

**City of Dunnellon Special City Council
Zoom Meeting**

<https://dunnellon.zoom.us/j/93333819210?pwd=V1YrM1BwcjBheVk3OHRYRGlgYlpNUT09>

Webinar ID: 942 7905 0323

Date: March 22, 2021

Time: 4:00 p.m.

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

Dunnellon Special City Council meeting will be held on March 22, 2021 at 4:00 p.m. at Dunnellon City Hall 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, March 22nd. Please see instructions below on how to register.

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 4:05 p.m. and led the Council in the Pledge of Allegiance. Mayor White asked if a citizen would volunteer to open with prayer. Annette Stutzman provided the invocation.

Mayor White called upon the City Clerk to call roll.

Roll Call

Bill White, Mayor, Seat 1

Louise Kenny, Councilwoman, Seat 2- absent

Anita Williams, Councilwoman, Seat 3

Valerie Hanchar, Vice-Mayor, Seat 4

Jan Cabbage, Councilwoman, Seat 5

Staff Present

Teresa Malmberg, Standing in for Mandy Roberts - City Clerk

Chief Mike McQuaig, Police Department

Troy Slattery, Public Works Department

Jan Smith, Finance Department (attending by Zoom)

Julie Danowski, Clerk's Department

Legal Counsel (attending by Zoom)

Andrew Hand,

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

Proof of Publication

Ms. Malmberg announced for the record the agenda for this meeting was posted on the City's website and City Hall bulletin board on Monday, March 15, 2021.

Mayor comments prior to meeting: Please silence cell phones. If you want to speak, please sign up. When you come to the podium state your name and address loudly and clearly. We found people were having difficulty with the audio during zoom. He discussed length and number of times council has been given to speak, and changes he will implement going forward to help streamline the process and shorten meeting length.

Mayor White called for Council comments regarding the agenda.

Councilwoman Hanchar asked everyone to please keep Mandy Roberts our City Clerk in your prayers as her father has passed away.

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

There were none.

Regular Agenda

Agenda Item No. 1 - Resolution #RES2021-06, Supporting Legislation To Repeal The M-CORES Program And Revert Program Funds

Mayor White called for public comments.

Burt Eno, 9220 SW 193rd Circle, said bill SB100 is moving through the senate and it contains a provision to reduce support of the M-CORES and reverting funds back to public use. It still contains a clause which extends of Florida Turnpike northward and he is concerned that it could come through the Halpata preserve and the Rainbow River recharge area. He and the Sierra Club do not support the bill and he encourages council to support and approve the Resolution.

Mayor White called for Council comments.

Councilwoman Hanchar said there are some good points to the bill such as enhancing Highway 19 and increasing GPS details for rural areas but the bill still needs to be tweaked to say "no build".

Councilwoman Cabbage spoke about various groups opposed to this project such as real estate brokers and Forest Farms Forever. She said we should join these groups to show our support. She feels there is a better place for it to be built.

Councilwoman Kenny feels the Resolution should be supported and anything we can do to slow down that piece of legislation is a good thing.

Councilwoman Hanchar moved Resolution #RES2021-06 be read by title only. Councilwoman Kenney seconded the motion. The vote was taken and all members were in favor.
The vote was 5-0

Ms. Malmberg read the following into the record;

“RESOLUTION #RES2021-06

A RESOLUTION OF THE CITY OF DUNNELLON URGING THE GOVERNOR AND STATE LEGISLATURE TO CEASE FUNDING FOR THE MULTI-USE CORRIDORS OF REGIONAL ECONOMIC SIGNIFICANCE (M-CORES) PROGRAM AND SUPPORTING LEGISLATION TO REPEAL THE M-CORES PROGRAM AND REVERT PROGRAM FUNDS.”

Councilwoman Hanchar moved Resolution #RES2021-06 be approved. Councilwoman Williams seconded the motion.

Councilwoman Hanchar recommended we make sure we are sending it to the appropriate players and the rest of Council agreed.

