

City of Dunnellon City Council Meeting

Date: November 12, 2019
Time: 5:30 p.m.
Place: City Hall
20750 River Dr., Dunnellon, FL 34431

Call to Order and Pledge of Allegiance

Mayor Burns called the meeting to order at approximately 5:35 p.m. and led the Council in the Pledge of Allegiance. Mayor Burns asked if a citizen would volunteer to open with prayer. Pastor Tom Welch provided the invocation.

Roll Call

The following members answered present at roll call:
Dale Burns, Mayor, Seat 1
Bill White, Councilman, Seat 2
Anita Williams, Councilwoman, Seat 3
Valerie Hanchar, Vice-Mayor, Seat 4
Linda Fernandez, Councilwoman, Seat 5

Staff Present

Dawn Bowne, City Administrator
Mandy Roberts, City Clerk
Jan Smith, Finance Officer
Chief Mike McQuaig, Police Department
Lonnie Smith, Community Development
Troy Slattery, Public Works Manager
Lynn Wyland, Records Clerk

Legal Counsel

Andrew Hand,
Shepard, Smith, Kohlmyer & Hand, P.A.

Proof of Publication

Ms. Roberts announced for the record the agenda for this meeting was posted on the City's website and City Hall bulletin board on Thursday, November 7, 2019.

Council's Comments Regarding Agenda

Councilwoman Fernandez requested Agenda Item No. 4 be removed from the consent agenda.

Public Comments

Lynda Ryan, President of Rainbow Springs Art, invited all to the upcoming Rainbow Springs Art Festival to be held November 23rd and 24th. She also noted the need for volunteers for the event.

Councilman White noted he would be making the opening comments at the festival.

Paul Marraffino, 19544 SW 82nd Place Road, stated that the wood duck box signs on the Rainbow River have all been numbered. The Rainbow River Conservation group obtained a grant from the Duke Energy Foundation to help cover the cost and a map has been created noting the GPS coordinates. He said this will help aid local agencies when there is an emergency on the Rainbow River.

Mayor Burns thanked Mr. Marraffino. He acknowledged and thanked David Porter for spear-heading the river safety committee.

Mayor Burns called for public comments on the consent agenda.

Louise Kenny, 19970 Ibis Court, addressed Agenda Item Number 5. She recommended sending the proposed Comp Plan Amendment back to the Planning Committee for review. She explained her issue was with the word “unless” in Policy 3.4 of the proposed amendment.

Attorney Hand reviewed the procedure for the proposed comp plan amendment and said the City will be starting over. He said the amendment will be going back to the Planning Commission to be reviewed before being brought back to Council.

Burt Eno, 9220 SW 193rd Circle, said he had the same concern as Mrs. Kenny. He then asked Attorney Hand several questions regarding his conversation with FDOT & FDEO. Attorney Hand provided answers to his questions.

Consent Agenda

Mayor Burns called for a motion on the following consent items:

1. City Council Minutes
 - August 12, 2019 Council Meeting
 - September 4, 2019 Council Workshop
 - September 4, 2019 Special Council Workshop
 - September 9, 2019 Council Meeting
2. Approve Proclamation PRO2019-14, Little League Sponsors and Appreciation Certificates
3. Waive Section 6-4 of the City Code, Possession or Consumption on Public Property or on Private Property Without Permission, During the Hours of 5:00 P.M. to 10:00 P.M. on November 16, 2019, for Application PZ1819-055 Two Rivers Music Festival 2019, Restricted to the Area Shown on the Attached Map
- ~~4. Appoint Amber Serena to Fill the Planning Commission Full Member Vacancy (Previous Term Expired), as of November 12, 2019 to Expire November 12, 2022~~

5. Direct Staff to Proceed with Creating a New Comprehensive Plan Amendment Using the Modified Language as Accepted by FDOT Regarding Toll Roads as Presented and Discussed During the November 6, 2019 City Council Workshop
6. Approve Lease Agreement AGR2019-04 with Clark Sales Display

Consent Agenda Approval

Vice-Mayor Hanchar moved the consent agenda be approved as amended. Councilwoman Fernandez seconded the motion. The vote was taken and all members were in favor. The vote was 5-0.

