

**City of Dunnellon City Council
Zoom Meeting**

<https://dunnellon.zoom.us/j/96753809766?pwd=UIZTMEJuSjgxUStnYlFSajhBNlgrUT09>

Webinar ID: 967 5380 9766

Date: February 8, 2021

Time: 5:30 p.m.

Place: City Hall, with Social Distancing Modifications
20750 River Dr., Dunnellon, FL 34431

Dunnellon City Council meeting held with Social Distancing Modifications.

Public Comment

Anyone who wishes to provide public comment will be able to do so by participating in the City Council meeting in person, or via the Zoom "AUDIO ONLY" platform and/or telephone, by speaking during public comment portions of the meeting when recognized per the instructions below or by submitting written comments, evidence and/or written testimony in advance of the meeting via email to the City Clerk at mroberts@dunnellon.org

Members of the public who would like to participate are encouraged to register in advance by Noon on Monday, February 8th.

Public input on non-agenda items will be heard at the beginning of the meeting. A three (3) minute time limit will be strictly administered.

Call to Order and Pledge of Allegiance

Mayor White called the meeting to order at approximately 5:33 p.m. and led the Council in the Pledge of Allegiance. Annette Stutzman provided the invocation.

Mayor White called upon the City Clerk to call roll.

Roll Call

Bill White, Mayor, Seat 1

Louise Kenny, Councilman, Seat 2

Anita Williams, Councilwoman, Seat 3,

Valerie Hanchar, Vice-Mayor, Seat 4

Jan Cubbage, Councilwoman, Seat 5

Staff Present

Mandy Roberts, City Clerk

Chief Mike McQuaig, Police Department

Troy Slattery, Public Works Department

Matthew Leibfried, Community Development

Jan Smith, Finance Department (attending by Zoom Platform)

Lynn Wyland, Clerk's Department

John Patterson, East Central Florida Regional Planning (attending by Zoom Platform)

Legal Counsel

Andrew Hand,

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

Proof of Publication

Mrs. Roberts announced for the record the agenda for this meeting was posted on the City’s website and City Hall bulletin board on Thursday, February 4, 2021.

One or more members of the same City of Dunnellon advisory board may attend this meeting and may speak to Council.

Mayor White called for Council comments regarding agenda.

No comments.

Mayor White called for public comments on non-agenda items – 3 minute time limit.

David Koger, 11983 Palmetto Way, said Swampy’s Restaurant has taken a step in the right direction and purchased new equipment. Mr. Koger spoke about the noise ordinance and provided a copy to City Attorney. Attorney Hand chose not to comment until after he could review.

Paula Koger, 11983 Palmetto Way, thanked Mayor White, Chief McQuaig and the officers for their services.

Wally Dunn, 11386 SW Hendrix Drive, brought up questions about the current police building including, size, maintenance and past repair expenses.

Dominic Battista, 19860 SW 93rd Lane, attending through Zoom Platform, said he is enjoying the live streaming.

Consent Agenda

1. **City Council Minutes**
September 28, 2020 Special Joint Council and CRA Meeting
October 7, 2020 Council Workshop
October 12, 2020 City Council Meeting
November 4, 2020, City Council Workshop
November 9, 2020, City Council Meeting
2. **Direct Staff To Prepare Resolution To Amend Resolution #RES2013- 15, City Council Code Of Conduct, To Allow The Public 5 Minutes During Public Comments If Signed In; 3 Minutes If Not**
3. **Agreement #AGR2021-02, Janitorial Services With Servicemaster**
4. **Schedule Special Joint Workshop Historic District Enhancement Plan, On March 17, 2021 at 3:00 P.M.**

Consent Agenda Approval

Mayor White called for comments on consent agenda. There were none.

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

Regular Agenda

Agenda Item No. 5 – Update - FGUA Wastewater Decommission Project

Will Fontaine, Florida Government Utility Association (FGUA), provided a presentation on the Cross Connection Control Policy regulated by the FDEP and EPA. It is installed to protect all public potable water supplies from the possibility of cross-contamination or pollution from potential cross-connections. Pursuant to FL Administrative Code Rule 62-555. To remain in compliance, it needs to be implemented but there are difficulties due to adding businesses information and citizens who do not have a back-flow device. He also discussed flow projections.

