



Agenda Minutes
McIntosh Town Council Meeting,
Community Center 5835 Avenue F
July 13, 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	A

I. **PRESENTATIONS**

II. **MINUTES**

1. May 23, 2023, Workshop
2. June 8, 2023, Council Meeting

TM Gonzalez- Addressed corrections that were made.

Cllr Sindledecker motioned to accept the minutes from the May 23rd workshop and the June 8th meeting with corrections as noted, **2nd VP Mullikin**

Motion passed unanimously.

III. **FINANCIALS**

1. June 2023

Cllr Sindledecker motion to accept the June financials with the exception of FL FIT **2nd Cllr Jones**

Motion passed unanimously.

President Ciotti- Address FL FIT rates and balances. FL FIT has 400k in it that is not producing. Asked for a motion to remove 200K from FL FIT and put it in TD Money Market Account at 4.75%.

Cllr Sindledecker- Questioned how much money total is in TD Bank currently and how much is insured.

Cllr Jones- About 550K

Cllr Sindledecker- Asked what our other options were to prevent the majority of money from being in one bank.

President Ciotti- Agreed to look into other options.

Cllr Sindledecker amended motion to accept FL Fit as presented **2nd Cllr Jones**

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.

Al Richter- Inquired about the dog park.

Cllr Sindledecker- This has been mentioned several times and maybe when we look at this year's budget, it can be considered. Thank ed Mr. Richter for coming to the meeting and the coffee hour to discuss it.

President Ciotti- Has the dog park on his notes to discuss at the end of the meeting.

Al Richter- Asked if the speed sign can be placed on Ave G (320)

Cllr Jones- It gets rotated throughout town.

Holger- Made a map for Speedy when Jeannie was here.

Sheryl Sinclair- Thank Jessi for looking into the town problems on Ave A & B, for being proactive and for her suggestions to contact Marion County and to fill out the available comment sections online about the 441. Marion County came out and looked at Ave A and they said they would come out to grade it.

V. COMMITTEE UPDATES

1. Code Enforcement- **George Crawford**
No new Business

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

The Historic Board did not have a meeting, there was not a quorum, and did not have any COAs. At the next meeting, they will work on the code, signage, and certificates.

3. Tree Committee- **Dennis Devore**

The minutes from the July 6th meeting are in the packet and they were approved. There was a permit for Dan Feaster, and there was an additional meeting today where his permit to take down a cabbage palm was approved. The committee did ask him to plant another tree. In the meeting the Tree Committee discussed Arbor Day and decided they would like to take back Arbor Day and have other organizations help them. The committee is asking council permission to head up Arbor Day.

Cllr Sindledecker and Jones stated they would like to think about it.

Cllr Jones- Asked where the tree was that Mr. Feaster wanted to remove.

Dennis Devore- Provided location.

VP Mullikin- Asked the committee to bring it back to the council in a few months.

Dennis Devore- Agreed and stated that the committee voted to meet once a quarter unless there are permits. There is a new position on the committee which is the computer person for research. Diane stepped down from secretary, she is now Vice Chair, Cheryl Wallace is the secretary, and Cathline Owens is the computer person. The next meeting is October 1st unless there is a permit.

4. Land Planning Agency- **George Crawford**

No New Business

5. Parks & Recreation- **Angie Fogarty**

Unable to hold a meeting, there is not a quorum. Hoping to have a meeting next week.

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. Draft Lease for Warehouse

TM Gonzalez- Discussed the lease with the insurance company for clarity on what should be included in our leases. They recommended that anyone that rents a building from the town have a 1-million-dollar general liability policy to cover protection from injury, death, fire & hazard. They do not need a policy that covers structural damage, our policy covers this. Recommended that each renter has content coverage. Added to page 2 is that it is recommended to have content coverage. In the event they choose not to, the town is not responsible for damage to contents. To address the question posed whether or not the subleases need to have the same coverage. It will be included in the lease if the insurance company recommends it. If not, we can remove that requirement.

Cllr Jones- Asked if the other tenants that were leasing the properties before were required.

VP Mullikin- Do we know how much this would cost an individual.

TM Gonzalez- It depends on the individual, policy, and if it is a company or an individual. If it is a company, its general liability follows them.

On the last page under *Notice*, the number 246 should not be there. On the last page, an added line for Kevin to sign will be added.

President Ciotti- Asked Attn Corbett about the last page where it asks for signatures, would it be a conflict of interest for the Mayor to sign since he is a sublessee?

Attn Corbett- Yes, that would be a conflict of interest. We can change it to the president if the code allows for it.