Regular Agenda

Agenda Item No. 7 - Presentation of Proclamation PRO2019-14 Little League Sponsors and Appreciation Certificates

Mrs. Bowne thanked each of the entities involvement in supporting and sponsoring the Dunnellon Little League.

Mayor Burns read the following proclamation into the record:

“Proclamation #PRO2019-14
Commending Local Business for Their Sponsorship
of the Dunnellon Little League

Whereas, the sport of baseball & softball expresses the heart and character of America and for many years has been properly recognized as our Nation’s pastime; and

Whereas, Little League is a program of service to the youth of our community, dedicated to teaching sportsmanship and the competitive will to win, as well as furthering physical fitness and well-being through healthful community activity to provide valuable training for the participants and entertainment for the spectators; and

Whereas, the City of Dunnellon is extremely proud to be the home of the Dunnellon Little League which has served the youth of Dunnellon and the surrounding communities for many years; and

Whereas, the sponsorship and volunteer efforts of local businesses aided in the revitalization and restoration of the Dunnellon Little League baseball field; and

Whereas, this project to conserve water, repair the onsite water well and irrigation system, and educate on water conservation, all of which contributed toward the financial stability of the Dunnellon Little League benefiting young community members for many years to come.

Now, therefore be it proclaimed that the Dunnellon City Council recognizes and encourages the entire community to show support and appreciation to each local

business: Citrus Pump and Well Drilling, Florida Governmental Utility Authority, Gator Utility, Government Services Group, Pasco Pipe Supply, and U.S. Water Services Corporation for their sponsorship and dedication to the Dunnellon community.”

Mayor Burns presented appreciation certificates to the following:

- Citrus Pump and Well Drilling
- Florida Governmental Utility Authority
- Gator Utility
- Government Services Group
- Pasco Pipe Supply
- U.S. Water Services Corporation

Will Fontaine of FGUA said he appreciated the recognition.

Moved to consent item number 4 - Appoint Amber Serena to Fill the Planning Commission Full Member Vacancy (Previous Term Expired), as of November 12, 2019 to Expire November 12, 2022

Councilwoman Fernandez explained she requested this item be pulled for further discussion due to receiving public comments with concerns. She recommended placing this item on a future workshop agenda.

After brief discussion, Ms. Serena requested to withdraw her application. She commented she would be active as a citizen.

Councilman White commented on this seat being vacant for quite some time and questioned whether the eligibility requirements should be expanded.

Council and staff engaged in brief discussion regarding the criteria and selection of qualified board members. Mrs. Bowne discussed the current application and the education that is provided on the same. She said staff could revisit the application and perhaps add additional education such as the Sunshine Law. Council agreed.

Vice-Mayor Hanchar suggested that it may be worthy to have a training session for potential applicants.

Mrs. Bowne noted Marion County offers formal education for board members.

Mayor Burns said the training offered by the County is excellent and very thorough.

Attorney Hand reviewed the membership criteria.

Councilman White noted the important issues the Planning Commission must deal with and said Council must be careful to choose candidates carefully as there are some significant issues that will have to be dealt with in the near future.

Agenda Item No. 8 – Agreement #AGR2019-21, Conservation Land Group and Rainbow River Ranch Settlement Agreement

Attorney Hand explained this agreement cancels, or undoes, what the previous settlement initiated. He said when it is fully executed he will forward to Ms. Roberts to have recorded. Attorney Hand recommended that the City also have an agreement with Mr. Gissy.

Mayor Burns called for public comments. There were none.

Mrs. Bowne thanked Attorney Hand for his continued advice and assistance.

Councilwoman Fernandez moved the Mayor be authorized to sign Agreement #AGR2019-21. Councilwoman Williams seconded the motion. The vote was taken and all members were in favor. The vote was 5-0.

Mayor Burns read the following Public Hearing Statement into the record:

"All persons wishing to address the City council will be asked to limit their comments to the specific subject being addressed. Public opinions and input are valued by the Council. However, it is requested that comments are directed at specific issues rather than personal comments directed toward the council members or staff in order to foster mutual respect between council members and the public.

