



Agenda Minutes
McIntosh Town Council Meeting,
Community Center 5835 Avenue F
August 10, 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

1. Powell & Jones- Audit Report
Presentation provided by Caleb Perla
Audit report for 2022-2023
The audit report showed no concerns or compliance issues and the finding from the prior year was completely resolved this year.
2. Junior League
Presentation provided by Junior League- Diaper Bank
The friends will be providing a free booth at the festival, and they will be working together to help families and get the word out that the junior league has this resource available.

II. MINUTES

1. July 11, 2023, Special Council Meeting
Page one typo, insert “special” in the title, the meeting was 6 pm, change “appear by phone” to “participate by phone”, Page 3 under the 2nd comment by Cllr Sindledecker comments add “building needs to be hardened”, page 4 Josh Sheldon coordinate is misspelled, the 2nd for one of the motions was not included on page 3.
2. July 13, 2023, Council Meeting

3. July 20, 2023, Special Council Meeting
4. July 25, 2023, Special Council Meeting

Cllr Sindledecker motioned to accept with the noted corrections 2nd **VP Mullikin**

Motion passed unanimously.

III. FINANCIALS

1. July 2023
Clarifications online items that are annually opposed to monthly and corrections to next year's budget.

Cllr Sindledecker motioned to accept the financials 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. **Jonathon Ward**-McIntosh Area School

The update presented for the school- County inspection was passed; the school was opened today. One teacher pulled out at the last minute. There is a balanced budget with a forecast that shows a small surplus.

VP Mullikin asked how many children were enrolled.

Jonathon Ward- Up towards 50.

One final pre-k needs to be done and should be up and running in early September. Testing results are in, the grade is up to a C, possibly a B. Extra expenses, Sheriff presence to keep order, and a slew of public records requests that have no association with the school but can't ask why. The school is having to send cease and desist letters out and trespass people. There are 2 parents who pulled 4 children out due to the parents being told that the school was closing in December by an elected official.

Cllr Naworensky- Did you investigate those claims and talk to who made them?

Jonathan Ward- Yes. We need to find out how to find a way to stop this and will take any legal action. If it continues, we will need to go public.

President Ciotti- Wish the school the best of luck.

Holger- The possibility of having a range extender for the festival was discussed and the friends voted to purchase two. The friends would need permission to use the Community Center Wi-Fi.

Further discussion on how the extenders work among residents and council.

Bev Dodder- Spoke with Jessi- She was going to order one and if it was not strong enough, the friends would order another one and the friends would pay the \$600 for them.

President Ciotti- Council should buy two and get them installed as soon as possible.

TM Gonzalez- I had this on my updates. The extender that Holger sent did not specify how far they extended. I found a 4.5 start extender that says it goes up to ½ a mile. If that one does not work, we can order a better one.

VP Mullikin motioned to purchase 2 Wi-Fi range extenders for the festival **2nd Cllr Naworensky**

Bev Dodder- The friends did vote that they would spend \$600 on them. The friends can still pay for that.

Cllr Jones- Could the town let the friends pay the \$600 and the town pay the difference and the installation?

VP Mullikin amended the motion to buy 2 possibly 3 Wi-Fi extenders on for the community center, one at Marshall's home and one if needed to be installed at a location TBD **2nd Cllr Naworensky**

President Ciotti- Can we share the cost?

VP Mullikin rescinded his motion.

Cllr Sindledecker motioned to buy 2, and if needed 3 Wi-Fi extenders and pay to have them installed if needed. The Friends agreed to pay \$600, and the Town will pay the difference- **2nd Cllr Jones**

Motion passed unanimously.

Lalla Gallagher- Asked about replacing signs around town that are damaged and/or missing and the difference in the colors. Asked about the update to fix up the community center.

TM Gonzalez- Spoke to DOT about the colors- County Road signs are different. There are a few in town that are different and may have been incorrectly ordered in the past, but when we order them, they will be white on green. There is a new Public Works Request in our office. If there is something in town that needs to be addressed, please come in and let us know. We have a small staff and sometimes we won't notice right away. The signs are in the works, but if you would like to specify on the form, we will get more signs. Quotes are in the works for the community center upgrades. There have been some repairs to the sprinklers and the windows. The TP holders have been replaced. Professional cleaners are here a couple of times a year, but it is the responsibility of the committees and renters to clean before they leave.

Sean Dowie- Asked about the historic signs that were once discussed.

President Ciotti- The prices were around \$15-20 per sign.

Alison Scott- In reference to Jonathan's comments about the school, coming into harmony has been a goal the entire time I was serving on the board at the school. However, the comment about an elected official saying the school would be closing in December, was actually a statistic provided by the school's paid professional from their accounting service. They let the school board know that in a public meeting.

