



**AGENDA MINUTES**  
**McIntosh Town Council Meeting,**  
**Civic Center 5835 Avenue F**  
**November 16, 2021, at 7:00pm**

*\*\*Notice to Meeting Attendee\*\**  
*As a courtesy to others, please ensure cell phones are turned off during meeting*  
*Welcome to the Town of McIntosh Town Council meeting.*

**CALL TO ORDER**  
**INVOCATION AND PLEDGE**  
**ROLL CALL (P = Present, A=Absent)**

President Callahan P  
Vice President Ciotti P  
Cllr Jones P  
Cllr Naworensky P  
Cllr Sindledecker P  
Mayor Roddy P

All Present

I. **PRESENTATIONS - NONE**

II. **MINUTES**

1) October 11, 2021

Motion by Vice President Ciotti to Approve Minutes of October 11, 2021, Workshop; Seconded by:  
Naworensky;  
President Callahan called the vote; Motion Carried

2) October 14, 2021

Motion for approval of October 14, 2021, council meeting minutes by Cllr Sindledecker; seconded by  
Cllr Jones.  
President Callahan called the vote; Motion Carried

Cllr Ciotti suggested the minutes be shortlisted;

III. **FINANCIALS**

1) October 2021

Cllr Sindledecker applauded the efforts by staff of developing the new budget.

Cllr Ciotti pointed out on Page 3 of the Gross profit of \$165K, and subtracting the American Rescue Act funding, reflects an actual gross profit of approximately \$40,239. \$124K is restricted by the American Rescue Act and suggested taking the \$124K and place it in a separate fund, like a money market account, perhaps the same bank. He motioned to accept the financials and proposed that the ARPA funding be placed in a separate account, and motioned that Jeannie check with the Auditor as to how the funds should be separated, remove it from the operating budget; Seconded by Cllr Jones;

Cllr Sindledecker liked the idea of separating the ARPA funding and questioned if it would be totally removed from the budget vs. actual?

Cllr Jones cautioned that we must be very careful because these are restricted funds.

Vice President Ciotti stated also that this separate funding would also be reported quarterly much like the CD, Money Market accounts etc.

Rickman clarified that the town could have a separate “fund” account. What we currently have is the operating account and what would help if the funding were moved as proposed, council would see a separate document that would provide a budget that would include the expenditures, or project list. This also helps with justification of a required audit.

President Callahan called the vote. Motion carried.

#### IV. CITIZEN COMMENT

*All persons wishing to address the Town Council will be asked to limit their comments to the specific subject being addressed. Individuals may sign up in advance by calling the Town Office prior to the meeting and will be allowed 5 minutes to speak. Anyone who attends the meeting and did not sign up in advance will be allowed 2 minutes to speak. To foster mutual respect between the Town Council and the public, it is requested that comments are directed at specific issues rather than personal comments directed toward Board members or staff. Please note that if a person desires to appeal any decision made to any matter considered at the above meeting, that person may need to ensure that a verbatim record of the proceeding be made, which record includes the testimony and evidence which the appeal is to be based*

1. Melinda Downing – Minutes are very thorough, and she has often had to refer to them and as a public record needs to be concise and very clear.

#### V. COMMITTEE UPDATES

##### 1) **Code Enforcement – George Crawford**

##### a) Minutes – October 28, 2021

George Crawford, Chair of the Code Enforcement summarized the minutes of October 28,2021, included in the agenda packet.

Vice President Ciotti inquired as to a lien on the first code violation and Mr. Crawford advised that he was consulting with the town attorney and town manager of possibly removing the properties, identified in Roberts' Acres.

Regarding the 2<sup>nd</sup> property with Code violations, identified on 12<sup>th</sup> Street, the violations were summarized by Mr. Crawford, with consultation of same with Town Attorney and Town Manager.

Vice President Ciotti inquired what happens if property is in a trust and Attorney Williams advised that the town could record an Order of the Board and it will be a lien on the property.

Mr. Crawford added that there are liens against both properties in the amount of \$5,000 each.

President Callahan asked that once discussion with the attorney, will the increase in fines be continued? Mr. Crawford stated that if the Town Attorney and Town Manager cannot find a way to remove the offending properties that continue to be present, they will have another inspection by the Code Enforcement Officer, hold another meeting and make decision of what to do next. If fines are imposed, due notice will be given to the property owners.

