

MASTER

CITY OF DUNNELLON CITY COUNCIL MEETING

DATE: February 8, 2016
TIME: 5:30 p.m.
PLACE: City Hall
20750 River Dr., Dunnellon, FL 34431

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Whitt called the meeting to order at approximately 5:36 p.m. and led the Council in the Pledge of Allegiance. Tom Welch provided the invocation.

ROLL CALL

The following members answered present at roll call:

Nathan Whitt, Mayor, Seat 1
Vacant, Vice-Mayor, Seat 2
Chuck Dillon, Councilman, Seat 3
Walter Green, Councilman, Seat 4
Penny Fleeher, Councilwoman, Seat 5 (arrived at 6:00 p.m.)

STAFF PRESENT

Eddie Esch, City Manager
Dawn Bowne, City Clerk
Jan Smith, Finance Officer
Lt. Todd Spicher, MCSO
Lynn Wyland, Staff Assistant

STAFF ABSENT

Lt. Troy Slattery, Interim Fire Chief

LEGAL COUNSEL

Andrew Hand
Shepard, Smith & Cassidy

PROOF OF PUBLICATION

Mrs. Bowne announced for the record the agenda for this meeting was posted on the City's website and City Hall bulletin board on Friday, February 5, 2016.

Mayor Whitt called for public comments on agenda items only.

There were none.

CONSENT AGENDA:

1. City Council Workshop Minutes
December 9, 2015

2. City Council Minutes
January 11, 2016
3. Approve Proclamation #PRO2016-02, Engineers Week
4. Appoint William Maguire to an Unexpired Term as a 2nd Alternate of the Planning Commission Effective 2/8/2016; Term to Expire 10/11/2016
5. Re-Appoint Dane Myers to a Three-Year Term as a Regular Member of the Historic Board Effective 1/14/2016; Term to Expire 1/14/2019
6. Re-Appoint Linda Fernandez to a Three-Year Term as a Regular Member of the Historic Board Effective 1/14/2016; Term to Expire 1/14/2019
7. Re-Appoint Wilbur VanWyck to a Three-Year Term as a Regular Member of the Planning Commission Effective 1/14/2016; Term to Expire 1/14/2019
8. Authorize Staff to Apply for Grants for the 125th Anniversary Park and Authorize Mayor to Sign any Documents Required by Entities Authorizing Such Application

(Note: Motion to approve items on the consent agenda is a motion to approve the recommended actions.)

Councilman Dillon moved the consent agenda be approved as presented. Councilman Green seconded the motion and all were in favor. The vote was 3-0.

REGULAR AGENDA

AGENDA ITEM NO. 9 – SPECIAL PRESENTATION BY DUNNELLON CITY COUNCIL TO THE COMMUNITY THRIFT SHOP

Mayor Whitt presented a certificate of appreciation to Karen Keen and Beverly Carroll of the Dunnellon Community Thrift Shop, which he read:

“Presented to Dunnellon Community Thrift Shop. In recognition of and appreciation for your contribution to ensure the safety of our first responders & the general public. Dunnellon City Council and Dunnellon Volunteer Fire Rescue, Inc., February 8th, 2016.”

AGENDA ITEM NO. 10 – PRESENTATION OF PROCLAMATION #PRO2016-02, ENGINEERS WEEK – AMBER GARTNER WITH FOREST CHAPTER OF THE FLORIDA ENGINEERING SOCIETY

Mayor Whitt read the following into the record:

**“PROCLAMATION #PRO2016-02
National Engineers Week**

WHEREAS, National Engineers Week, founded in 1951 by the National Society of Professional Engineers, is always celebrated at the time of George Washington's birthday in February because he was our first president and a military engineer; and

WHEREAS, Engineers use their scientific and technical skills to the advancement and betterment of human welfare; and

WHEREAS, Engineers are dedicated to ensuring a diverse, vigorous and well educated workforce by increasing interest in engineering and technology oriented careers; and

WHEREAS Engineers are encouraging our young math and science students to realize the practical power of their knowledge; and

WHEREAS National Engineers Week promotes the importance of high level of math, science and technology literacy, and motivates youth to pursue engineering careers; and

WHEREAS, the theme of National Engineers Week in 2016 is "Let's Make a Difference";

NOW THEREFORE, the City of Dunnellon, Florida, does hereby proclaim February 21-27, 2016, as

ENGINEERS WEEK

PASSED AND PROCLAIMED this 8th day of February 2016."