Jonathan Ward- No it wasn't.

Alison Scott- Curtis Fuller said it in writing and in a public meeting. I wanted to bring clarity to that.

Candace Batson- Had 2 children in McIntosh Area School, they were asked to leave because her oldest son has cerebral palsy, and they couldn't handle it. She is the one who trespassed from the school. The trespass letter had several false claims. Public records requests were made by her, and she was estimated to be \$541.00. Lies have been spread about her family and the mayor by the school. The mayor was named an aggressor when the cops were called as well as her and her husband. This is not what happened, and she has the 911 report and the body cam footage which shows a different story than what the board president and Candace Stephens told.

Joyce Terry- Would like to offer an idea to put the welcome book on the website homepage and include the protected trees.

TM Gonzalez- Dennis and I discussed giving each committee their own page with more information.

Cllr Sindledecker- Asked if we can put the book on the website.

Alison Scott- She can provide a PDF with a newer version.

V. COMMITTEE UPDATES

1. Code Enforcement- **George Crawford**

No new business

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

Was not in town for the last historic board meeting. Karin Harms chaired the meeting. A driveway and a walkway addition were approved on Ave H.

3. Tree Committee- **Dennis Devore**

No new business until October

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

No new business

5. Parks & Recreation- **Melinda Jones**

No new business- No Quorum

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. **Resolution for Parks & Recreation**

Resolution 2023-04- Repealing Resolution 2022-01

President Ciotti- Read the resolution by title.

Cllr Sindledecker motioned to accept Resolution 2023-04 with changes as mentioned, **Cllr Jones 2nd** for discussion purposes.

Cllr Jones- Several residents have expressed having an issue with a reduction of the board members. These members have control of some of the tax dollars because they have a budget. They feel like it should be spread out over 7 members instead of 5.

VP Mullikin- When the centennial committee was put together, there were 7 members on that committee because there was a budget.

Holger-Tree Committee had a budget and only had 5 members.

Sean Dowie- It is going to be hard to get 7 people.

TM Gonzalez- The Parks & Recreation Board does have to council with the budget and calendar. The council has to approve what they are going to do and how they spend it.

Cllr Sindledecker- If we want this to work, this is a way to move ahead. We can make it a little smaller and still have oversight and there is an opportunity to move this ahead for the town.

Further discussion on concerns with only having 5 members and having a 5k budget.

Attn Corbett- It is not in the code that there needs to be 7 members. 3.09 strictly says they have to be residents and they can't receive compensation. Requiring 7 members is not supported by the ordinance.

Don Medeiros- Does the fact that they have to have the council's approval to determine where the money goes alleviate your concerns?

Cllr Jones- It was not my concern, but multiple residents.

Further discussion on how their budget works

President Ciotti- **Yes**

VP Mullikin- **No**

Cllr Jones- **No**

Cllr Naworensky- **No**

Cllr Sindledecker- **Yes**

Motion did not pass.

2. Truist CD

TM Gonzalez-Truist had a much higher rate when this was put on the Agenda- Other options will be explored.

President Ciotti- Asked to move 200k temporarily out of FL FIT and put it in our TD Money Market

Cllr Sindledecker- Concerned with having too much money in one bank. Is it possible that our timing isn't suitable for the market? Can we call a special meeting when we find a better offer?

Cllr Jones- Instead of losing money in the meantime, we can make a little by moving it to TD.

Cllr Naworensky- Thinks we should make a move. TRUIST is on the watchlist for banks that are in trouble.

Cllr Jones motioned to move \$200k from FL FIT to the TD Money Market **VP Mullikin 2nd**

Motion passed 4-1 Cllr Sindledecker opposed.

3. Final Draft for the Warehouse (language to be shared across leases)

Cllr Jones- Why are we requiring Kevin's subleases to have the same coverage. There are multiple people insuring the same thing. Our lessee should be responsible for the town.

TM Gonzalez- Their insurance is not covering our building; it is covering injury. Kevin's policy is not going to cover his subleases.

Cllr Jones- Why would it not fall back on Kevin since he is the one that sublet to them.

TM Gonzalez- They could go after Kevin, but to protect us, we need to require it. If we are going to have it in writing that we are allowing him to sublet, then we need to have it in writing that they are protected too.

Attn Corbett- The insurance company is protecting itself. If something happens, they are going to include everyone in the lawsuit. Having this additional insurance is a safety net for the town and should be included.

Cllr Naworensky- Kevin's agent told him that she doesn't know where he could get this additional million-dollar insurance or make the town additional insured.

TM Gonzalez- I don't know why they would not know how to do that, It's pretty standard to add someone as additional insured, I do it all the time with my company.