Council concerns are cost to install, the location being close to driveways and roads, aesthetics, small churches who bear the cost and who would repair if it becomes damaged.

Rob Dixon, Capital Program Manager, provided updates on the following capital improvement projects:

Rainbow Springs Master Infrastructure Development (180th Corridor) - 2.28 M FDEP “Springs Protection Grant”. Estimated completion April 2021.

Rainbow Springs Water Reclamation Facility Decommissioning - 2.74 M FDEP Springs Protection Grant. Completion required by June 2023 (Estimated construction start late 2021)

Chatmire Septic to Sewer – 3.7 M FDEP Springs Protection grant approved. Grant construction completion required by June 2, 2023 (Estimated start late 2021). Impact fees are covered by grant with zero cost to homeowners.

Burkitt Road Septic to Sewer – \$350K FDEP Springs Protection grant funding. Design 2021 with estimated construction 2022.

180th Avenue Package Plant Abatement - \$847K Springs Protection grant approved. Design 2021 with construction 2022.

Vice-Mayor Hanchar asked questions about land ownership since the pipe will be installed under a river. It is State owned land, therefore property owner letters were not sent out.

Councilwoman Kenny requested copy of presentation be given to Ms. Roberts.

Mayor White called for public comments.

David Koger, 11983 Palmetto Way, core borings needed to get information on the river.

Agenda Item No. 6 – Public Hearing Ordinance #ORD2020-10, Solar Farms Land Development Regulations (LDR) (Posted On The City's Website On January 12, 2021 And Advertised In The Ocala Star Banner And In The Riverland News On January 28, 2021)

Mayor White gaveled down and said, “It is now 7:03 p.m. and I close the City Council Meeting and open the public hearing to discuss:

Ordinance #ORD2020-10, Solar Farms Land Development Regulations (LDR) (Posted on the City’s Website on January 12, 2021 and Advertised in the Ocala Star Banner and in the Riverland News on January 28, 2021.)

Public Hearing Statement

Ms. Roberts read the following 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.”

Mayor White called for staff presentation.

Matthew Leibfried reviewed the following staff report:

City of Dunnellon
STAFF REPORT TO COUNCIL
AMENDMENTS TO LAND DEVELOPMENT REGULATIONS

To: Dunnellon City Council
From: Community Development
Date: February 4, 2021
Subject: Request to City Council for approval of proposed text amendments to the Land Development Regulations, Ordinance #ORD2020-10.

BACKGROUND INFORMATION

The City of Dunnellon is committed to planning and managing the future growth and development of the City and recognizes the increasing demand for clean energy sources.

Dunnellon is known for the importance its citizens place on its environmental resources and in harmony, desires to grow in a well-planned and environmentally friendly manner.

Large-scale solar deployments are increasing at a rapid rate and as costs drop, are expected to continue this trend for the near future.

The City is taking this opportunity to prepare for the growing demand for Solar energy generation by adopting Land Development Regulation amendments to allow for the availability of and properly regulate large-scale solar energy installations as a special exception in the Agriculture and Public land use categories.

The community benefits of Solar energy projects are many, including job creation, economic development, clean energy sourcing, and increased city tax base. Having provisions in the code for the regulation of Solar Energy facilities brings the City one step closer to completing its adopted Economic Development plan.

FUTURE LAND USE ELEMENT:

Goal: Through the provision of appropriate land uses, promote and improve the public health, safety, and welfare of Dunnellon's residents, while maximizing economic benefits and minimizing threats to natural and man-made resources.

Objective 6:

Designate land use categories on the Future Land Use Map to meet the short term and long-term needs of the community in a manner consistent with the policy direction set forth in the elements of the Comprehensive Plan. All proposed amendments to the comprehensive plan, including amendments to the Future Land Use Map, shall meet the criteria in the following policies.

Policy 6.2:

The City of Dunnellon shall allocate sufficient residential and non-residential land uses to support community needs through the 20-year planning period. The City population projections shall be based on the medium population projections published by the Office of Economic and Demographic Research for Marion County and shall allocate, at a minimum, a proportionate share of countywide population growth to the City, taking into account historic growth trends and potential alternative growth scenarios. In evaluating long term community needs, the City recognizes the following guiding principles:

- A. Support a diversity of residential housing types and products and allow for the operation of real estate markets as set forth in Section 163.3177(6)(a), Florida Statutes.

