



Agenda Minutes
McIntosh Town Council Meeting,
Community Center 5835 Avenue F
December 28, 2023, at 6:00 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 Mullikin	P
Vice President Jones	P
Councillor Naworensky	P
Councilor Ciotti	P
Councillor Sindledecker	P
Mayor Roddy	P

I. **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. **Charles Gates-** Community Not present

II. **ITEMS FOR CONSIDERATION – TOWN MANAGER**

1. **Form 6**

TM Gonzalez- Presented the fact sheet that provides the dates Form 6/Form 1 is due and what is required should one leave the council.

Cllr Sindledecker motioned to discuss Form 6 **VP Jones 2nd.**

Cllr Ciotti- Provided history on the Form 6. Higher government positions have always had to fill out Form 6, those are highly paid positions that control large amounts of money. During the last Legislative session, they decided to include approximately six hundred smaller towns and cities including towns like ours that have unpaid elected officials. It seems like we are getting less and less control over our towns. It is now required to share our personal assets and liabilities, different than Form 1 which has been filed out previously.

Cllr Sindledecker- This had failed through the legislation in the past and was then put into another bill that had nothing to do with it, and it passed recently. Home rule is extremely important. It has been the bedrock of our Florida Democracy. In the last few years, the legislature has been pulling that back away from towns and counties. All of the professional politicians knew when they campaigned that they had to fill out this form, we did not. While researching, there was very little found on assets for these individuals. \$1,000 is a ridiculous threshold, we are not paid; we are citizens who step into a voluntary role and try to serve. It was not brought to our attention until the 1st of December. Appreciates the opportunity to express this because it is hard because I know we are resigning.

Cllr Ciotti- Respects every member who has made this decision and is saddened by the turn of events that we will have to go through.

VP Jones- I believe we all are Frank.

President Mullikin- Provided details of the required information with form 6 for those in the audience who are unaware of its requirements.

Further discussion on the information that Form 6 requires and how hard this discussion was for those who are stepping down.

Lynda Medeiros- What are the options? If everyone is going to resign, what are our options?

Cllr Sindledecker- You have to resign before the 31st of December or you are required to fill it out, and if you do not do it, it is a \$1,500 fine and a \$20,000 civil penalty.

Lynda Medeiros- I understand why everyone wants to step down, but what does the town do now?

Cllr Sindledecker & President Mullikin- That is coming up on the agenda.

2. Government Property Use-Friends/1890's Festival

TM Gonzalez- Presented the request.

Cllr Sindledecker motioned to approve the request **Cllr Naworensky 2nd.**

Motion passed unanimously.

3. Architect for New Town Hall

TM Gonzalez presented the proposals.

Cllr Ciotti- Likes the way David King has laid out the payment schedule.

Cllr Sindledecker motioned to discuss **VP Jones 2nd.**

VP Jones- Has concern with Architect King. He misspelled McIntosh wrong in multiple places, he references that we were in Alachua County, not Marion, and his fees and payables, the calculation is incorrect.

Further discussion of his calculations

TM Gonzalez- Expressed that Rispoli had a better response time. The proposal was provided without having to reach out several times, which brought confidence that they would be able to provide what is needed before the Tallahassee Trip.

Cllr Naworensky- With nothing else to go on, not knowing either one, we have some marks against Mr. King and some marks for Mr. Rispoli.

TM Gonzalez- They both have a great reputation online, but based on interaction, Rispoli stood out.

VP Jones- Likes that Mr. Rispoli says in his presentation that he would put our drawing on a board to be able to take to Tallahassee.

President Mullikin- Likes Rispoli

Cllr Sindledecker motioned to accept Rispoli and move ahead **Cllr Naworensky 2nd.**

Motion passed unanimously.

4. Negotiations

Attn Corbett- We are in the midst of settlement negotiations and with the resignations, we would like for the council to consider giving Mr. Noah, the legal representative for the town in the federal lawsuit, to continue to negotiate along with Attn Corbett on the state lawsuit.

