



Agenda Minutes
McIntosh Town Council Meeting,
Community Center 5835 Avenue F
June 8, 2023, at 7:00 pm

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

CALL TO ORDER

INVOCATION AND PLEDGE

ROLL CALL

President Ciotti	P
Vice President Mullikin	P
Councillor Jones	P
Councilor Naworensky	P
Councillor Sindledecker	P
Mayor Roddy	P

I. **PRESENTATIONS**

II. **MINUTES**

1. April 25, 2023, Workshop
VP Mullikin motioned to approve **2nd Cllr Sindledecker**

Motion passed unanimously

2. May 11, 2023, Council Meeting
Cllr Sindledecker motioned to accept **2nd VP Mullikin**

Motion passed unanimously

III. **FINANCIALS**

1. May 2023
Cllr Sindledecker motioned to accept as presented **Cllr Jones 2nd**

Motion passed unanimously

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. In order 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 is made, which record includes the testimony and evidence on which the appeal is to be based.

1. Barbara Fellman- Right of Ways and Buffer Zones

The town right of way in the LDC 77 603.02- The administrative official shall discontinue the use of illegal use.

Submitted photographs to the council.

All vehicles have been confirmed by DMV that they are the owners of the property.

Requested the town council act on these and allow the town manager to do her job.

Gave the town notice that we have a preschool, and the building next to the daycare has evidence that there is no west wall. Asking the town council to have code enforcement and the fire marshal respond.

Cllr Sindledecker asked Barbara to put in a code complaint.

Charles Gates (McIntosh Fish Camp)- Would like the town of McIntosh to be a township of one. Stated they have lost hundreds of thousands of dollars because of code violations. Gave a description of the flags that have been put up in town, and his position on them. Mankind is always wrong and God is right. Thanked the council.

Cheryl Sinclair- Asked about the zoning map progress. Marion County shows QCF as C-1. There was an exemption, to store their supply rolls & trailers, but they have exceeded it. Wants to know if it is C1 with the minimal exemption or is it B5. Either way, there are issues such as oil spills, with the situation and in order to put in a complaint, she needs to know what the property is zoned.

President Ciotti- We are getting our new town attorney up to speed on what is going on.

President Ciotti- Everyone is upset about the new signs in town. A letter has been sent to the property owners- Asked Attn Corbett to give information about the laws that relate to the signs.

Attn Corbett- Presented case law and federal laws that protect yard signs, especially those that are political. The supreme court has ruled over and over again that though it is vulgar, it is protected speech. If the town enforces this, the town is looking at a federal lawsuit. This is the type of case where the ACLU provides free legal fees to the homeowners. Recommends the town to have non-content-based restrictions. Time, place, and size. There is nothing in our code that limits the number of signs. The town needs to look at amending the ordinance for signs. Look at Dunnellon's political section.

Cllr Sindledecker- Asked about the certificate of appropriateness and what is considered obscene.

Attn Corbett- The COA can include limitations on size and the other factors mentioned. The supreme court uses the miller test to determine what is considered obscene. Read the Miller test in relation to what is considered obscene. Believes there is a strong case for removal of the sign with sexual content.

Karin Harms- Asked Attn Corbett is the town could be sued by parents.

Attn Corbett- The town's ordinance cannot override the supreme court.

Holger- There may be a loophole in this case, there is no COA for the fence.

Cllr Sindledecker- Taking down the signs will not stop the signs.

Attn Corbett- They could ask for a COA for the fence and urge caution.

Karen Ward- You said we can limit the size of the signs, what is the smallest?

Attn Corbett- Typically the yard sale or election sign. Would advise the town not to make an index-size sign. Provided additional case law.

V. COMMITTEE UPDATES

1. Code Enforcement- **George Crawford (no new business)**

2. Historic Preservation Board- **Alison Soracchi**

There was one COA that was for a new roof for Celeste Walkup that was approved. The Certificates of Historical significance were discussed. Starting the plans for the celebration of the historic homes program were also discussed. The agenda for the next meeting, HB will discuss code amendments including the discussion of signs.

3. Tree Committee- **Dennis Devore (no new business)**

4. Land Planning Agency- **George Crawford (no new business)**

5. Parks & Recreation- **Angela Fogarty (no new business)**

VI. CONSENT ITEMS

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.

VII. ITEMS FOR CONSIDERATION – TOWN MANAGER

1. LPA Recommendations Sportsman's Cove

Attn Corbett- Provided a recap of the recommendations from the LPA. The recommendation was that the zoning change cannot be approved, and he needs to request an amendment to the comprehensive plan.

Cllr Sindledecker motioned to accept the recommendations as presented by the LPA **2nd Cllr Jones TM Gonzalez** clarified that the applicant can re-apply within 12 months.

2. Sportsman's Cove- Request for Replacement Sign

President Ciotti- Sportsman's Cove is requesting to replace the sign that was previously on the town's right of way. The sign has already been replaced and is about 30 feet from the start of their property line. The council would have to pass a resolution to allow it.

Cllr Jones- The new sign is much nicer than the old sign

VP Mullikin- It was moved up to where Sportsman's Cove is 55+

Barbara Fellman- The sign as it is presently established, is not on Sportsman's Cove. It is on the 99-year lease from the railroads. It needs to be 30 feet from the center of the road. The survey stick is still in the ground from the railroad.

President Ciotti- Asked about moving it two feet further back and we will present a resolution for the sign at the next meeting.

Barbara Fellman- Honor the code, we do not need to ruffle feathers.