- B. Encourage job creation, economic diversification and capital investment from the private sector to achieve and sustain a healthy local economy.
- C. Provide opportunities for diverse growth within the City to discourage urban sprawl beyond the City corporate boundaries.

Impacts to the Future Land Use Element

The Future Land Use Element is critical in formatting how the city chooses to grow. For Dunnellon, Goal 1 addresses improving the public health, safety, and welfare of Dunnellon's residents. The proposed changes will continue to protect the future needs of the community while still encouraging job creation, economic diversification and capital investment from the private Sector.

TRANSPORTATION ELEMENT

Objective 2:

Ensure that transportation system needs are coordinated with the type and intensity of land use. Review of all development proposals and plans should include appropriate consideration of transportation impacts as related to access, operational conditions and safety. Provisions to ensure such consideration should be included in the land development regulations to be adopted by the statutory deadline.

CONSERVATION ELEMENT

GOAL

To manage, conserve and protect Dunnellon's natural resources through a balance of man's activities with sound environmental practices.

Policy 2.1:

The surface waters of the City, including lakes, rivers and wetlands, shall be designated conservation areas. The following requirements shall apply to property along rivers, navigable coves, and abutting wetlands:

- A. All waterfront development shall use methods of stormwater treatment which filter stormwater prior to direct discharge into surface waters, consistent with SWFWMD and DEP rules for Outstanding Florida Waters.
- B. Minimum setbacks of not less than 150 feet from the ordinary high-water line of rivers, navigable coves, and abutting wetlands shall be established for all development along the river. This area shall be known as the river corridor protection area.
- C. All development permits shall be conditioned upon an applicant obtaining all necessary state and federal permits before commencement of the development.
- D. No dredging or filling will be allowed in wetlands, except where prohibition would deny all reasonable use of the property; in such cases, activities meeting this standard shall replace wetlands by type, form and function according to the standard imposed by the applicable state or federal agency.

- E. Clearing of shoreline and wetland vegetation within 150 feet of the ordinary high water shall be limited to that required to provide access to the shoreline; in no case shall clearing exceed 10 percent of the total shoreline of each property.
- F. The removal of healthy, non-nuisance trees shall be in accordance with the tree ordinance.
- G. No hazardous, toxic, chemical, petroleum, nuclear waste, or liquid sludge shall be discharged into lakes, rivers or wetlands. No bulk hazardous wastes including septic tank effluent or liquid sludge shall be stored within 1,000 feet of the rivers' edge (ordinary high water), except those that obtain appropriate permits by DEP.
- H. The construction of new boat ramps along the rivers shall be designed to direct runoff away from the river.
- I. Any development adjacent to surface waters shall incorporate Best Management Practices (BMP) for stormwater treatment and for any permissible application of fertilizers and pesticides.

Policy 2.2:

Minimum setbacks of not less than 50 feet from water bodies and wetlands outside of the river corridor protection area shall be required for all development.

Policy 2.5:

The City shall prohibit any commercial water withdrawal or diversion of the Rainbow River and the Withlacoochee River.

Policy 5.1:

The City shall require that "Best Management Practices" be followed during development activities:

- A. Use of hay bales or other effective means to prevent erosion on areas of steep slope shall be required.
- B. Shorelines and wetlands shall be protected with filter berms or fabric screens, as appropriate to prevent siltation into water bodies and wetlands;
- C. All site preparation and landscaping, as shown on the site plan if required for new development, shall be completed prior to certificate of occupancy.
- D. Other best management practices may be required by the City where needed to reduce or eliminate erosion.

Policy 5.5:

The City shall require the use of best agricultural practices on agricultural land to minimize erosion and ensure compatibility with protection of natural systems according to the requirements of the applicable permitting authority.

Objective 6:

Manage, conserve, and protect all, natural communities and wildlife, especially species designated of special status by the Florida Fish and Wildlife Conservation Commission, Florida

Department of Agriculture and Consumer Services, and U.S. Fish and Wildlife Service, through the following requirements and site plan review process.