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

Mayor White Gaveled Down and said “It’s now 4:22 p.m. and I close the Special City Council Meeting and open the public hearing to discuss:

Agenda Item No. 2 - Ordinance #ORD2021-01, City Clerk Duties (Posted On The City's Website On February 24, 2021. Public Hearing Advertised On The City's Website On March 4, 2021 And Advertised In The Riverland News On March 11, 2021)

Ms. Malmberg read the following into record:

Public Hearing Statement

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 public comments

Ms. Malmberg read the following email into record:

Keith Baxter, via Email, 11855 E. Blue Cove: The proposed ORD2021-01 states that the Council has "...ultimate authority to permanently appoint and terminate department heads..." As used here, the word "ultimate" is variously defined as "being at the end of a process" and "final result."

The proposed ordinance also includes the sentence: "The city clerk shall be responsible for making recommendations to the City Council for permanent department head appointments and terminations."

In regards to terminations, this language assigning responsibility to the city clerk for recommendations could be interpreted as the responsibility to INITIATE terminations - with the Council responsible for acting on the recommendations to make the final decisions.

Therefore, the ordinance must specifically state that the Council may initiate a termination in order to remove any doubt or debate.

No further comments from the public.

Mayor White called for Council comments

Heavy discussion followed with reference to the wording of the Ordinance and what that wording meant for the actual responsibilities of the City Clerk. Councilwoman Kenny raised concerns regarding department head suspensions and the complexity of the language in the Ordinance.

Attorney Hand and Ms. Malmberg each offered clarifying data, stating the Ordinance and the Human Resource policy doesn't allow for a single person to make a decision about department head hiring or termination, but does allow for the City Clerk to initiate a suspension in the event a person has been found to have done something egregious enough to warrant it such as theft.

Mayor White addressed the question from Mr. Baxter and said the final decision is with the Council, but it sounded like the question is who initiates the process, Council or City Clerk. He believed either could and Attorney Hand confirmed the same.

Further discussion included Councilwoman Hanchar reiterating her concern about hiring and firing being handled by a Council who has no Human Resource professionals and Councilwoman Williams reiterating her belief that the City Clerk has the training and knowledge and the duty should lie with her.

Mayor White finished the discussion by saying Council is defining a position not deciding whether or not the current person is qualified. He added the City Clerk will still lead and handle all the Human Resource processes. It is only the final determination that will go to Council.

Mayor White Gaveled down and said "It is now 4:55 p.m. and I close the public hearing held to discuss Ordinance #ORD2021-01 and reopen the March 22nd Special City Council Meeting."

Agenda Item No. 3 – Final Reading Ordinance #ORD2021-01 City Clerk Duties

Mayor White called for public comments:

There were none.

Councilwoman Kenny moved Ordinance #ORD2021-01 be read by title only. Councilwoman Cabbage seconded the motion. The vote was taken and passed 5-0.

Ms. Malmberg read into record:

“ORDINANCE#ORD2021-01

AN ORDINANCE OF THE CITY OF DUNNELLON, FLORIDA, AMENDING CHAPTER 2 – ADMINISTRATION, ARTICLE III – OFFICERS AND EMPLOYEES, DIVISION 2 – CITY MANAGER AND CREATING DIVISION 3 – FINANCE OFFICER, OF THE CODE OF ORDINANCES OF THE CITY OF DUNNELLON; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.”

Councilwoman Kenny moved Resolution #RES2021-01 be approved. Councilwoman Cabbage seconded the motion. The vote was taken and passed 3-2. Councilwoman Hanchar and Williams opposed.

Agenda Item No. 4 – Nine Island Cove

Mayor White called for public comments.

There were none.

Councilwoman Kenny moved to approve the Nine Island Cover Florida Forever A List application and authorize the Mayor to sign the Management Prospectus and letter of endorsement supporting the application. I further move that Council authorize Rainbow River Conservation Group to submit the same to the State of Florida for consideration. Councilwoman Cabbage seconded the motion.

Mayor White called for Council comments.

There was brief discussion between Council members. Those opposed feel the City staff should be able to review the prospectus to determine if staffing is available to support a new park, and the need for proof the property owners support it as well. Those in favor said a broker is involved with the property owners and they continue to be on board with the process and said this is only the first step and no further discussion will be needed if and until the properties are approved for the Florida Forever program. Mayor White added that 36 people came to speak at the workshop held over a year ago and only 5 were opposed to the plan. The vote didn't pass then but it was close.