Cllr Naworensky- But your company is performing a service at a sight.

TM Gonzalez- Kevin is renting a workshop, it is for his business works.

President Ciotti- Kevin should require his sublessee coverage.

Cllr Jones- But he should be the named insured because the lease he has is with us.

TM Gonzalez- Correct, but it is still our property. If something happens they are going to follow the chain, and everyone will get pulled into the lawsuit. This covers us. Kevin should have them add him as additional insured in my opinion, I would recommend it. He would then know if they canceled their policy, he would be notified. He will be notified if they lower, cancel, or change the policy.

Attn Corbett- He also has to have them approved by the council.

Cllr Jones- He has liability insurance to do his lawn work. That is logical. If he is renting a property to store his equipment, wouldn't that be rental insurance, in case there is a fire and belongings are lost?

TM Gonzalez- That is also included. It is recommended by the town they obtain content insurance.

Cllr Sindedecker- But that is not what this is, this is a liability for injury?

TM Gonzalez- Correct, but it is stated that he should get content insurance. What Melinda was saying is that renters' insurance covers his belongings.

Cllr Jones- But it also covers injury.

TM Gonzalez- Correct, but our insurance is only requiring injury. Because he already has insurance with his company, he can use the insurance he already has without needing additional insurance. If his insurance company does not know how to do that, I do not know how to address that.

By requiring them to add the town as additional insured, we will be notified of policy changes, and we will be paid directly if there is a claim.

Cllr Naworensky- I think this would be different if he had the public walking into his business.

TM Gonzalez- But if an employee gets hurt, they are on our property.

Attn Corbett- Whether they have legal standing and whether they do it are very different things. Any attorney is going to sue anyone and everyone. Could we get out of it, probably, but it still costs the town money. When you don't follow the insurance companies' rules, they may not provide representation.

Further discussion on the insurance requirements, sublessees.

Cllr Jones- Have they been required to have it in the old lease including the subleases?

TM Gonzalez- Yes

Cllr Jones- Does he have any subleases?

TM Gonzalez- Marshal, which is why he is not on the signing page.

Cllr Naworensky- And Bridgett Cox

Attn Corbett- Now that the town has been put on notice, they need to act on it.

TM Gonzalez- If this is approved today, all sections in red are the sections that were merged from the other leases as discussed. I did not like the way number 13 was written; Stacie will be restricting it.

Cllr Sindedecker motioned to accept the lease with changes made to number 13 by our attorney and the date on numbers 2 and 6- **2nd Cllr Jones**

Motion passed 4-1 Cllr Naworensky opposed.

4. Draft Lease for the School

Discussion on the new details for the lease. Electricity and maintenance are to be included in the rent. Expenses for the school paid by the town over the last year were provided. The average electricity bill for the administrative building was provided by Duke Energy.

President Ciotti- The school would start paying \$500 /mo. with electricity included.

Jonathan Ward- Asked for the new lease to be sent to the town attorney.

President Ciotti- The lease will go to the board, and they can do what they want with it.

Holger- The town would take over the electric.

President Ciotti- Explained why the Town would be paying for the electricity. There is only one meter for that building, therefore it would prevent the question as to who owes what for electricity.

Cllr Sindledecker- Suggested a 2-year notice instead of a 1-year notice for the school (line 2).

Attn Corbett- My recommendation is that the lease terms be changed. The town could do a 3-year lease with a 2-year notice, a 2-year lease with a 1-year notice...But in order to accommodate the notice required, the term has to change. The understanding is that the Town is not trying to make money from the school but to assist the school without being a burden to the taxpayers. The town is taking on much more financial responsibility for the school, no other commercial tenant gets their electricity paid.

Cllr Jones- If we change the lease terms from 1 year to 2 years, with the option to renew it for up to 6 years; and we stay until the new building is built, can we still pay the power bill until the next lease.

Attn Corbett- You could do an amendment, or a new lease entirely. It can be added to the lease, as to how electricity is handled if the town leaves the other portion of the building.

Cllr Sindledecker- We are being fiscally responsible by offering this solution with electricity instead of adding another power pole. We are making sure we cover the electricity and expenses, so it makes sense that we move forward with that.

Attn Corbett- The building is separated like a duplex, but the problem will remain until another power pole is added eventually, or this will continue to be a problem no matter who is renting or occupying the clinic side.

Beverly Dodder- Asked Attorney Corbett if this was a good idea.

Attn Corbett- The town should take into consideration that no other commercial renter has their electricity covered. They should also address the issue of shared electricity.

Cllr Naworensky motioned to amend the lease to a 2-term with up to (3) 2-year terms for renewal and a 1-year notice of change with \$650/Rent- **Cllr Jones 2nd**.