Policy 6.1:

Require innovative techniques for new development to protect wildlife species, through site design methods which direct development away from wildlife, such as buffering, cluster housing, and other methods.

Impacts to the Conservation Element

Dunnellon remains steadfast in protecting and maintaining its Conservation areas. By applying Best Management Practices and diligent implementation of natural resource protection, we can assist in long-term preservation.

INTERGOVERNMENTAL COORDINATION ELEMENT

Goal: To establish processes which respond to the needs for coordination among City, local, regional, state and federal governments and private entities resulting from the implementation of Dunnellon's comprehensive plan and any incompatible goals, objectives and policies proposed in other local, regional or state plans.

Objective 2:

Coordinate the impacts of development proposed in the City's Comprehensive Plan upon development in Marion and Citrus Counties, the region, and the state.

FINDINGS OF FACT:

To determine whether the proposed ordinances are consistent with adopted elements of the adopted Comprehensive Plan, all elements were examined. Consistency has been established with the preceding goals, objectives, and policies.

RECOMMENDATION:

Based on the findings of fact above, the Planning Commission by Resolution RES2020-23 found Ordinance ORD2020-10 consistent with the comprehensive plan and that it meets city code criteria. The Planning Commission recommended City Council approval. The City Council subsequently approved at First Reading on January 11, 2021. The ordinance is presented to the City Council for second reading and consideration of approval.

Mayor White called for public comments.

Councilwoman Kenny and Brenda D'Arville both stated the Planning Commission has vetted this thoroughly.

Wally Dunn, 11386 SW Hendrix Drive, where/how revenue coming back to the City. Chief McQuaig responded from the property tax.

Councilwoman Cabbage addressed the benefits to the City.

Mayor White gaveled down and stated, Gavel Down – “It is now 7:14 p.m. and I close the public hearing held to discuss Ordinance #ORD2020-10 and reopen the February 8, 2021 City Council Meeting.”

Agenda Item No. 7 – Final Reading Ordinance #ORD2020-10, Solar Farms LDR

Mayor White called for public comments. There was none.

Councilwoman Kenny moved Ordinance #ORD2020-10, be read by title only. Vice-Mayor Hanchar 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 #ORD2020-10

An Ordinance Of The City Of Dunnellon, Florida, Amending The Code Of Ordinances, Appendix “A” Of The Land Development Regulation, Section 7.1, “Table Of Permitted Uses” To Include Solar Farms In Service And Public Uses; Amending Section 7.2, “District Use Definitions” To Create A Definition For “Solar Farm”; Amending Section 8.16, “Agricultural (A-1) To Include Solar Farms; Amending Section 8.17, “Public (P)” To Include Solar Farm; Amending Section 9.1, “Special Exceptions” To Add Condition Of Approval For Solar Farms; Providing For Severability, Codification, Conflicts, And An Effective Date.”

Vice-Mayor Hanchar moved Ordinance #ORD2020-10 be approved. Councilwoman Kenny seconded the motion.

Mayor White called for discussion. There was none.

The vote was taken and all members were in favor. The vote was 5-0.

Agenda Item No. 8 – Resolution #RES2021-01, Personnel Manual Amendment Classification and Pay Plan

Mayor White called for public comment. There was none.

Vice-Mayor Hanchar moved Resolution #RES2021-01 be read by title only. Councilwoman Williams seconded the motion. The vote was taken and all member were in favor. The vote was 5-0.

Ms. Roberts read the following into the record:

“Resolution #RES2021-01

A Resolution By The City Council Of The City Of Dunnellon Adopting Personnel Manual Amendments And Changes To Article X, Section 6.1 Pay And Classification Plan And Providing For An Effective Date.”

Mayor White called for public comments. There were none.

Councilwoman Williams moved Resolution #RES2021-01 be approved. Vice-Mayor Hanchar seconded the motion.

Mayor White called for discussion. There were none

The vote was taken and all members were in favor. The vote was 5-0.

Agenda Item No. 9 – Resolution #RES2021-02, Administrative Duties

Chief McQuaig spoke to Ms. Roberts and she will take on the additional duties of the City Administrator.