Sean Dowie stated that liens have been assessed and asked how much more do you continue with the same process and asked what can you do? Activity is occurring throughout the night at these properties. Another resident asked for a timetable of future processes regarding those violations.

Mr. Crawford stated that the CEB is barred by state law from conducting inspections and are pursuing legal procedures through the Town Attorney.

Attorney Gwen advised that if the property is homestead, there are legal limitation. Other options would include nuisance abatement action, basically a lawsuit against the violators.

Cllr Sindedecker questioned the homestead exemption option as a protection of the property. She further commented that the property on Ave. H is rented, and the property on 12<sup>th</sup> is in a trust. She added the question of how these can be protected under the homestead umbrella could be resolved in the future? If it's not protected under that piece, then council has the ability to do other things that may be more aggressive from that which is protected by the state.

Attorney Williams stated she would need the addresses to begin research.

Board Chair Crawford stated that regarding an inspection, the CEB is ready anytime. Rickman suggested if council approves moving forward with inspection, she will schedule.

Residents are concerned and asked for a timeline. President Callahan suggested that this may be pushing the attorney at this point, that progress has been made, and the attorney can be asked to look into it and see if there is anything that could be accomplished by next month. Cllr Sindedecker questioned again if it is really homesteaded, and if not can we move forward, and setting a goal for getting the inspection completed.

Resident Dennis Devore commented that if they were renting, the property can't be homestead. The homestead property must be lived in by the owner.

Cllr Sindledecker motioned that the attorney does what is needed to verify whether the two pieces of property have any legal standing as homestead, what the options are, if not homestead; Motion seconded by Cllr Jones; President Callhan called the Vote; Motion Carried,

Cllr Sindledecker motioned to set a goal of two weeks for the inspection of both to be scheduled in the next two weeks. Cllr Jones seconded the motion.

President Callahan called the vote. Motion carried 4- 1. Cllr Ciotti dissented.

Another resident in the audience asked if the attorney will be at the next Code Enforcement Board meeting, of which the attorney responded with yes.

## 2) **Historic Preservation Board - Melinda Downing**

### a) Minutes – October 20, 2021

Melinda Downing, Chair of the HPB, updated counsel by summarizing the minutes (attached). Regarding the site plan of Liam Gallagher's Scout project, approved by the Historic Board, Cllr Ciotti questioned concrete posts in the plan, which Ms. Dowling confirmed was concrete posts. The signage has wooden posts.

### b) Minutes – November 3, 2021

Ms. Downing, again, summarized the minutes consisting of three applications – 2 were approved. The third application, there was no action taken due to the applicant not being present for questions.

Further she stated that the committee was working on language regarding demolition by neglect to be considered into the Code of Ordinances, with the required process of two public hearings to conduct first and second readings of a proposed ordinance.

The Historic Board approved a motion to file Code violations of multiple violations on behalf of the Board on 20700 9<sup>th</sup> Street (Alexander's Diagnostics). (Violations are listed in the minutes;)

Lastly, the meeting time for the board was changed which will be the first Wednesday of each month from 7:00 pm. to 8:00 p.m.

Cllr Ciotti asked if a Board can file code violations. The attorney advised she would have to look at the Code. Ms. Downing stated that other towns such as Mt. Dora, St. Petersburg, Tampa are filing as boards for code violations. Cllr Ciotti stated it's not in our ordinance and Ms. Downing agreed. However, Ms. Downing stated she has no problem placing her signature on the code violations if necessary.

Cllr Ciotti asked if it is in the Historic District? Ms. Downing responded that it is a historic building, then made correction to her statement that it is in the Historic District.

