Scenic Road Variance Request – Mayor Aufmuth read the letter from Alachua County Growth Management Department in entirety and requested that we have public comments followed by commissioner comments.

- 1) Wayne Cope (16513 Co Rd 234) commented on all the foot and bicycle traffic on Tusawilla Rd and is refraining from giving his opinion at this point.
- 2) John Connell (409 SE Tusawilla Rd) Questioned what the variance request is.
- 3) H Jack Moore (153 NW Seminary Ave) is against the variance because to have a variance on this road will promote more trucks coming through Micanopy. He gave the description of a variance and it is an exception to the law.
- 4) Bud DesForges (554 NW Seminary Ave) is against the variance as the road wasn't made to handle 18-wheel trucks and will suffer.
- 5) Linda VanLeer (252 W Smith Ave) is against this variance. She is not against a grocery store; we should choose a location to build a grocery store. This town is 200 years old and that road is a scenic highway.
- 6) Marilyn Quinn (17705 S Hwy 441) is against the variance.
- 7) Jennifer Beck (17705 S Hwy 441) is against the dollar general and big trucks coming through town.
- 8) Stoney Slaton (104 NE Seminary Ave) opposes the variance.
- 9) Ginny Beam (205 SE Tusawilla Rd) is against the variance.
- 10) Mark Gregg (203 SE Tusawilla Rd) embellished on what Bud DesForges and Homer Jack Moore said. The road is not designed for 18 wheelers. His request to the commission is to pass a resolution tonight opposing this variance request.
- 11) Jeffery Thomas (402 SE Tusawilla Rd) is against the variance as this will be a safety issue and law enforcement will be left to us. People walk on this road and people speed on this road.
- 12) Caroline Thomas (402 SE Tusawilla Rd) is against the variance.
- 13) Aaron Weber (16614 Hwy 441) is against the variance. He encouraged everyone to write to the county commission opposing this variance.
- 14) Jeffery Forbes (206 E Ocala Ave) is opposed to the variance.

- Mayor Pro-Tem Parker stated that Tusawilla Rd is not build to have truck traffic and engineering would have to be done to have these trucks turn from Tusawilla Rd into the DG driveway. He encourages citizen participation by emailing, writing, call, and visit the county offices. He will support a resolution.
- Commissioner Mance stated that Alachua County has a history of not granting variances on scenic byways. She is opposed to this variance. She will support a resolution denying this variance. She agrees that the road is not equipped to support truck traffic 365 days a year. Occasionally truck deliveries are necessary and they should have special permission ahead of time.
- Commissioner Blakely is opposed to this variance and he is in favor of a resolution in opposition to this variance request.
- Commissioner Roberts is opposed to this variance. The bypass road was put in to protect our historic buildings from all the traffic.
- Mayor Aufmuth said "ditto".

**Motion made and seconded (Parker/Mance) to approve a resolution to deny the variance on Tusawilla Rd; passed 5-0, Parker, Mance, Blakely, Roberts, Aufmuth**

Attorney Walker will work with Commissioner Mance to draft the resolution.

**Motion made and seconded (Parker/Blakely) to have Commissioner Mance represent the commission working with Attorney Walker to draft the resolution; passed 5-0** Each commissioner will sign the resolution in the office.

B) Voting Delegate for Florida League of Cities Annual Conference – Discussion ensued.

**Motion made and seconded (Blakely/Roberts) to delegate Mayor Pro-Tem Parker to attend the Florida League of Cities conference; passed 5-0**

**Motion made and seconded (Mance/Blakely) not to exceed \$2500.00 if we do not receive the scholarship from the Florida League of Cities; passed 5-0**

C) Future Improvements – Independence Day Celebration – Commissioner Roberts presented stating that Micanopy used to have an old-fashioned 4<sup>th</sup> of July celebration with vendors at the warehouse and it was a more family-oriented event. With greased pigs, watermelon seed spitting contests, and live bands. Maybe we could put shade over the basketball court and everyone could benefit from the fun. The commission is in agreement.

D) Survey the lot next to the ballpark – Commissioner Roberts discussed the property that was donated to the town adjoining the ballpark, he would like to have this property surveyed, and add it to our ballpark; Ms. Owen has three informal estimates for surveying at Commissioner Roberts request. Add this item to our next regular meeting with formalized bids.

11. Unfinished Business

A) Maturing Certificate of Deposit at Community State Bank – Sara Owen presented and explained that the CD percentage discussed at our June 2021 meeting was not a rate for public funds. When we went to renew the CD, we realized that the rates quoted were not for public funds as they are treated differently. The best rate that can be given by our local bank is 0.75% and after calling around she has found that is the going rate. We do not have an investment policy that guides our reserves. Mayor Aufmuth would like more information regarding investments and investment policies brought to our next meeting.

B) Micanopy Native American Heritage Preserve (MNAHP) Improvements – Commissioner Roberts presented the need to replace the roofs on the pavilion and on the barn. Change ramp to concrete and he would like to obtain 3 bids on roofs and concrete.

**Motion made and seconded (Mance/Blakely) to move forward with obtaining bids for improvements at the preserve; passed 5-0**

Discussion ensued regarding adding a rest room to the park; possibly a composting toilet or a porta potty.

12. Town Commissioner Reports

- Commissioner (Seat 2) Tim Parker – is pleased that the parade went off without a hitch and the fish fry was a success; it was a good day! He likes the idea of games and fun for the Independence Day celebration.
- Commissioner (Seat 3) Ginny Mance – Ditto on the July 4<sup>th</sup> Celebration ideas and it will be wonderful to be part of the fun. She is proud to be part of this town and government.
- Commissioner (Seat 4) Troy Blakely – Discussed variances and would like the Town Commission to consider a resolution or whatever is necessary to have any variances issued by our Planning & Historic Preservation Board be sent to them for final approval after they are heard at the Planning & Historic Preservation Board.
- Commissioner (Seat 5) Mike Roberts – would like to clean up and paint the old jail; the trees should be removed from around the old jail.

13. Mayor (Seat 1) Aufmuth Report – Thanked everyone for recognition for his service; his last term will end in March 2022.

14. Adjourn 8:50 pm

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**MINUTES APPROVED:**

As submitted  as amended  at Town Commission Meeting 10 August 2021

  
Joseph L. Aufmuth, Mayor

  
Patty S. Polk, Deputy Town Clerk