

CITY OF DUNNELLON  
CITY COUNCIL MEETING

# MASTER

DATE: July 11, 2016  
TIME: 5:30 p.m.  
PLACE: City Hall  
20750 River Dr., Dunnellon, FL34431

### **CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

Mayor Whitt called the meeting to order at approximately 5:40 p.m. and led the Council in the Pledge of Allegiance. Mayor Whitt asked if a citizen would volunteer to open with prayer. John Taylor, former Mayor, provided the invocation.

### **ROLL CALL**

The following members answered present at roll call:

Nathan Whitt, Mayor, Seat 1  
Larry Winkler, Councilman, Seat 2  
Chuck Dillon, Councilman, Seat 3  
Walter Green, Vice-Mayor, Seat 4  
Richard Hancock, Councilman, Seat 5

### **STAFF PRESENT**

Dawn Bowne, Interim City Manager/City Clerk  
Jan Smith, Finance Officer  
Mike McQuaig, Police Chief  
Troy Slattery, Fire Chief  
Lynn Wyland, Staff Assistant

### **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, July 8, 2016. Agenda Item #10 was modified to add the staff report.

### **Mayor Whitt's comments**

Mayor Whitt requested to move to Agenda Item #9, Special Presentations to the beginning of the meeting.

### **AGENDA ITEM NO. 9 – SPECIAL PRESENTATION**

***Introduction of Special Guest: 2016 U.S. Paralympic Track Team Member Regas Woods by Vice-Mayor Green:***

Mr. Woods provided an interesting and entertaining tale of his background. He stated he is the co-founder of the "Never Say Never Foundation" which helps kids create a positive attitude through sports after overcoming adversity. He introduced his coach, Tony McCall

and his mother, Deborah Simon. Mr. Woods has a “GoFundMe” page to help cover and support his trip to the Paralympic Trials in Rio.

Vice-Mayor Green presented Mr. Woods with two lapel pins.

***Special Presentation by American Legion – John Taylor***

Officer James Roberts, Dunnellon Police Department, was recognized as the Officer of the Year by the local American Legion.

***Special Presentation by Chief McQuaig***

Chief McQuaig announced Sergeant Webb’s promotion to Lieutenant.

**PUBLIC COMMENTS**

- Louise Kenny, 19970 Ibis Court, addressed Agenda Item #4.
- Mathew Baillargeon, President of the DBA, commented on the bonds with Regions Bank.

Councilman Dillon requested Agenda Item #3 be pulled from the *Consent Agenda* for further discussion.

**CONSENT AGENDA**

1. City Council Workshop Minutes  
June 8, 2016 Workshop
2. Authorize Mayor to Sign Special Police Detail Administrative Policy #POL2016-01
3. Authorize Councilman Hancock, City Council Liaison of the Utility Advisory Board and Hugh Lochrane, Chairman of the Utility Advisory Board to Become Council and UAB Contacts Along With the Interim City Manager for All Agencies, Government Bodies, Etc. Going Forward With Regard to Evaluating the Future of the City’s Utility System Along With Any Proposed Expansion and Report Back to City Council, Who Will Make the Final Decision
4. Authorize Staff to Release Proposed Settlement of Outstanding Charges to Date Between the City and Florida Fiber Networks
5. Authorize Mayor to Sign Letter Accepting BB&T’s Proposal
6. Authorize Mayor to Sign DEO #15DB-OJ-05-52-E02 Grant Agreement #AGR2014-36 Choice Hotel Water Main Grant Modification Amendment #1
7. Authorize Mayor to Sign Agreement #AGR2016-12 With GWP Choice Hotel Water Main Extension, Change Order #4 in the Amount of \$933.70

8. Authorize Mayor to Sign Agreement #AGR2016-22 With Kimley Horn, IPO#53 – Juliette Falls Wastewater Treatment Facility Operating Permit Renewal

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

Councilman Dillon moved the consent agenda be approved, excluding Item #3. Councilman Hancock seconded the motion.