Amber Gartner, President of the Florida Engineering Society and an employee of Kimley-Horn, accepted the proclamation.

AGENDA ITEM NO. 11 – QUASI-JUDICIAL HEARING – APPLICATION #PZ1516-024 BY ROBERT JEWETT – ANGLER'S RESORT MOTEL FOR VARIANCE #VAR2016-01 LOCATED AT 12189 S. WILLIAMS STREET (Notification to Applicant and Adjacent Property Owners on 1/22/16)

Mayor Whitt stated, "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."

Mayor Whitt gavelled down and stated, "It is now 5:47 p.m. and I close the regular meeting and open the quasi-judicial hearing to discuss:

Application #PZ1516-024 for Variance #VAR2016-01 Approval, Notification to Applicant by Email and Mail and Adjacent Property Owners by Mail on 1/22/2016.

At the conclusion of this hearing, the City Council of the City of Dunnellon will make a decision whether or not to approve Variance #VAR2016-01 for Application #PZ1516-024.

All witnesses sworn in and all evidence presented under oath will be subject to cross-examination. All persons presenting evidence will state their name and residence address for the record. All documentary evidence will be marked as an exhibit and maintained as a part of the record if accepted by the board.

The applicant is seeking a variance for off-street parking for Angler's Resort Motel.

The Planning Commission heard this request on February 2, 2016 and found the application to be consistent with the Comprehensive Plan and recommended approval with provisions."

Mayor Whitt asked the City Attorney to swear in the witnesses.

Attorney Hand asked all who wish to present evidence to stand at the same time and he administered the oath.

Mayor Whitt asked Council members for any disclosure of contact, ex-parte communications or other evidence. Councilman Green and Mayor Whitt stated they had none. Councilman Dillon said he talked to Mr. Esch, Lonnie Smith, Attorney Cassady and the owners to better understand the request. Attorney Hand asked Councilman Dillon if any of the ex-parte communications would prejudice him in any way from making a fair and impartial decision based on what he hears tonight. Councilman Dillon replied no.

Mr. Smith reviewed the following staff report:



**CITY OF DUNNELLON
STAFF REPORT**

APPLICATION INFORMATION

DATE OF HEARING: February 2, 2016

REQUEST FOR APPROVAL OF: Variance from Off-Site Parking distance requirement

PUBLIC HEARING: Quasi-Judicial

PROJECT NAME: Angler's Resort Motel

PROJECT NUMBER: PZ1516-024 / VAR 2016-01

PROJECT REPRESENTATIVE(S):
Applicant: Robert Jewett
Property Owner: Robert Jewett

PROPERTY LOCATION:
Project Address(es): 12189 S. Williams Street
Dunnellon, FL 34432
Parcel ID Number(s): 34222-000-00

PARCEL SIZE: .92 Acres

EXISTING FUTURE LAND USE MAP: Commercial

EXISTING ZONING: B-3/B-6

EXISTING USE: Motel

STAFF EVALUATION AND FINDINGS

1. REQUEST:

- The Applicant seeks a variance from Article V Section 5.2(1) of the City Code to allow off-street parking on land greater than 300'(ft) from the plot.