Members of the public in attendance at public forums should listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

Members of the public addressing City council and boards/commissions on a specific project or proposal are requested to disclose any personal interest or relationship; and any business, professional, or financial interests with any individual, group, project or proposal regarding the subject matter under review. Members of the public should always err on the side of more public disclosure, not less, in order to provide integrity to the public process."

Agenda Item No. 9 - Public Hearing Ordinance #ORD2019-04, Abatement of Unsafe Structures (Posted on the City's Website on October 17, 2019 and Advertised in the Riverland News on October 31, 2019)

Mayor Burns gavelled down and stated, "It is now 6:20 p.m. and I close the City Council Meeting and open the public hearing to discuss:

Ordinance #ORD2019-04, Abatement of Unsafe Structures (Public Hearing advertised on the City's website on October 17, 2019 and advertised in the Riverland News on October 31, 2019."

He then called for staff comments.

Mrs. Bowne noted a presentation was provided during a previous workshop.

Mr. Smith said the intent is to update and improve the Code and amend the procedures in the best interest of the public health, safety and welfare. He said the ordinance will allow for a procedure and method in dealing with the unsafe structures.

Councilman White noted this action is an example of the Council responding to the concerns of residents.

Mayor Burns called for public comments. There were none.

Mayor Burns gaveled down and said, "It is now 6:25 p.m. and I close the public hearing held to discuss Ordinance #ORD2019-04 and reopen the November 12th City Council Meeting."

Agenda Item No. 10 - Final Reading Ordinance #ORD2019-04, Abatement of Unsafe Structures

Mayor Burns called for public comments. There were none.

Vice-Mayor Hanchar moved Ordinance #ORD2019-04 be read by title only. Councilwoman Fernandez seconded the motion. The vote was taken and all members were in favor. The vote was 5-0.

Ms. Roberts read the following into the record:

"Ordinance #ORD2019-04

An Ordinance of the City of Dunnellon, Florida, Vacating and Replacing Chapter 99A, of the Code of Ordinances, with a New Chapter Entitled 'Abatement of Unsafe Structures' to Establish New Regulations for the Abatement of Unsafe Structures within the City; Providing for Severability; Codification; Conflicts and an Effective Date."

Vice-Mayor Hanchar moved Ordinance #ORD2019-04 be approved. Councilwoman Williams seconded the motion. The vote was taken and all members were in favor. The vote was 5-0.

Agenda Item No. 11 - Public Hearing Ordinance #ORD2019-06, Tree Amendment (Posted on the City's Website on October 17, 2019 and Advertised in the Riverland News on October 31, 2019)

Mayor Burns gaveled down and stated, "It is now 6:27 p.m. and I close the City Council Meeting and open the public hearing to discuss:

Ordinance #ORD2019-06, Tree Amendment (Public Hearing advertised on the City's website on October 17, 2019 and advertised in the Riverland News on October 31, 2019.)"

He then called for staff comments.

Mr. Smith addressed this item. He explained the need to update the Code to be consistent with new state legislation. He noted Page 3 of the ordinance addresses Section 163.045 of the Florida Statute.

Mayor Burns called for public comments. There were none.

Mayor Burns gavelled down and said, "It is now 6:37 p.m. and I close the public hearing held to discuss Ordinance #ORD2019-06 and reopen the November 12th City Council Meeting."

Agenda Item No. 12 - Final Reading Ordinance #ORD2019-06, Tree Amendment

Mayor Burns called for public comments. There were none.

Vice-Mayor Hanchar moved Ordinance #ORD2019-06 be read by title only. Councilwoman Fernandez seconded the motion.

Councilman White noted at the previous workshop Dave Porter expressed his concern regarding the need to clarify "under brush." Councilman White asked if this was included in the ordinance.

Mr. Smith stated at the workshop, it was Council's direction to address this issue with a separate amendment.

Mayor Burns called for a vote. The vote was taken and all members were in favor. The vote was 5-0.

Ms. Roberts read the following into the record:

"Ordinance #ORD2019-06

An Ordinance of the City of Dunnellon, Florida, Amending Section 74-62 of the City of Dunnellon Code of Ordinances in Order to Ensure Consistency with State Law; Providing for Severability; Codification; Conflicts and an Effective Date."