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

Council and staff engaged in lengthy discussion regarding Agenda Item #3, the future of the City's utility system, along with any proposed expansion. Councilman Dillon recommended sending a letter to the County and let them decide whether or not they want to pursue acquisition of the City's utility system.

Councilman Hancock stated the importance of Council and staff being educated with regard to the City's utility system and the force main water project on 180<sup>th</sup> Avenue Road before consulting further with the County.

Council and staff engaged in brief discussion.

Councilman Dillon moved Agenda Item #3 be approved as presented. Councilman Hancock seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

## **REGULAR AGENDA**

### **AGENDA ITEM NO. 10 – QUASI JUDICIAL HEARING ORDINANCE #ORD2016-05, REZONING #REZ2016-01 FIRST BAPTIST CHURCH (Advertised on 6/10/2016 on the City's Website and on 6/30/2016 in the Riverland News)**

Mayor Whitt gavelled down and stated, "It is now 6:44 p.m. and I close the regular meeting and open this quasi-judicial hearing to discuss.

Ordinance #ORD2016-05 – Rezoning #REZ2016-01 requested by First Baptist Church, 20831 Powell Rd. Dunnellon, FL. Parcel 3350-050-000 (Lots 50, 51, 59, 60) Parcel 3350-081-000 (Lot 1911 and N 124 feet of Lot 81) Advertised in the Riverland News on June 30<sup>th</sup> 2016 and on the City's Website on June 10, 2016. Notice to property owners and surrounding property owners on June 1, 2016.

All witnesses addressing City Council in this matter will be asked to limit their comments to the specific subject being addressed. Witnesses should 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. Witnesses should always err on the side of more public disclosure, not less, in order to provide integrity to the public process.

Testimony will be limited to 3 minutes per witness unless the applicant, staff, or affected person requests an extension of time. A request for extension of time will be considered by the Council to assure all parties have a full and fair opportunity to participate without undue repetition and delay.

Public input is valued by the Council. However, in order to foster mutual respect, personal comments should not be directed toward Council members, or staff. Members of the public shall refrain from interrupting the speaker at the podium.

At the conclusion of this hearing, the City Council of the City of Dunnellon will make a decision whether or not to approve Ordinance #ORD2016-05, Rezoning #REZ2016-01."

Mayor Whitt stated, "All witnesses will be sworn in and will testify under oath. 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 Council.

After each witness testifies, any Council member can ask the witness questions. The owner is entitled to cross-examine each witness after his or her testimony and shall do so by asking questions of the witness, or can rebut the witness's testimony by presenting contrary testimony or documents after a witness testifies."

Mayor Whitt stated, "Will the City Attorney now swear in the witnesses."

Attorney Hand asked all who wish to present evidence to please stand at the same time and raise their right hand and he administered a single oath.

Mayor Whitt asked each council member for disclosure of contacts, ex-parte communications or other evidence gathered by decision-making body. There was none.

Mayor Whitt asked for presentation by staff.

Lonnie Smith provided the following staff report:

## *City of Dunnellon*

### STAFF REPORT TO COUNCIL

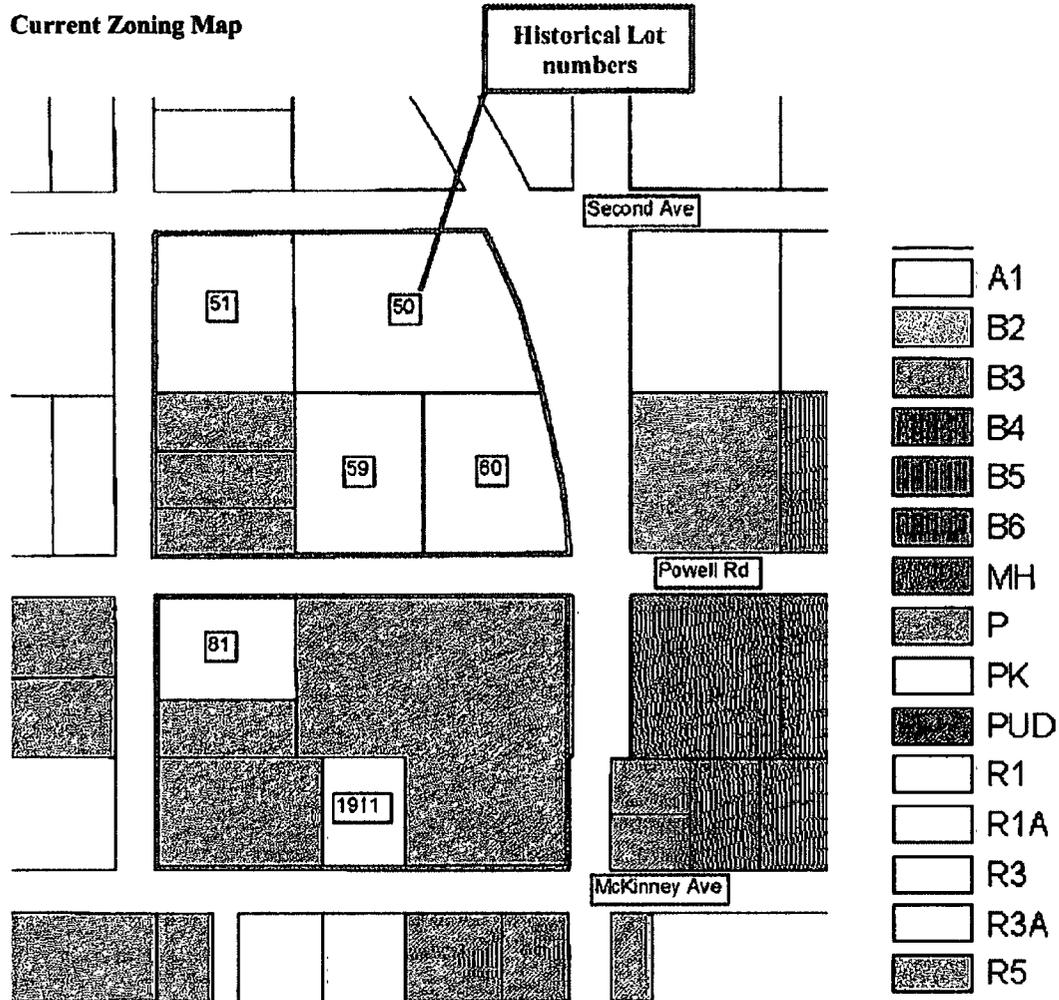
**REZONING REQUEST:** David Allison, FIRST BAPTIST CHURCH of DUNNELLO

**Date:** July 11, 2016  
**To:** City of Dunnellon City Council  
**Re:** Land Use and Zoning analysis

**Background:** The applicant has applied for a rezone of Parcel Number 3350-050-000 (Lots 50, 51, 59, 60) comprising 3.77± acres and Parcel Number 3350-081-000 (Lot 1911 and N 125feet of Lot 81) comprising .79± acres to be changed from Residential Medium Density (R-3A) to Public (P). The parcels currently have a split zoning condition and the rezone would correct that issue.

**Application No.:** REZ2016-01/PZ1516-056  
**Applicant:** David Allison, First Baptist Church of Dunnellon  
**Property Address:** 20831 Powell Ave  
**Location:** Located at the northwest and southwest corner of the Powell Road and Cedar Street intersection. (as shown on the image below)  
**Parcel Numbers:** 3350-050-000/3350-081-000