Further discussion and clarity about the average electric cost for the administrative building

President Ciotti- Took out the expenses for the trees after looking at the expenses because it is our property, and we need to take care of the trees.

TM Gonzalez- The cost for the trees is actually half of the total expense.

Cllr Sindledecker- Asked if the insurance and the Duke bills were cut in half also.

TM Gonzalez- The Duke bill was for a full 12 months, half of which the clinic was not present for.

Cllr Naworensky- There is only one thermostat, it doesn't necessarily go up if there is a tenant on the other side, it goes up based on who adjusts the thermostat.

TM Gonzalez- Clarified the changes to be made:

#2- A 2-year term with the ability to renew up to 6 years- 1-year notice issued by either side to renew. An additional line is to be added stating- *Written notice of intent to renew or terminate*

shall take place by May 30, 2024. August 30th, 2025 will be the new end of the term given the change to 2 years for the lease term.

#6- Change the rent to \$650.

#10- LANDLORD shall not be responsible for any necessary repairs or maintenance required by its authority will be changed to LANDLORD shall not be responsible for any necessary repairs or maintenance required by **the Tenants'** authority.

Jonathan Ward- The school has put well over \$50k into upgrades for the property. Can provide a list.

TM Gonzalez- This was something that needed to be pointed out. Any improvements are supposed to go through the town. This was in the previous lease as well. The school has not been coming to the council for approval. Please make sure David knows he cannot authorize improvements without the town's consent.

#11- The Roman numeral will be changed to regular numbering as was the rest of the lease.

#13- Town Attorney to restructure appropriately.

Cllr Sindledecker- The tree removal should not be expected to pay for trees other than us. The insurance and the electricity are the full amount also. If it is recalculated, that takes the cost down to \$6,462 divided by 12 which is closer to \$538.50. The original amount of \$500 makes more sense based on those numbers.

Cllr Jones- Part of a commercial lease usually goes towards maintenance. That should be an expense that is part of the town's expenses when looking at the total rent amount.

President Ciotti- Asked about changing it to \$600.

TM Gonzalez- Line 6 does state that with 90 days' notice, rent is subject to change. If the town spent more than expected, it could be adjusted.

Cllr Naworensky- Conversely if it shows we are making money, we could reduce it. My motion stands.

Cllr Naworensky amended the motion to include notated changes **2nd Cllr Jones**

Motion passed 3-2 President Ciotti and Cllr Sindledecker opposed.

5. Consideration for Administrative Assistant to be a permanent employee Starting October 1.

Discussion on the changes that need to be made to the resolution.

Cllr Sindledecker motioned to accept Lynda Medeiros to be a permanent part-time employee.
2nd Cllr Naworensky

Motion passed 4-1 Cllr Jones opposed.

Cllr Jones- Shouldn't we fix the resolution first?

President Ciotti- We will do that by October when it starts.

6. Roadshow motors rental

President Ciotti suggested \$200/mo.

TM Gonzalez- The closest comparable rentals in the area are much higher. I think if we are to rent it out we need to specify that electricity cannot be hooked up and plumbing unless the town wants to audit the building to make sure it's safe.

Attn Corbett- It's not uncommon to rent buildings without utilities, it just needs to be specified that it needs to be approved by the town.

Cllr Sindledecker- The flooring needs to be improved.

Cllr Jones thinks we should rent it as a service location instead of another storage location.

Dies from lack of motion.

7. Dog Park

President Ciotti- Observed St. Augustine dog parks- Did not like the smell, fleas, and other concerns.
Recommendation to not consider any further.
Applause.

8. Jesse Patterson- Application for Parks & Recreation

Cllr Sindledecker motioned to appoint Jesse Patterson

Dies for lack of 2nd on motion.

VIII.

MANAGER COMMENTS

Water Tower- Utility Co maintains the tower. Because they maintain the town they could paint the mural and it would be included in maintenance. We can have a workshop once we have an idea of the cost.

Hwy 320 Repairs- Complete but under a boil water notice for that area.

Andrew Green – Fl Rural Water- Coming to discuss grant opportunities next week.

IX.

MAYOR COMMENTS

Met with Kat Cammack and many other mayors, it was a great meeting, and she is a great representative.

X.

ATTORNEY COMMENTS

We have a shade meeting on August 18th at 11:30 a.m.

XI.

COUNCIL COMMENTS

Cllr Naworensky- We did vote to explore the tower without the cranes. I don't like the sandhills.

VP Mullikin- Agreed

Cllr Sindledecker- We discussed the cranes.

Cllr Jones- Encourages everyone to go to the DOT website to say that we want our sidewalks re-done.

XII.

CITIZEN COMMENT

Meeting adjourned 9:52