2. REVIEW REQUIREMENTS:

Variations: In accordance with City Code Chapter 94, Article II, Section 94-37(11) the Planning Commission's powers and duties regarding requests for variations are as follows:

- a. The commission may recommend to the city council approval of a request for a variance from the terms of the relevant ordinance as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions of the ordinance would result in unnecessary and undue hardship. Hardship means an unreasonable burden that is unique to a parcel of property, such as peculiar physical characteristics. Economic problems may be considered but may not be the sole basis for finding the existence of a hardship.
- b. In order to recommend a variance from the terms of the relevant ordinance, the commission must find that:
 1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
 2. The special conditions and circumstances do not result from the actions of the applicant.
 3. Granting the variance requested will not confer on the applicant any special privilege that is denied by ordinance to other lands, buildings, or structures in the same zoning district.
 4. Literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.
 5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
 6. The grant of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The applicant must meet all six (6) criteria above in order to be granted the variations sought.

3. BACKGROUND:

The Motel was built in 1957 and operated as a 9 unit motel for many years. The owner recently obtained a demolition permit from the City and did demolish the motel. Because the owner wishes to replace the motel with a structure of the same outer dimensions (footprint) as the existing building, an application for a site plan was submitted to the City. The Planning Commission approved the site plan with conditions on December 22, 2015. The new motel will be redesigned internally to allow for 12 sleeping rooms instead of 9.

The City Council held a public hearing on the site plan on January 11, 2016 and approved the site plan with conditions. To accommodate the existing business parking deficiency as well as the additional 3 spaces required for the new motel, one of the conditions imposed by the City Council was that the owner must seek off-street parking from a local property owner for an additional 26 spaces.

The owner has secured an agreement with a local business proprietor to provide the 26 spaces;¹ however, as shown on the map below, the location of the aforementioned spaces exceeds the distance limit set forth in Article V Section 5.2(1) of the City Code, which reads: "*The off-street parking facilities shall be provided on land within 300 feet of the plot.*"

The owner intends to shuttle the patrons to and from this off-site parking area as has been the practice from other public parking areas to date.

4. COMPREHENSIVE PLAN:

FUTURE LAND USE ELEMENT GOALS, OBJECTIVES, AND POLICIES

Policy 1.4:

The Commercial land use category includes retail, entertainment, eating establishments, offices, medical facilities, personal services, trade services, wholesale and discount establishments, storage facilities, lodging establishments, recreational vehicle parks, fueling facilities, rental establishments, religious facilities, and facilities for repair and maintenance of vehicles and equipment. The maximum impervious surface is 65 percent and the maximum building height is forty (40) feet.

The subject property is located in the land use designation of Commercial. The Zoning classification is B-3 and is one of the permitted classifications in this land use category. The nature and type of building development is not considered inconsistent with the comp plan.

5. REVIEW OF APPLICATION:

Relevant Sections of the Code

- *Land Development Code, Appendix A, Article V Section 5.2(1)- Location, character and size*
1) The off-street parking facilities required by this article shall be located on the same plot or parcel of land they are intended to serve, provided, however, when practical difficulties, as determined by the zoning director, prevent the establishment of such facilities on the same plot, the off-street parking facilities shall be provided on land within 300 feet of the plot.

Applicant is seeking an allowance for greater than 300 feet for off-street parking as opposed to the required 300 foot maximum.