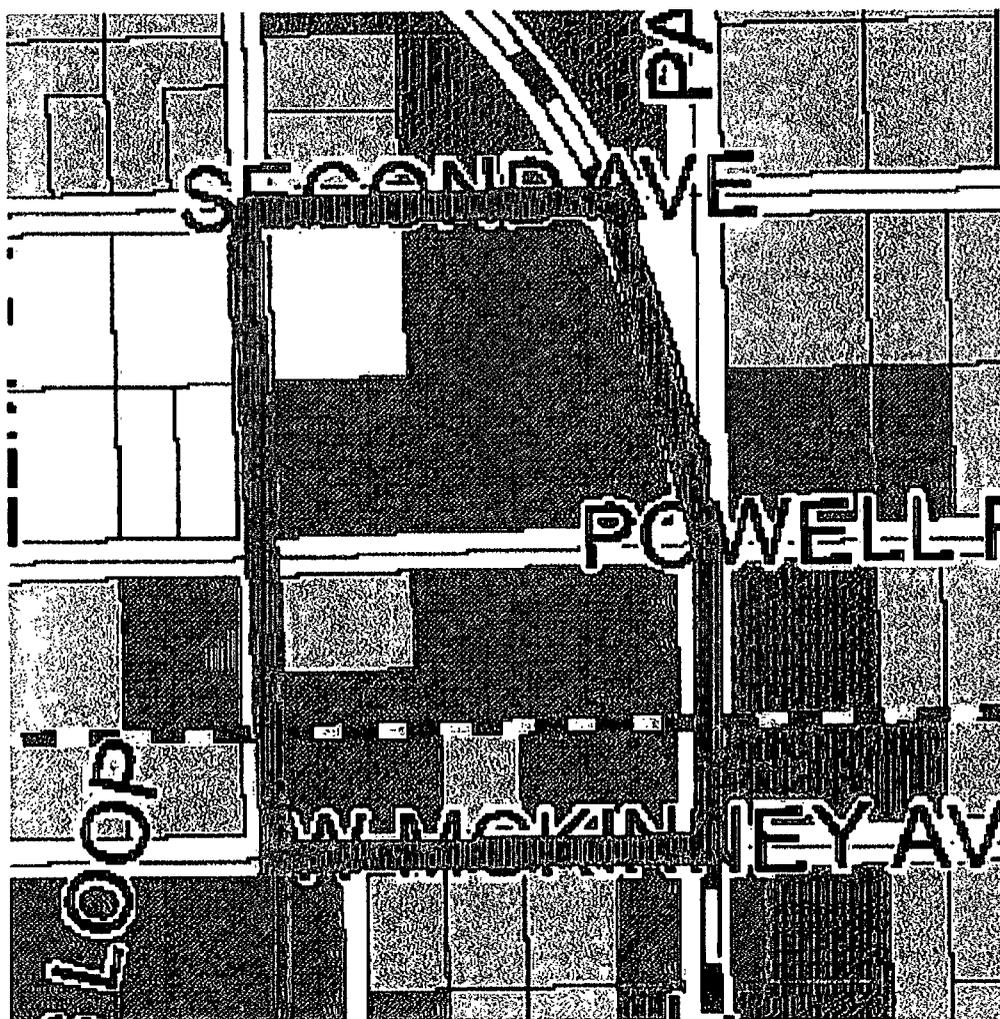
**Current Zoning Map**



**Property Aerial View**



**Future Land Use Map**



**DUNNELLON FUTURE LAND USE**

-  CRA BOUNDARY
-  RURAL, (1 du/10 ac\*)
-  AGRICULTURE, (1 du/10 ac)
-  CONSERVATION
-  RECREATION
-  PUBLIC
-  COMMERCIAL
-  SPECIALIZED COMMERCE DISTRICT\*
-  COMMERCIAL TOURIST ORIENTED
-  TRADITIONAL NEIGHBORHOOD - 8DU, (0 - 8.0 du/ac)
-  TRADITIONAL NEIGHBORHOOD - 12DU, (0 - 12.0 du/ac)
-  MIXED USE, (0 - 12.0 du/ac)
-  RESIDENTIAL LOW DENSITY, (0 - 2.5 du/ac)
-  RESIDENTIAL MEDIUM DENSITY, (0 - 5.0 du/ac)

 RESIDENTIAL HIGH DENSITY, (5.1 - 12.0 du/ac)  
 WATER

**Land Use Survey:**

	<b>Current Use</b>	<b>Zoning Designation</b>	<b>Land Use Designation</b>
<b>Subject Property</b>	Church/School	R-3A/Public	Residential Medium Density/Public
<b>North</b>	Residential	R-3A	Traditional Neighborhood
<b>South</b>	Women's Club and Residential	B-3 and R-3A	Traditional Neighborhood/Public
<b>East</b>	Church, Financial Services, Real Estate office	RBO, B-3, Public and R-3A	Traditional Neighborhood Public, Commercial
<b>West</b>	Residential	R-3A/Public	Residential Medium Density/Public

**Compatibility Analysis**

The proposed Public (P) zoning is consistent with the surrounding properties in that area. The majority of the adjacent properties are R-3A and Public with the minority being B-3 and RBO. There is an adjacent church across Cedar St and a Women's Club to the south. The Dunnellon Middle school is situated at the Southwest end of the property.