Cllr Sindledecker- When we say continue to negotiate, are you asking to authorize him to make the decision?

Attn Corbett- No, just to allow us to continue to negotiate.

Cllr Ciotti motioned to allow Mr. Noah to continue the negotiations as described in previous shade meetings for the federal case and Attn Corbett to continue negotiating for the state case **Cllr Sindledecker 2nd.**

Motion passed unanimously.

5. Postpone January Workshop

TM Gonzalez- Given the circumstances, I think we should consider postponing the workshop until after the special election, for a date to be determined later.

Cllr Sindledecker motioned to postpone the workshop on January 11th indefinitely until we know more about the council **VP Jones 2nd.**

Motion passed unanimously.

6. Resolution 2023-14 Operating Under Emergency Circumstances

TM Gonzalez- Presented the resolution and its purpose. Some situations are going to arise, and we need to be able to continue with day-to-day operations such as paying our vendor and payroll. Currently, we have to have two signatures. With only two members left who can sign, it is important to prepare for the worst. If those two are unavailable, there needs to be a backup plan so that the Town can operate. We are not the only ones going through this, several other towns have adopted resolutions such as this to protect their day-to-day operations after losing so many members.

Attn Corbett- I have reviewed the resolution.

President Mullikin Read by Title

VP Jones motioned to discuss Resolution 2023-14

Cllr Ciotti- Explained that we are preparing because we will not have a quorum. These topics are for the worst scenario for check signing.

Cllr Sindledecker- Clarified that four members are resigning, leaving a mayor and one council member. This is in case the two remaining members are not available to be the second signature,

for 72 hours, then we have an option to go and allow Stacie or Lynda to handle being the second signature.

Cllr Ciotti- Provided an example of a past emergency that arose. We also need to discuss re-organizing the council for the remaining members to allow for our procurement to work.

Cllr Naworensky- It is important to allow the town manager to conduct business until the council seats are filled.

VP Jones- That is what this resolution is intended to do.

Cllr **Sindledecker** motioned to accept Resolution 2023-14 as presented, Cllr Jones 2nd.
Roll call vote.

President Mullikin	Y
Vice President Jones	Y
Councillor Naworensky	Y
Councilor Ciotti	Y
Councillor Sindledecker	Y

Motion passed unanimously.

7. Council Organization

TM Gonzalez- We would usually do this at the end of the year, but given the circumstances, we should discuss this.

Cllr **Sindledecker** motioned to discuss, **VP Jones 2nd**.

Cllr Sindledecker- Explained that our code allows for the Mayor to be the president. He could run the meeting, though he could not vote. There are other responsibilities such as procurement emergencies, which are the responsibility of the president. With the president resigning, we will not have one unless we vote to make the Mayor the president as the code allows, and Cllr Ciotti could be the Vice President.

President Mullikin- Noted section 3.05 where the code states the mayor can be the president but does not say that he can be vice-president.

President Mullikin respectfully resigns as President immediately.

VP Jones respectfully resigns as Vice President immediately.

Cllr Sindledecker motioned to elect Mayor Marshall Roddy to be the President of the council
Cllr Jones 2nd.

Cllr Naworensky clarified for the audience that this would be until the first council meeting following the special election.

Motion passed unanimously.

Cllr Jones motioned for Frank to take over as Vice president of the McIntosh Town Council effective immediately **Cllr Naworensky 2nd**.

Motion passed unanimously.

Cllr Mullikin passed the gavel to Mayor/President Roddy.

Cllr Sindledecker thanked the council.

8. Historic Board Applicant- Eric Childs

VP Ciotti- Eric is knowledgeable of the code, and though he sits on the Code Enforcement already, he would be a good addition to the Historic Board.

VP Ciotti motioned to accept Eric Childs **Cllr Naworensky 2nd**.

Motion passed unanimously.

Cllr Sindledecker- In the past, I have pushed to not have a person on more than one board, I still have that feeling, but I understand the reality of where we are and what we need. I appreciate those that are doing what we need to do.

VP Ciotti asked to discuss the vacancies.