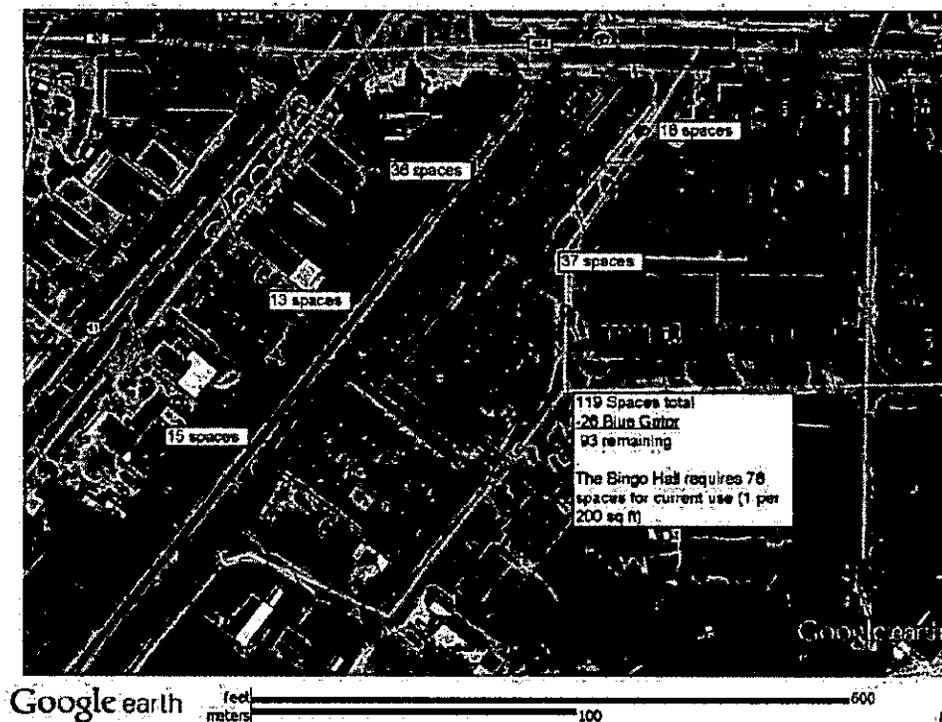
¹ Per the conditions set by City Council, the shared parking agreement must be approved in form and substance by the City Attorney and filed in public records. This has not yet occurred.

Map showing both locations and the approximate distance between the owner's business and the property which will accommodate 26 extra parking spaces:



- **Section 5.4. - Combined off-street parking.**
Nothing in this article shall be construed to prevent collective provision for, or joint use of, off-street parking facilities for two or more buildings or uses by two or more owners or operators, provided that the total of such parking spaces shall not be less than the sum of the requirements of the several individual uses computed separately in accordance with this article.

Applicant has contracted with the owner of the local Bingo Hall to provide 26 parking spaces from his surplus.



6. FINDINGS OF FACT

1. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

Response: There are no available sites within 300 ft of the subject property which can accommodate the owner's 26 deficient off-street parking spaces. Without the variance, the subject property will incur a hardship, and the owner will be unable to continue his businesses on the property.

2. The special conditions and circumstances do not result from the actions of the applicant.

Response: The applicant's actions have not created the lack of suitable parking areas within 300 ft of the plot. The current businesses have previously been approved by the City.

3. Granting the variance requested will not confer on the applicant any special privilege that is denied by ordinance to other lands, buildings, or structures in the same zoning district.

Response: The applicant will receive no special privileges as a result of granting the requested variance.

4. Literal interpretation of the provisions of the ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would work unnecessary and undue hardship on the applicant.

Response: The applicant, without this variance, would be severely impacted financially and be unable to rebuild the motel that had existed in that location for over 58 years.

5. The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

Response: The variance requested is the minimum to allow the reasonable use of this property. There are no qualifying parking areas any closer to the subject property than the one contracted.

6. The grant of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

Response: The requested variance does not pose any injury to the area as the variance will help alleviate traffic congestion in the existing parking lot. The off-site location currently has excess parking available and therefore will not be negatively impacted by the additional parking activity. A well-established shuttle service will allow effective use of the parking facility and continue to protect the public welfare.

7. **STAFF RECOMMENDATION:**

Staff recommends the Planning Commission recommend City Council approve the requested variance as presented.

Granting the variance will not be inconsistent with the Comprehensive Plan.

Mr. Esch explained there is a difference in the development order and he wanted to explain the change to the members of the Planning Commission who are present at this meeting the change. He said there was an issue regarding a lease between Blue Gator and whomever

Mr. Jewett was going to lease the parking spaces from. He said when the Planning Commission approved the variance, the lease terms were part of the approval. He said in the development order, some lease terms have been altered/changed with additional provisions to add security and not burden or encumber the lessor's property. He stated it's different but serves the same purpose.

Mayor Whitt said it was edited to benefit the property owner so they are not encumbered in case there was a change in the property.