The vote was taken and passed 3/2. Vice-Mayor Hanchar and Councilwoman Williams Opposed.

Ms. Malmberg added a side note regarding M-CORES. She said the meeting is in a couple weeks and she'll attest the Resolution it tonight if it is ready.

Agenda Item No. 5 – Roads and Streets Improvement Program Presentation

Mayor White said Troy has put hours into this presentation regarding roads which have not been tended to due to financial concerns. There was discussion with Jan Smith from Finance regarding fixing versus new.

Troy Slattery began his PowerPoint presentation by stating the City has never published a Master Plan for road improvements or restorations. He also shared Marion County Capital Improvement revenue is down 75.3% leaving a total revenue of \$48,000 annually. The goal is to establish a professional Master Plan, a priority listing of road improvements needed and to identify funding for sustainability. He introduced Alan Gari with Kimley-Horn who is in attendance in the event of engineering questions.

There is an estimated 19.5 miles of City owned roads, 15 of which are paved. Those unpaved and unimproved are 3rd Ave., a portion of Palm St. and Elm Street. Dunnellon Heights has 4.5 miles of unpaved roads and has been talked about for 23 years. Now there are 14 new homes in the area. He also covered areas of roads on private property that are not maintained by the City. He followed with a series of street photos highlighting the damages and serious needs.

In the next section he covered estimated costs which were calculated utilizing data from the current downtown CDBG project, FDOT future projections and projects occurring in Citrus County. Reclamation and restoration is approximately \$488,520 per mile, and upgrading from dirt to paved roads is approximately \$900,000. Estimates will fluctuate depending on the needs of each road such as storm water, curbing, etc.

He suggested funding options such as 5th cent gas tax, various Grants and Special Assessments. Discussion was exchanged between Ms. Smith from Finance, Mayor White and Mr. Slattery about current funds.

Mr. Slattery completed the presentation by suggesting where the City should go from here. He said we should apply for a DEO grant during the next cycle to fund an engineering roadway study, we should use the SWFWMD Grant results to aid in the analysis and consideration of roads with storm water impacts. And finally, create a consistent policy of criteria a road must meet prior to it being budgeted for improvement. He would like to see this worked on annually with the goal of the entire City being repaved within 15 years.

Mayor White called for Council comments

Councilwoman Hanchar asked Ms. Malmberg if the road where the new Baptist church is being built will be part of their development plan as it will need to be widened and they, along with the pumpkin patch, are contributing to road deterioration. She also asked if there will be a traffic study, and if Mr. Slattery will be included in the application approval process so he can coordinate with them on repairs.

Ms. Malmberg replied there are requirements in the land development code that may drive them to include certain road improvements, a traffic study is required, and Mr. Slattery is already included in the process.

Mayor White and Mr. Slattery conversed about limited funds and where to use them to get the most bang for the buck along with the vastness of the repairs needed. Alan with Kimley-Horn will provide a quote for Ohio, Cedar and St.Patrick Streets within 30 days in the hopes to have the approval process complete by end of April so that paving could begin by June or July.

Councilwoman Hanchar and Mr. Slattery conversed about grants and the possibility of coordinating with the Solar Farm coming to the area.

Council finished with discussion about heavy trucks going down the current fragile roads, the possibility of weight restrictions and the need to prevent them from tearing out newly paved roads in the future.

Agenda Item No. 6 – Adjourn

In closing, Mayor White said the City Administrator duties have now passed to Mandy Roberts and the Chief is once again the Chief of Police. He thanked the Chief and spoke of the integrity and support Chief McQuaig offered voluntarily to assist the City during a very tumultuous period while asking for nothing in return and continuing his normal duties as Chief of Police. The Chief was indispensable in reconnecting the dots when we needed a stabilizing force. The City couldn't have done it without him.

At approximately 6:12 p.m. Vice-Mayor Hanchar moved the March 22, 2021 Special City Council meeting be adjourned. Councilwoman Cabbage seconded the motion. 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