TM Gonzalez- As of right now, I have contacted the Supervisor of Elections that we have four seats that need to be filled. We have also contacted the Governor's office to have the appointments made for council seats until the special election. We are supposed to have the special election within four months, so we are working quickly towards it.

Cllr Sindledecker- Clarified that the conversation the town manager had with the Governor's office verified that they would not be looking for appointments from the town of McIntosh, but from elsewhere. Until we can get this election in place we will have people that do not live here sitting on the council and making decisions for our town.

Questions about the upcoming election and how appointments are made.

Lynda Medeiros- What happened to the part of the charter that the council could appoint your officials? Tallahassee is going to pick people to run the town. I am just trying to get clarification.

President/Mayor Roddy- A number of years ago, it was decided to change that.

Patty Dodd- We have a Town Charter that says if four or more council members leave, the Governor will appoint them, and we have to live by our laws.

Cllr Sindledecker- This is why we spend so much time when we are changing codes because it is really hard to predict everything that is going to happen.

Beverly Dodder- Asked if the governor can repeal this law and the council can repeal their resignations.

Attn Corbett- Explained the process that would have to take place. The council cannot rescind their resignations, there must be a special election. The referendum that passed in 2020 revoked the right to be able to appoint.

Cllr Sindledecker- Hoping the legislature is willing to revisit this when they are in session in January.

Patty Dodd- If someone wanted to run in the special election, they would have to fill out Form 6. When on the Code Enforcement Board, she had to fill out Form 1, she asked if they would be required to fill out Form 6 now.

Cllr Sindledecker- No, elected officials only.

III. **MANAGER COMMENTS**

I am very sorry to be losing those who are leaving. It will be tough to run the town without you all. I hope something changes very soon and if it changes, that you will consider running again.

IV. **MAYOR COMMENTS**

V. **ATTORNEY COMMENTS**

The trial was postponed and rescheduled to April 30th. It has been a pleasure working with you.

VI. **COUNCIL COMMENTS**

VP Ciotti- I have been around a long time and am very sorry that this has happened, and he loves them.

Cllr Naworensky- Thanked the residents for the opportunity. He has learned a lot and is very sorry that they were forced into a corner.

Cllr Jones- So I do not cry, Ditto.

Cllr Mullikin- It has been a hard decision, I do not want to resign, and if this law is repealed, or made to be less invasive, I will consider running again.

Cllr Sindledecker- We have done some good work in the last 3 years, and it has been a learning curve for those of us who did not have prior experience. All of the development happening in the farmland, those people should not be making decisions in our town. We have a company that is working on a comprehensive plan. The town manager and attorney need the time to work through that and we all need to be able to volunteer to participate and answer questions. The inconsistencies and vagueness in our code need to be corrected. Protecting ourselves and our community is important, and I hope to go into this next year we get a lot more work done.

VII. **CITIZEN COMMENT**

Nancy Crenshaw was concerned about the lack of communication between the legislature and the council. What is the problem and how can it be resolved?

Cllr Sindledecker- Does not think the FL League of Cities knew how impactful this would be for people like us. It was not until the FACC, that Jessi is a part of, started making noise about it, that we all started being made aware of how detailed this is going to be.

Nancy Crenshaw- Who is responsible for giving the council this information?

Cllr Sindledecker- It varies, but FL League of Cities sends out huge amounts of information.

Cllr Naworensky- There is a lack of communication. I called Senator Perrys' office and Representative McClain's office and a few days later received a call back and that person had no idea what I was talking about.

Beverly Dodder- Lived here a very long time and has never had the courage to run for council. Thanked the council for all they have done and the time they have dedicated.

Patty Dodd- Thanked the council, it is a thankless job. As a community, we need to communicate as Suzanne mentioned. Transparency with local, state, and federal government is not there and it is something we need to address.

Joyce Terry- Asked the Mayor if any of the resigning members could be accepted as a member of a committee tonight.

President/Mayor Roddy- We cannot do that tonight.

Sheila Winters- Thanked everyone for all they have tried to accomplish.

DRAFT