Councilman Dillon asked the owner, Mr. Jewett, if he was comfortable with the development order.

Mr. Jewett replied yes.

Councilman Dillon asked Attorney Hand when a building permit could be issued.

Attorney Hand replied the development order becomes a legal document upon approval.

Mayor Whitt asked if there was any further presentation by applicant. There was none.

Mayor Whitt called for presentation of evidence from the public. There was none.

Mayor Whitt gaveled down and said, "It is now 6:05 p.m. and I close the Quasi Judicial hearing held to discuss variance approval (#VAR2016-01) as part of Application PZ1516-024, and reopen the February 8th council meeting."

Councilwoman Fleeger arrived at the meeting approximately 6:00 p.m.

Attorney Hand asked Councilwoman Fleeger if she had any ex-parte communication. She stated she had none.

AGENDA ITEM NO. 12 – CONSIDERATION OF DEVELOPMENT ORDER #DOR2016-01, REQUEST FOR APPROVAL OF VARIANCE #VAR2016-01, ANGLER'S RESORT MOTEL APPLICATION PZ1516-024 12189 S. WILLIAMS ST

Councilman Dillon moved to approve the Development Order #DOR2016-01, request for approval of Variance #VAR2016-01 Angler's Resort Motel application PZ1516-024, 12189 S. Williams Street. Councilman Green seconded the motion.

Councilman Green discussed Item 18 on Page 3 of the Shared Parking Agreement.

Mr. Esch stated the Shared Parking Agreement is no longer valid. The development order provided an alternative method of addressing the off-site parking issue.

Attorney Hand explained the agreement was suggested by Attorney Cassidy if the Development order was not written the way it is reads now. He said the Shared Parking Agreement is part of Council's packet, but is no longer relevant. Attorney Hand said it is not part of the Development order as written.

Councilman Dillon said he thinks the language is fine.

Mrs. Bowne explained the Council's backup documents. She said the documents in Tab 11 provided the history of what was submitted for the variance. The documents in Tab 12 are the decision making process.

Mayor Whitt asked if there was further discussion. There was none.

The vote was taken and all were in favor. The vote was 4-0.

The Development order was executed, notarized and a copy was provided to the owners to allow them to move forward with the building permit.

AGENDA ITEM NO. 13 – AGREEMENT #AGR2016-12 WITH GWP CONSTRUCTION, INC AND NOTICE TO PROCEED FOR CHOICE HOTEL WATER MAIN EXTENSION

Councilman Dillon moved the Mayor be authorized to sign Agreement #AGR2016-12 with GWP Construction, Inc. and Notice to Proceed for the Choice Hotel Water Main extension project. Councilman Green seconded the motion.

Council and staff engaged in brief discussion regarding the location of the water main extension.

The vote was taken and all were in favor. The vote was 4-0.

AGENDA ITEM NO. 14 – STATEMENT OF NET POSITION – PRESENTATION OF FINANCIAL BALANCE SHEET – JAN SMITH

Mrs. Smith provided the following PowerPoint presentation:

CITY OF DUNNELLON, FLORIDA
STATEMENT OF NET POSITION
JANUARY 31, 2016
UNAUDITED

	General Fund	Tax Increment Financing District Fund	Total
Assets			
Cash and investments	\$ 2,340,962	346,869	\$ 2,687,831
Accounts Receivable-net	20,545		20,545
Other assets	100	-	100
Capital assets, tot being depreciated	3,210,071	-	3,210,071
Capital assets, being depreciated	4,177,011	-	4,177,011
Less accumulated depreciation	(2,929,251)	-	(2,929,251)
Total assets	<u>6,819,438</u>	<u>346,869</u>	<u>7,166,307</u>
Liabilities			
Accounts payable	2,709	-	2,709
Deferred revenue	612	-	612
Long-term liabilities:			
Due within one year	254,585	-	254,585
Due in more than one year	2,921,564	-	2,921,564
Total liabilities	<u>3,179,470</u>	<u>-</u>	<u>3,179,470</u>
Net Position			
Invested in capital assets, Net of related debt	4,457,831	-	4,457,831
Restricted for:			
Debt service	14,583	-	14,583
Infrastructure	56,247	-	56,247
Roads and streets	1,546,931	-	1,546,931
Public safety	65,313	-	65,313
Cemetery perpetual care	47,930	-	47,930
Tree Fund	373	-	373
Emergency reserve	2,597	-	2,597
Assigned for:			
Capital projects	156,748	-	156,748
Restricted		346,869	346,869
Unrestricted	(2,708,585)	-	(2,708,585)
Total Net Position	<u>\$ 3,639,968</u>	<u>\$ 346,869</u>	<u>\$ 3,986,837</u>