Mayor White called for public comments.

Wally Dunn, 11386 SW Hendrix Drive, asked if there is any need for this resolution.

Chief McQuaig responded no. Attorney Hand recommended to read by title and then make a motion to table. He will bring back revisions at the next meeting.

Councilwoman Kenny moved Resolution #RES2021-02 be read by title only. Vice-Mayor Hanchar seconded the motion.

Council Break for 5 minutes – 7:47 pm called back to order

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

Ms. Roberts read the following into the record:

“Resolution #RES2021-02

A Resolution Of The City Of Dunnellon, Florida, Reassigning Specified Administrative Duties To The City Clerk During The Present Absence Of A City Administrator For An Indefinite Period Of Time; Providing For Severability, Conflicts, And An Effective Date.”

Vice-Mayor Hanchar moved Resolution #RES2021-02 be tabled indefinitely. Councilwoman Kenny seconded the motion.

Mayor White called for discussion. There was no further discussion.

The vote was taken and all members were in favor. The vote was 5-0.

Staff direction – Mandy will expand her duties and hire an Assistant City Clerk. Chief will report directly to Council. Attorney Hand will bring a new ordinance and ask for feedback at the workshop. He will bring a resolution regarding Chief. Tentatively scheduled after Special Workshop, March 8th & 17th or tentatively for the 22nd.

(Joint meeting on 3/17/21 with Planning Commission, Historic Board and Council at 3:00 p.m.)

Agenda Item No. 10 – Discussion - Police Building

Mayor White provided a brief history of the purchase of the church building earmarked as a police facility and asked what is needed to move forward on retrofit. Chief McQuaig needs Council approval to put out bids for an architect to determine actual cost.

Public Comments:

Burt Eno, 9220 SW 193rd Circle, need architect.

Kathy Dunn, 11386 SW Hendrix Drive, would like to defer the decision to explore Marion County for police service.

Suzanne Eno, 9220 SW 193rd Circle, liked what Kathy said and agreed the City needs more than one plan. She also asked if the current Police Department building is owned by the City.

David Koger, 11983 Palmetto Way, was at the workshop to listen to Chief’s proposal. He said we need to have a functional police department, but need to look at several options. We need estimates to fix up the old building and to move Police Department to the new building.

Juliane Mendonca, 11894 E. Blue Cove Drive, said there are more than 2 options. It’s Councils responsibility to understand the finances. We need the price for what it would cost to be done by the county.

Jon Sharkey, 11579 Osage Road, suggested CRA funds for the parking lot. He has been here a long time, has seen CRA funds evaporate and would like to see it used to improve our City.

Councilwoman Kenny thinks the first step is to find out how much it will cost. If we need a referendum...will need to do it. In the end, it needs to be the people's decision.

Vice-Mayor Hanchar made motion to direct staff to work with Attorney Hand for an RFP. Councilwoman Kenny seconded the motion. The vote was taken. The vote was 4-1 with Councilwoman Cabbage opposing.

Attorney Hand explained the bid process.

Agenda Item No. 11 – Discussion - Nine Island Cove

Councilwoman Cabbage presented. There are 49 acres and they are within the city limits. Kids are utilizing it. RRC developed a plan with the owners. She explained what the "Florida Forever A" listing does and it would get the property bought. The deadline to apply for Florida Forever is April 30th 2021.

Item to be placed on the March workshop agenda.

Agenda Item No. 12 –Council Reports and Comments

Vice- Mayor Hanchar provided an update on Ocala Marion Transportation Planning Organization and the Marion County 2045 Transportation Plan.

Mayor White questioned the time limit for public comments and will have a resolution for next month's agenda.

Agenda Item No. 13 - City Administrator's Report

There was none.

Agenda Item No. 14 - City Attorney's Report

There was none.

Agenda Item No. 15 – Adjourn

At approximately 8:50 p.m. Vice-Mayor Hanchar moved the February 8, 2021 City Council meeting be adjourned. Councilwoman Williams seconded. The vote was taken and all members voted in favor. The motion passed 5-0.

Attest:

Amanda Roberts, CMC
City Clerk

William P. White, Mayor