Cllr Naworensky- To be clear, we are striking the coverage required by sublessees at this time.

TM Gonzalez- If the insurance company says it is not necessary we will not include it.

Attn Corbett- Confirmed she was able to verify that the President should sign in place of Mayor Roddy for the lease that he has a conflict of interest with.

Cllr Naworensky- Typo on Kevins' last name to be corrected.

Cllr Sindledecker- Questioned page 2 section 9 regarding “tenants shall not store products or conduct activities that may cause cancellation of insurance.”

Attn Corbett- Clarified that we should provide what those items and acts may be.

Cllr Naworensky and President Ciotti- Question Section 9 requires the tenant to add the town as additional insured.

Attn Corbett- This should be left in.

Cllr Sindledecker- Asked Jessi to look into the insurance to verify that the rent we are looking to charge is covering our cost, and it does, even with the expected increase in insurance.

Holger- Asked about the second sublessee.

TM Gonzalez- Clarified, that the lease says Kevin *can* have up to two sublessees, not that he does.

2. Application for Parks & Recreation- Jesse Patterson

President Ciotti- Expressed concern about having two family members on the same committee.

Cllr Naworensky- Agreed and is concerned about the number of council members that have left in a few short months.

Cllr Sindledecker- Questioned if the decision to make the committee 7 members was wise. It makes it difficult to have a quorum. There have been interactions that created problems, and hard feelings but it doesn’t reflect on the committee.

Further discussion on the number of members needed.

Angie Fogarty- Currently the resolution says there are to be 7 members with 5 being a quorum. % members with 3 being a quorum would be more appropriate, and there can be unlimited volunteers.

Cllr Sindledecker- Would not have the same level of scrutiny for Parks and Recreation as there should be for the land planning agency. Does not see a problem with the applicant, but there is a problem that we can’t move forward. 7 is burdensome, and for this committee would entertain having more than one family member on the committee.

Alison Scott- Is it a sunshine law violation?

TM Gonzalez- No it is not.

Cllr Sindledecker motioned to amend the resolution to change the number of members from 7 to 5 with a quorum being 3 **2nd Cllr Jones**

TM Gonzalez- Questioned if it was appropriate to call them an advisory board when they execute all transactions.

Attn Corbett- Recommends waiting until next month to address an amended resolution.

President Ciotti- We are going to table this until next month.

Cllr Sindledecker rescinded her motion.

Cllr Jones rescinded 2nd.

TM Gonzalez- Expressed Angie's concern that the resolution states she is to have the calendar and budget to the council by August 1st. This will be delayed given these circumstances.

Cllr Sindledecker motioned to accept Jesse Patterson for the parks and recreation board, **2nd for discussion Cllr Jones**

Cllr Jones- If Jesse is willing to wait for the council to rework the resolution, we could reconsider his application next month.

Jesse Patterson- Yes

Cllr Sindledecker- Amended her motion to hold the application until next month **2nd Cllr Jones**

Motion passed unanimously.

President Ciotti- Presented another application that came in too late to be on the agenda -Joshua Finch for Code Enforcement.

Cllr Naworensky motioned to approve Joshuas Finch's application, **2nd Cllr Sindledecker**

Comments from all council members that Mr. Finch is very qualified.

Motion passed unanimously.

3. Resolution 2023-1 Procurement

VP Mullikin- Read the Resolution title.

TM Gonzalez- Explained the changes made and provided the previous version for comparison.

President Ciotti- Expressed why the increases are needed.

Cllr Naworensky- This new version helps to keep up with inflation and is necessary.

TM Gonzalez- Provided explanation to additional lines that were added for further protection and clarification.

Roll call vote

President Ciotti Yes

Vice President Mullikin Yes

Cllr Jones Yes

Cllr Naworensky Yes

Cllr Sindledecker Yes

Motion Passed unanimously.

4. Resolution 2023-2 Ethics/Civility

Vice President Mullikin- Read the Resolution title.

TM Gonzalez- Addressed changes to be made to make all paragraphs uniform with who is included.

Cllr Jones- Staff needs to be included in paragraph 6.

Cllr Jones- Read the pledge.

Cllr Sindledecker- Would like Stacie to clarify appointed officials.

Attn Corbett- Any Person that has been appointed by the council, committee, and board members would be considered appointed officials. Further clarification on the wording proved (include staff in each section and make wording uniform Boards, commissions committees and staff, etc....)

Cllr Sindledecker- This is a great start; it needs a little more work.

Cllr Jones- Who is going to enforce this? This shouldn't fall on any one person, and it will cause more problems than the offense did.

TM Gonzalez- The code says all complaints go to the administrator, but this situation is different.