CITY OF DUNNELLON, FLORIDA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
JANUARY 31, 2016
UNAUDITED

	Business-Type Activities		
	Water Fund	Sewer Fund	Total
Assets			
Current Assets			
Cash and Investments	\$ 253,004	\$ 221,751	\$ 474,755
Accounts Receivable-Net	(56,111)	103,661	47,550
Total Current Assets	<u>196,893</u>	<u>325,412</u>	<u>522,305</u>
Restricted Assets			
Cash:			
Utility Deposit Cash	124,114	-	124,114
Water capital improvement funds	3,792	-	3,792
Sewer capital improvement funds		42,628	42,628
Emergency reserve	4,184	2,667	6,851
Revenue bond proceeds	930,821	524,962	1,455,783
Debt Service - State Revolving Loan	-	33,893	33,893
Debt Service - Revenue Bonds	314,776	311,409	626,186
Total Restricted Assets	<u>1,377,687</u>	<u>915,561</u>	<u>2,293,248</u>
Utility Plant In Service			
Cost of Capital Assets	6,063,795	25,592,204	31,656,000
(Accumulated Depreciation)	(1,853,892)	(5,645,601)	(7,499,492)
Construction in Progress	86,000	102,747	188,747
Total Utility Plant In Service - Cost	<u>4,295,904</u>	<u>20,049,350</u>	<u>24,345,254</u>
Less Depreciation			
Deferred outflows of resources			
Bond Issuance Costs (Net of Amortization)	<u>31,436</u>	<u>33,445</u>	<u>64,881</u>
Total Assets	<u>\$ 5,901,919</u>	<u>\$ 21,323,768</u>	<u>\$ 27,225,688</u>

**CITY OF DUNNELLO, FLORIDA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
JANUARY 31, 2016
UNAUDITED**

	Business-Type Activities		
	Water Fund	Sewer Fund	Total
Liabilities and Net Assets			
Current Liabilities, Unrestricted			
Payable from Current Assets:			
Accounts, Wages and Retainage Payable	\$ (555)	-	\$ (555)
Compensated Absences - Due Within One Year	49,996	57,659	107,655
Total Current Liabilities, Unrestricted	<u>49,441</u>	<u>57,659</u>	<u>107,100</u>
Current Liabilities, Restricted			
Payable from Restricted Assets:			
Customer Deposits	124,114	-	124,114
Revenue Bonds Payable - Due Within One Year	-	-	-
Total Current Liabilities, Restricted	<u>124,114</u>	<u>-</u>	<u>124,114</u>
Total Current Liabilities	<u>173,555</u>	<u>57,659</u>	<u>231,214</u>
Long-term Liabilities			
Revenue Bonds - Noncurrent Portion	5,815,490	6,496,185	12,311,675
State Revolving Loan	-	13,887	13,887
Settlement Payable	93,280	118,720	212,000
OPEB payable	5,520	5,520	11,041
Compensated Absences - Noncurrent Portion	26,921	31,047	57,968
Total Long-term Liabilities	<u>5,941,211</u>	<u>6,665,359</u>	<u>12,606,570</u>
Total Liabilities	<u>6,114,767</u>	<u>6,723,018</u>	<u>12,837,784</u>
Net Position			
Invested in Capital Assets, Net of Related Debt	248,305	19,082,133	19,330,438
Restricted for Debt Service	314,776	187,311	502,087
Restricted for bond financed capital projects	930,821	524,962	1,455,783
Unrestricted	(1,706,750)	(5,193,656)	(6,900,406)
Total Net Position (Deficit)	<u>(212,848)</u>	<u>14,600,750</u>	<u>14,387,902</u>
Total Liabilities and Net Position	<u>\$ 5,901,919</u>	<u>\$ 21,323,768</u>	<u>\$ 27,225,688</u>