Cllr Ciotti addressed council that he did not know whether an individual or Board can file a code complaint, and secondly the owner has been in business for a couple of years, requiring him to take the sign down, and now the complaints about the color; Ms. Downing stated that you can't pick and choose as to whom are forced to get a COA. Anyone required to get a COA has to apply. Cllr Ciotti then stated why, when the owner opened in 2018, why November of 2021 and Ms. Downing stated she has been working on this issue from the time the first sign went up and the owner has been given much leeway, without being fined. Once he got that leeway, the owner put a roof on without a permit from the County, without a COA and did the work in the dark. Cllr Naworensky reinforced her statement stating that the owner has a blatant disrespect for any codes or ordinances the town has, when having a crew on Halloween weekend putting a metal roof over on a building with flashlights, clearly dodging any legal way of doing things. Resident Sean Dowie questioned why wasn't anything done in the beginning before the building was purchased; the building sat there dilapidated for how long and no one said anything? Ms. Downing stated that it's not really on the Historic Board, that people coming into town don't necessarily know they need to do that, but it is the owner's responsibility now. She continued that this did not just start in November; the owner was asked to turn in a COA and did not show up for that meeting as well.

**3) Tree Committee – Dennis Devore (no report)**

**4) Land Planning Agency/Board of Adjustment**

a) Minutes – October 25, 2021

Cllr Sindledecker understood that there has been another meeting called, as an extension of the last one and Ms. Rickman clarified the meeting is scheduled for November 29, 2021, at 7:00 pm. with notices to the surrounding property owners as recommended by the committee and including notice to the applicant by certified mail.

**5) Appointment of Committee Vacancies**

a) **Tree Committee**

Ms. Rickman presented two vacancies are open at this time. (1) one year term, (1) two-year term. Having received two applications.

Cllr Sindledecker motioned Angela Fogarty (not present) to the one-year term appointment; seconded by Cllr Ciotti;

Motion by Cllr Ciotti appoint Mr. Talbert (present) to the two-year term; seconded by Cllr Sindledecker.

President Callhan called the vote; Both motions carried.

b) **Historic Preservation Committee**

Ms. Rickman presented that there is one vacancy for a one-year term.

Cllr Naworensky recused himself because his wife (Diane Naworensky) is one of the applicants.

Cllr Jones pointed out on Mr. Dickey's application that he was on the Historic Committee before, but he resigned; President Callahan stated she felt they bought some property and at that time they were going back and forth and reiterated by resident in the audience.

Cllr Ciotti asked if Diane Naworensky was going to quit the tree committee, and then suggested that folks could serve on more than one board.

Motion by Cllr Ciotti to appoint Richard Dickey and stated his experience in lumber;

Ms. Downing stated that she does not know Mr. Dickey, however, the other two applicants have attended Historic Board meetings showing a genuine interest on their part. Resident Dowie added that Mr. Dickey has attended meetings before.

Cllr Sindledecker nominated Diane Naworensky;

Cllr Ciotti then withdrew the motion following further comment;

Cllr Jones seconded the motion made by Cllr Sindledecker;

Resident Dowie stated it was very interest that Mr. Dickey finished his house, use to come to the meetings, and that Ms. Naworensky is already on another board.

President Callhan called the vote; Motion carried. 4-0 (w/Cllr Naworensky's recusal)

Cllr Jones inquired if you're allowed to have an alternate on the board and the response was that not on the Historic Board.

## VI. **PUBLIC HEARING**

### 1) **Request to Continue Public Hearing to future Council meeting, for Consideration and First Reading of Ordinance Regarding Tree Preservation**

Consensus by Council to allow continued work on the tree ordinance was given.

## VII. **CONSENT ITEMS - NONE**

*All matters listed within the Consent Agenda have been distributed to each member of the McIntosh Town Council for reading and study, are considered to be routine, and will be enacted by one motion of the Council with no separate discussion. If separate discussion is desired, that item may be pulled for discussion and consideration. Please call 591-1047 for questions on Consent Agenda items prior to the Council meeting.*

## VIII. **ITEMS FOR CONSIDERATION – TOWN MANAGER**

Ms. Rickman presented the Action Summary that will be prepared for council members at each meeting regarding the status of actions taken by Council, with tracking of progress.

Ms. Rickman was commended for her development of the action summary by Cllr Naworensky and joined by Cllr Sindledecker.

**1) Request Approval to Schedule Council Workshop to Discuss Eligible Uses of American Rescue Plan Funding**

Barbra Fellman inquired about payment of the water meters from a grant application based upon information received through the Florida League of Cities; And, would the League of Cities be able to pay for those water meters? Rickman advised she would look into it with the Florida League of Cities. The question was then directed to Cllr Naworenski with follow up.