We need to clarify where the complaint gets turned in, and who decides it is a violation. The way the code is written the criticism would come to the office, and if an individual does not like my decision, it would go to the board of adjustments, but as we discussed this may not be appropriate for this sort of complaint.

Attn Corbett- Recommendation that needs to be looked into. We have in here the expectations which say "unnecessary, and improper displays of temper and other options causing dismay." How

do you define that? It is subjective. The town creating a resolution like this should define what is improper, and what is unnecessary. It will be difficult, but it will help guide us in determining.

Further discussion on civil behavior

Beverly Dodder- If someone goes into the office and complains, are you going to require affidavits and witnesses, or just take the person's word?

Dennis Devore- Will both people be asked to leave the event? If someone starts it and then someone reacts to it, then they both should be asked to leave. It has to be fair.

Cllr Naworensky- Clarified we are striking appointed officials, but under 3rd offense, it says suspension or removal from appointed board or committee.

TM Gonzalez- That will come off and number 3 will move up.

Maryanne Kelly- For language and clarity, would it be appropriate, to say elected officials, because it would include the council and the mayor? If they are all in the same language it will be helpful.

Attn Corbett- Agreed. Keeping the language uniform is going to help. There can also be a section that does definitions. Volunteers should potentially be added.

Jesse Patterson- Asked if there is a code of conduct.

President Ciotti- Referenced the statute.

TM Gonzalez- Suggested a workshop to finalize this.

5. Resolution 2023-03 Sportsman's Cove Sign

VP Mullikin- Read Resolution 2023-03 title.

Cllr Jones motioned to accept Resolution 2023-03 as read, **2nd Cllr Naworensky**

Motion passed unanimously.

6. Comprehensive Plan

President Ciotti- Provided a review of the decision made at the special meeting on July 11, 2023.

VIII.

MANAGER COMMENTS

TM Gonzalez- Patrick with TD Bank informed our office that the earnings credit rate went up to 1.45%. We are working with the school board for their Lease, A request from a board member has been requested.

The flood mitigation project is almost done and going well.

The audit is complete, the draft has been turned in to the state, with no negative remarks. Mr. Powell will be at our next meeting.

The dog signs and trash cans have been delivered and will be installed soon.

The yellow building is now vacant. The council will need to decide if the town will rent it out again or if it should be reserved for storage.

Fencing companies are coming out to provide estimates for both the park and the water tower fences that have been damaged. FL Hwy Patrol did their first patrol and made 15 stops.

IX.

MAYOR COMMENTS

X. **ATTORNEY COMMENTS**

Attn Corbett- There was a pre-trial conference on the Jones matter- The trial has been set for November 6th. The trial will start at 1 p.m. There will be a case management conference on October 18th at 2 p.m. in front of Judge Cotton. There has been a settlement offer that needs to be considered by the council, we need to call a shade meeting to discuss this. We will get with the court reporters for availability.

XI. **COUNCIL COMMENTS**

Cllr Jones- 4th of July was wonderful, hot but wonderful.

Great to have State Hwy Patrol here. Witnessed a patrol stop this morning. Would like to commend David for taking care of the huge limb that came down and was cleaned up quickly.

Cllr Naworensky- 4th of July was great. After the special meeting, residents approached with the information that the duplex is for sale. Would like the council to consider that building for the Town Hall. It was appraised at 230K but will entertain offers. The building is 1740 sq ft.

VP Mullikin- July 4th was great, thank you to the Lions Club. The Little Yellow Building is available now, but there is no electricity or plumbing.

Cllr Sindlecker- 4th of July was fabulous. Appreciates all the work that has been done. There is a lot that goes on behind the scenes. Appreciates the ethic and civility work and is excited to make it work for us. Excited about the comprehensive plan.

President Ciotti- Discussed the dog park and the firehouse for a possible location. Everyone has said it's mucky after it rains, but it was dry after the last large amount of rain we got. Considering adding \$10k to the budget for it. Email me with any thoughts on the project.

XII. **CITIZEN COMMENT**

Miscellaneous comments from residents about the potential new town hall, god park, and the trees- No names stated.

Maryanne Kelly- Provided support on microphone use- Asked what trees will be part of the tree survey will be.

President Ciotti- The Live Oaks on Town Property.

Cllr Sindlecker- Part of the long-term plan is to have maintenance and to understand the health of the trees on town property.

Cllr Jones- Asked about the budget meeting date.

TM Gonzalez- We have to turn in the DR 420 by August 4th. The meeting needs to be on July 25th at 7 p.m.

Meeting adjourned at 8:54 p.m.