Council and staff engaged in lengthy discussion regarding the water/sewer fund and repayment of bond debt.

Councilman Dillon requested placing an item on the next workshop agenda to discuss the repayment of funds to the water/sewer fund and bond debt.

Councilman Green directed staff to provide Attorney Hand a copy of the note to review.

AGENDA ITEM NO. 15 – AMENDMENT TO AGREEMENT #AGR2012-68, RIO VISTA WASTEWATER DECOMMISSIONING

Councilman Green moved to authorize the Mayor to sign Amendment #3 to Agreement #AGR2012-68–FDEP Grant Agreement #SG420900. Councilman Dillon seconded the motion. Mayor Whitt called for discussion.

Mr. Esch explained this document represents the final closeout documents from FDEP for the Rio Vista Wastewater Decommissioning project. He said the project costs came in less than the grant amount of \$938,206 and this amendment is adjusting the total cost of the project to \$914,294. He stated FDEP requires the execution of this amendment to close out the grant.

The vote was taken and all were in favor. The vote was 4-0.

AGENDA ITEM NO. 16 – FIRST READING OF ORDINANCE #ORD2016-02, MYERS REZONING #REZ2015-02, APPLICATION PZ1516-022, 20799 WALNUT ST.

Councilman Dillon moved Ordinance #ORD2016-02 be read by title only. Councilman Green seconded the motion. The vote was taken and all were in favor. The vote was 4-0.

Mrs. Bowne read the following into the record:

“ORDINANCE #ORD2016-02

AN ORDINANCE OF THE CITY OF DUNNELLO, FLORIDA; CHANGING THE ZONING CLASSIFICATION FROM RESIDENTIAL BUSINESS OFFICE (RBO) TO CENTRAL BUSINESS (B-3) OF THAT PARCEL (LOT 1846) COMPRISING .14 ACRES LOCATED AT THE NORTHEAST CORNER OF THE WALNUT STREET AND CEDAR STREET INTERSECTION; PROVIDING DIRECTIONS TO THE CITY MANAGER; PROVIDING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.”

Councilman Dillon moved Ordinance #ORD2016-02 be approved. Councilman Green seconded the motion.

Mayor Whitt called for discussion.

Mrs. Bowne advised Council this is a Quasi-Judicial process. She said Council normally would wait to discuss details of case during the quasi-judicial hearing.

Attorney Hand stated Council can have discussion tonight, but they would be obligated to disclose in the ex-parte communication at the hearing.

Councilman Dillon recommended Planning Commission look at the uses and expanding them in the RBO district.

Council engaged in brief discussion.

The vote was taken and all were in favor. The vote was 4-0.

AGENDA ITEM NO. 17 – APPROVE RESOLUTION #RES2016-04, SOUTH LEVY RECREATION AREA

Councilman Green moved Resolution #RES2016-04 be read by title only. Councilman Dillon seconded the motion. The vote was taken and all were in favor. The vote was 4-0.

Mrs. Bowne read the following into the record:

“RESOLUTION #RES2016-04

A RESOLUTION OF THE CITY OF DUNNELLO, FLORIDA, SUPPORTING PROPOSALS FOR THE SOUTH LEVY RECREATIONAL AREA IMPROVEMENTS IN AND AROUND THE CROSS FLORIDA BARGE CANAL AND SURROUNDING REGIONS; RECOGNIZING THE RESULTING OPPORTUNITY FOR COOPERATION BETWEEN THE TOWN OF INGLIS, THE TOWN OF YANKEETOWN, LEVY COUNTY AND CITRUS COUNTY REGARDING THE SAME; APPROVING SUCH COOPERATION IN CONCEPT; AND PROVIDING AN EFFECTIVE DATE.”