Motion by Cllr Jones to Approve scheduling Workshop on Tuesday January 25, 2022, at 6:00 pm. Seconded by: Cllr Sindledecker.

President Callahan called the vote. Motion Carried.

Cllr Jones advised that Ms. Rickman has enrolled the Town in the grant program through the Florida League of Cities so that when an opportunity for grant funding is available, we will be notified.

**2) Request Approval of Resolution to Adopt Walking Trail – Eagle Scout Project Request from Liam Gallagher**

Motion by Cllr Sindledecker to accept the Resolution as presented with approval and execution; Seconded by Cllr Ciotti.

President Callahan called the vote. Motion carried.

Cllr Sindledecker asked that the project go on the website.

**3) Update and Discussion/Consideration of Local Mitigation Grant Projects**

The deadline to apply for the grant is December 21,2021. Ms. Rickman explained this grant assists in the mitigation of storm related events and provided a couple of options: a specific project, or purchase of equipment ;

Cllr Sindledecker understood that Jason (Perry Tree Service) could do an immediate action for approximately \$200-300, to take care of the drainage issue at the McIntosh Area Charter School, but the December 21, deadline going for long term fixes, we are pressed for proposals that must be in to meet the deadline. Another option is the inventory list provided in the agenda packet, with the possibility of this grant asking for equipment that could help us in storm mitigation or responding to storms and hurricanes.

Resident June Glass asked the question of why doesn't the town open the drainage system? Cllr Sindledecker stated the deadline for this grant is December 21, doesn't mean we are not looking at

this issue, and how to best apply for this particular money, because that is a part of the vision. And if we were able to improve David's ability to work on that sort of thing. She added that we are looking at a particular set of grant money, and not saying there is or isn't a priority because it is. It is a priority for the town to make sure we have a good storm management and in part what we are looking at overall.

Motion by Vice President Ciotti to fix the culvert at the school; Cllr Sindledecker stated that in doing so, then we are choosing to do that and then look at the grant. The School issue can be looked at immediately and get it taken care of. A grant application is not needed to perform this work. Ms. Rickman advised that while Hurricane season is about to come to an end, which gives the opportunity of looking into the next year for a more permanent solution and could also look at making the grant application for additional equipment that would help David, clearing the debris, versus waiting for a contractor, would aid him in the work that he does. Cllr Jones asked based upon the list he has, asked what does he need? Rickman responded that David had provided a short list that included a dump trailer, street sweeper for the Kubota tractor, brush cutter for front end of Kubota tractor, small cart for clean up that could be pulled by golf cart. These are not large projects and could possibly get funding. Generators are also a grant funding item. Cllr Naworensky asked and was affirmed that we would ask for a dollar amount and based upon the priorities of the list. Cllr Jones asked if a generator could be acquired as well?

Cllr Sindledecker seconded the motion to fix the problem at the school; possibly installing a French drain

President Callahan called the vote. Motion carried.

Motion by Cllr Jones to apply for grant for the necessary equipment by David and for a generator to have a second generator; to power the Community Center building; seconded by Cllr Naworensky;

Cllr Sindledecker stated that under eligible items, generators are eligible for sure, and wanted to make sure equipment can be purchased under this grant.

Vice President Ciotti questioned whether Preston (Emergency Management) provided us with a generator, and Cllr Sindledecker stated we have one. Ms. Rickman read the eligible activities that these are eligible that are included but are not limited to. Resident Downing spoke that she had researched this, and equipment is eligible.

President Callahan called the vote. Motion Carried.

**4) Cllr Naworensky – Request Approval to schedule Light Up McIntosh on Saturday, December 18, 2021**

Cllr Naworensky stated that typically every year, the Friends request permission for the grounds, the building, and the road to hold the parade.

Motion by Cllr Naworensky to Approve Light Up McIntosh on Saturday, December 18, 2021;  
Seconded by Cllr Sindledecker;  
President Callahan called the vote; Motion carried.