President Ciotti- The old sign was there before the right of way document was written.

Holger- Our sign is not in the historic district. It does not go against the code to ask for the council to approve a sign.

3. Updating LDC- **Suzanne Sindledacker** -Wants to discuss updating the comprehensive plan. The problem is our latest comprehensive plan filed with the state was carried out in 1994. We should be updating it every 10 years. It has been 31 years since we updated the comprehensive plan. We cannot plan for the growth to come if we do not have our comprehensive plan updated. There are things that are dated and have not been carried out such as the reports.

This needs to be done very soon, WEC and other growth are coming and if we do not have a comprehensive plan that is reflected in our ordinances appropriately, we cannot prepare. FL League of Cities can help and we need our attorney involved. If we do not invest in our town, we will become a suburb of Ocala. Next month we need to have a real conversation on this.

Attn Corbett- It will take 9 months to a year and a half for a comprehensive plan.

Cllr Sindledacker- Talk to LPA agency, ask town manager to reach out to contacts and put on the agenda for a real discussion next month.

President Ciotti- This is about a 30-40k job.

Cllr Sindledacker- Lets have a serious conversation about it next month. Our budget is going to be done soon and we should discuss incorporating it into the budget.

4. Draft Lease for Workshop

TM Gonzalez provided details on the draft lease for Kevin Knedler's workshop and the increases in insurance. In the previous meetings a 10% increase was discussed, therefore that is what was out in the draft lease. There has been about a 45% increase since the beginning of the lease and the insurance company has notified our office that there will be another 25% increase in the next year. The language that was discussed in a previous meeting has been added. None of the leases have deposits, that is a question as to whether that would remain.

President Ciotti- Asked about how the renewals would be.

Attn Corbett- A calendar date should be set for new signings. There should be a section that provides *notice needs to be given in a certain time frame*

TM Gonzalez- Asked council what they would like the time frame to be, providing that would be uniform for all leases with the exception of the school- 60 Days was requested.

Cllr Sindledacker- Would like to have a cost breakdown for each property.

Cllr Jones motioned to accept the initial commercial lease agreement with the changes discussed, the rent will increase 10% and taxes are additional **VP Mullikin 2nd**

Cllr Sindledacker- Would still like to have a cost breakdown for each property to ensure each property increase is appropriate.

Cllr Naworensky- The only cost that we are incurring is insurance. We do not do maintenance and we do not provide utilities or pay taxes. It should not be a complicated issue.
TM Gonzalez- This language will be uniform.

Motion passed unanimously

5. Application for Tree Committee- Cheryl Wallace
VP Mullikin motioned to accept Cheryl Wallace for the tree committee **Cllr Naworensky 2nd**
Cllr Sindledecker- Loves Cheryl but would like to point out that we have discussed that we would like to avoid having individuals sit on more than one board if they are functioning.
Karin Harms- Curious how there have been problems with one individual being on more than one board. There are going to be repeat people. Unless you see someone causing an issue, then I would say we need to address it.
Cllr Sindledecker- When individuals sit on multiple boards, their voice is heard more than others.
Beverly Dodder- Feels the statement is insulting because she sat on 4 boards. People are not lining up to volunteer, if they are doing a good job, what is the problem?
Cllr Sindledecker- Mentioned that Frank felt the same way the last time it was discussed.
Alison Soracchi- The same people want to be involved. Imagine how much more productive we would be if our seats were full. If there are individuals that are duplicating their efforts and that want to sit on many boards, if they are taking an opportunity from someone else, we should allow them.
Cllr Sindledecker- Asked about the term limit for this seat.
TM Gonzalez- Provided the two vacant terms

Motion passed unanimously.

6. Application for Historic Board- Rick Talbert (application was removed)

VIII.

MANAGER COMMENTS

TM Gonzalez- The town has received the check for the community center fence, we did not get the hometown grant, although we are reapplying. Unless there are objections, we will move forward with fixing the fence with the check from the insurance. Additionally, we are removing the tree mapping from the grant so that we can move forward with it. We will focus the grant on improvement to the park and community center. We had a painting company come out to provide a quote.

The temporary office is coming along and should be ready to start moving in within the next month or so.

A new procurement policy is being drafted due to the significant increases in the cost of products and services. This will be ready for next months meeting.

The civility policy will also be ready next month. A lot of research has went into this and we are putting a policy together based on these findings from other city clerks and our own concerns.

IX.

MAYOR COMMENTS

Encourages the town to explore the changes needed to the comp plan.

July 4th is right around the corner and looking forward to celebrating with the Lions Club.

X. **ATTORNEY COMMENTS**

Mediation is on Tuesday- The discovery request were received today.

XI. **COUNCIL COMMENTS**

Cllr Jones- We had a great meeting with the DOT sign coordinators. They said we can have the banners that go across 441 for event.

State Hwy Patrol is in progress.

We will start moving Speedy around.

There is no enforcement for no trespassing, learned the hard way. Purchased signs and there are extra in the town hall if anyone needs one.

Cllr Naworensky- Invited everyone to July 4th celebration.

VP Mullikin- “ “

President Ciotti- Send your nominations to TM Gonzalez for Citizen of the Year. Thank TM for the common ground coffee hour.

Cllr Sindledecker- Asked about a regular coffee meeting time so that more people will come.

Vacation Bible School is starting, and the church is putting on a father's day car show.

Asked to allow to block off 8th street during vacation bible school- No objections.

XII. **CITIZEN COMMENT**

Meeting adjourned 8:56