Councilwoman Williams moved Ordinance #ORD2019-06 be approved. Councilwoman Fernandez seconded the motion. The vote was taken and all members were in favor. The vote was 5-0.

Agenda Item No. 13 – Reveal of New Website Design

Ms. Roberts provided a brief overview of the redesigned City website. She said the website is set to go live on Monday, November 18th.

Council pointed out two concerns they had on the homepage. The first being the font for the word "Dunnellon." It was determined that the font should be larger. The second was the "down arrow" on the homepage. They felt it should be more noticeable. Ms. Roberts

noted the meeting's audio will not be posted on the website due to the cost of "closed captioning."

Ms. Roberts explained the addition of AudioEye Managed Service. This program monitors the website constantly for ADA accessibility issues.

Council and staff engaged in brief discussion regarding the redesigned website.

Mayor Burns noted a representative from the Tourist Development Council (TDC) will be in attendance at next month's meeting. They will be introducing a new addition to their website to help promote local businesses.

Agenda Item No. 14 – Council Liaison Reports and Comments

Vice-Mayor Hanchar reported on last month's task force meeting held in Lecanto. The next meeting will be held on December 18th at the Hilton in Ocala. She recommended visiting their website for additional information.

Vice-Mayor Hanchar reported on the Ocala/Marion Transportation Planning Organization (TPO). She noted FDOT has postponed the bike trail project due to inability to get the right-of-way through the Cannon property. She also noted the TPO is also working on a new website.

Councilwoman Williams noted the "Concerned Citizens of Chatmire" group helped with the Boys and Girls Club barbecue fund raiser.

Councilman White noted he and Mr. Eno visited the Westgate Resort in Kissimmee yesterday. He said he will try to prepare something to share with Council at the next workshop.

Councilman White commented on staff's recommendation to leave the City Beach user fee as is for now. He asked questions regarding the next step. Mrs. Bowne explained the procedure to amend the fees by resolution if Council wanted to implement any changes. Councilman White stated that he has reservations about the fee schedule. He requested this topic be placed on an upcoming workshop schedule for discussion.

Councilwoman Fernandez recommended staff place an ad for the vacant seat on the Planning Commission.

Councilman White commented he is still receiving spam email from City staff. Mrs. Bowne explained the increase of attacks in the government sector. She said the Florida League of Cities is offering training courses and Mr. Smith is working to narrow the spam filters.

Councilman White asked for the status of Rainbow Springs Art Group's lease agreement. Mrs. Bowne said she has been in communication with them and will be presenting the lease agreement at the December workshop.

Mayor Burns addressed an upcoming event “An Evening to Give Thanks.” This is a community event that will be held at the Frank King’s Legacy Bingo Hall on Thursday, November 21st from 6:00 p.m. to 8:00 p.m.

Mayor Burns commented on a December 3rd Marion County BOCC workshop regarding the one cent tax. The workshop begins at 3:00 p.m. and the public is invited.

Agenda Item No. 15 – City Attorney Report

There was none. Attorney Hand wished all a Happy Thanksgiving.

Agenda Item No. 16 – City Administrator’s Report

Mrs. Bowne provided a brief overview of the following administrator’s report and the Police Department’s October 2019 Statistics report:

The insert for this item does not meet ADA accessibility requirements for websites and is available by contacting the City Clerk at 352-465-8500.

Mr. Slattery addressed Councilman White’s email requesting updates be provided on the following:

- Pricing and feasibility of weather pavilions for City Beach
- Replacement of the buoys and the rope in swim area
- Sidewalk extending to the dock to allow handicap accessibility
- Broken utility pole across from Blue Run Park
- Repairing fountain at City Hall

Vice-Mayor Hanchar recommended a traffic signal be placed at the SunTrust bank on E. Pennsylvania Avenue. She noted a cross-walk at this location is in the proposed bike trail plan.

Agenda Item No. 17 – Adjourn

At approximately 8:00 p.m. Councilwoman Fernandez moved the November 12, 2019 City Council meeting be adjourned. Vice-Mayor Hanchar seconded. All members voted in favor. The motion passed 5-0.

Attest:

Amanda L. Roberts, CMC
City Clerk

C. Dale Burns, Jr., Mayor