IX. **COUNCIL COMMENTS**

Cllr Ciotti passed out a survey of the Town Property describing the location of Town Hall and concerns from the Vision meeting for the protection of the 4 trees. Having not received the tree report, and in stopping the traffic on Avenue F cutting across to the Grocery store, he suggested putting railroad ties, the most inexpensive way, along Avenue F and blocking the north side, creating Green Space. Ciotti added he will talk with Kevin Kneidler, possibly Jason and talk with Town Manager.

Resident and Chair of Tree Committee Dennis Devore noted that this came up about 4 years ago, but nothing has ever been done.

Cllr Sindledecker stated that the arborist came, that we requested, and Ms. Rickman scheduled the arborist. The arborist came and said this needs to be done immediately, so we are attempting to move forward and noted she felt this was a really good thing to save the trees and create a green space. Vice President Ciotti added that once the road is blocked, we will add fill dirt. Ms. Rickman advised that once the report is received, will forward the report, unsure what the report will entail, whether an assessment and or a recommendation, confer with council members after we have had a chance to review the report. Resident from the audience suggested putting together a mini-plan, drawing to make the area look like a mini-park, to protect the trees forever, such as a white picket fence, a bench, a welcome sign.... Resident June Glass suggested that if the town hall is moved over so that the back hides the grocery store and packing shed, coming in from that street, then a park could be placed there, and they have Parks and Recreation Grants to apply for money to do this, to pay for the bench, etc. Then you don't worry about where the town hall is going to be while you're building because it will be to the side. Vice President Ciotti stated we are taking baby steps to get some dirt around the trees. Cllr Sindledecker stated she wanted to protect the trees immediately. Cllr Naworensky added that all of this will be encompassed into the new town hall project. Cllr Sindledecker questioned what do we do to protect the trees, do we direct the Town Manager to handle this? Ms. Rickman advised the arborist said it's serious and that we will get the report in the next day or so. Cllr Sindledecker added that we start by protecting the trees, considering this as a priority. Rickman suggested that once she receives the report, she will provide it to council for review; unsure what the report will entail with an assessment or a recommendation to preserve the trees in bringing a solution. Once we have the report we will have a better idea. Cllr Sindledecker understood the process and asked what it will take to protect the trees as soon as possible, and to close it off from traffic, with notice to prevent folks from driving in the middle of the night over it. Rickman advised it is important that appropriate action is taken to prevent the traffic. Cllr Sindledecker stated she prefer this item be on the next agenda. Cllr Naworensky stated since we recognize the importance of our trees, the seriousness of travel across the grounds, the railroad

ties will stop the decline, he believed the town manager has a dollar amount that can be spent without council approval, so we may not have to wait to the next council meeting and if we can fix the problem then we need to move forward. Cllr Sindledecker stated that was where she was headed. Rickman advised that once the report is received, she will talk with each one of you as to the direction and move within the limitations that she has with the limited purchase power to protect the trees. Cllr Sindledecker stated it is important, but it's been happening along time and another week is not going to kill us anymore than it has already and does not want to move improperly and thinks there is a solution that is in place and can move ahead before a month. Cllr Naworensky said if we can stop the damage, start feeding the trees, possibly do some trimming, that's how you bring trees back.

Resident Barbra Fellman recommended that the town council authorize the town manager to use her judgment and go forward, if she calls everyone of you individually for an opinion, that is polling and it's a Florida Statute, adding you know that. Cllr Jones stated that if it's more than \$5,000, it would take the vote anyway, and Cllr Naworensky said she has the green light up to \$5,000.

Cllr Jones thanked everyone that helped with the Friends Festival. It was amazing to see the number of people to shop, and a special thank you to Ms. Beverly Dodder.

Cllr Naworensky added he is looking forward to the holiday season, and Light Up McIntosh.

Cllr Sindledecker also commented on the festival, thanked everyone for prayers, they came to shop, and it ended up well.

Mayor Roddy gave kudos to the Town Manager for updating our financials, and also the agenda action item summary is exactly what this council has needed for the citizens to show what we are doing, the timeframe, and become accountable for these actions that are being implemented, reminding to be patient with council because it does take a lot of effort to make things happen especially when you are talking about people's private properties. Happy Thanksgiving and Safe Travels. Also, the Light Up McIntosh is now December 18<sup>th</sup>.

X. **CITIZEN COMMENT - NONE**

Meeting adjourned at 8:30 pm.