Councilman Dillon moved Resolution #RES2016-04 be approved. Councilman Green seconded the motion. Mayor Whitt called for discussion.

Councilman Dillon wanted to reiterate that this resolution does not encumber any funds from the City of Dunnellon.

Mayor Whitt stated this resolution only expresses Council’s support and approval of the concept. He emphasized the coalition is not asking for funding; they want to include the City of Dunnellon only as a partnership.

The vote was taken and all were in favor. The vote was 4-0.

AGENDA ITEM NO. 18 – APPROVE RESOLUTION #RES2016-05, SURPLUS PROPERTY

Councilman Dillon moved Resolution #RES2016-05 be read by title only. Councilman Green seconded the motion. The vote was taken and all were in favor. The vote was 4-0.

Mrs. Bowne read the following into the record:

“RESOLUTION #RES2016-05

A RESOLUTION OF THE CITY OF DUNNELLON, FLORIDA, DECLARING CERTAIN PROPERTY AS SURPLUS AND PROVIDING FOR DISPOSAL THEREOF.”

Councilman Dillon moved Resolution #RES2016-05 be approved. Councilman Green seconded the motion. Mayor Whitt called for discussion. There was none.

The vote was taken and all were in favor. The vote was 4-0.

AGENDA ITEM NO. 19 – COUNCIL LIAISON REPORTS AND COMMENTS

Councilman Dillon and staff engaged in discussion regarding the purchase of tires for the fire truck with donated funds. Mrs. Smith explained the finance/accounting process for this type of transaction.

Mayor Whitt stated he was approached by Marion County’s TPO committee to serve as liaison for the City. Council and staff engaged in discussion regarding the procedure for appointing liaisons to different committees. Council agreed there is an urgency to address the liaison appointments, particularly the TDC, Chamber of Commerce and the BMAP. Council agreed to address these at the next workshop.

Councilman Green invited all to participate in the Friends of Dunnellon’s annual clean-up project at the Community Civic Club Cemetery on February 20, 2016 from 9:00 a.m. to 1:00 p.m.

AGENDA ITEM NO. 20 – CITY MANAGER’S REPORT

Council and staff engaged in brief discussion regarding the following:

- Cemetery/Annexation
- Tour boat docked at Swampy’s Restaurant
- Surplus refund
- FMIT-FLOC Annual audit
- Upcoming Charter amendments regarding Supervisor of Election.

Mr. Esch provided his report on the following:

- Special Planning Commission meeting on Friday, February 19, 2016, at 5:30, with a presentation provided by Ken Metcalf, Planning Consultant for the Comprehensive Plan
- Stakeholder meeting will be held on February 18, 2016 with Marion County School Board
- Police Chief interviews to be held on February 12th and 15th
- City Hall closing on March 2nd and 3rd for records management
- Lengthy call with Mr. Metcalf regarding annexation east of town near the airport

Council and staff engaged in brief discussion regarding the updating of the City's Fee Structure.

AGENDA ITEM NO. 21 –CITY ATTORNEY'S REPORT

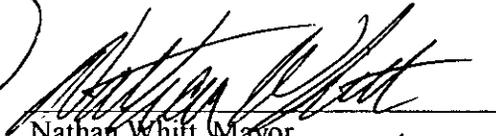
Attorney Cassady stated the Oral Argument is scheduled for March 10, 2016 for the Rainbow River Ranch case.

AGENDA ITEM NO. 21 – ADJOURNMENT

At approximately 7:47 p.m. Councilman Dillon moved the February 8, 2016 City Council meeting be adjourned. Councilwoman Fleeger seconded. All members voted in favor. The motion passed 4-0.

Attest:


Dawn Bowne, MMC
City Clerk


Nathan Whitt, Mayor