**COMPREHENSIVE PLAN - Future Land Use**

**Policy 1.2: Residential Medium Density**

The medium density residential land use category allows single-family dwelling units and customary residential accessory uses. The maximum density is 5.0 dwelling units per gross acre. The maximum impervious surface is fifty (50) percent. Buildings shall not exceed forty (40) feet in height.

**Policy 1.5: Traditional Neighborhood**

The traditional neighborhood land use category includes the following uses: residential, neighborhood scale commercial, neighborhood scale office, artisan uses, personal service, civic, cultural, transient lodging, bed and breakfast establishments, religious facilities, and financial services. The following location and design standards apply:

- A. A single platted lot may be developed for a single use.
- B. A single platted lot may contain a nonresidential use and one dwelling unit, provided that the dwelling unit is located on a second floor or to the rear or side of the business use, either attached or detached from the principal building.
- C. A development proposed for two (2) or more lots may contain a single use or a mixture of uses. When mixed uses are proposed, no more than fifty (50) percent of the development acreage shall be devoted to residential uses. When residential uses are proposed, either single-family or multifamily is acceptable. Density shall not exceed eight (8) units per gross residential acre.
- D. Transient lodging and bed and breakfast uses shall be limited to an equivalent of eight (8) units per gross acre. Each guest bedroom shall be considered a unit.
- E. Uses which have frontage on West Pennsylvania Avenue or Cedar Street may have up to twelve (12) dwelling units per gross acre.

- F. The maximum impervious surface for all sites is sixty-five (65) percent.
- G. Parcels with five (5) or more acres shall contain at least two (2) different uses. Single-use development is not permissible. Residential uses shall not exceed sixty-five (65) percent of the development site.
- H. When an amendment to the Future Land Use Map is proposed to apply the traditional neighborhood land use category, a minimum of five (5) acres is required.
- I. Where neighborhood scale development is proposed, no individual building shall exceed a total of 3,000 square feet of floor area.
- J. The maximum height for building development is forty (40) feet.
- K. Parking lots within the traditional neighborhood land use district shall be designed to ensure that no tier of parking includes more than ten (10) cars.
- L. All uses, including accessory structures, mechanical and service equipment, and utility structures shall be integrated with the design of the principle building. Mechanical, service, and utility equipment shall be screened.
- M. Nonresidential land uses within the traditional neighborhood district shall be limited to uses with a trip generation of 100 trips per day per 1,000 square feet of building, per fuel station, or comparable unit of measure. The trip generation calculation shall be based on the Institute of Transportation Engineers trip generation book or a similar, professionally acceptable source.

**Policy 1.7: Public**

The public land use category includes schools, government offices, public works buildings and yards, community centers, and similar uses typically owned or operated by public agencies. The maximum building height is forty (40) feet.

**ZONING DISTRICTS INTENT AND PURPOSE**

**Section 8.18. - Public (P).**

- a. The public (P) zoning district shall be permitted in all land use categories with the exception of the wetlands conservation category.
- b. The public (P) district is intended to provide for areas where public and semi-public facilities serve the needs of the community.
- c. Front, side, and rear setbacks shall be no less than the corresponding setback of the adjacent property. In the event that a front, side, or rear property line is adjacent to multiple properties, creating multiple setback requirements, the greater setback required for that property line will be met.
- d. Maximum height shall be limited to the lowest maximum height allowed of the adjacent properties.

(Ord. No. 96-12, 8-12-1997)

**Table of Permitted Uses**

EDUCATION- RECREATION- SOCIAL USES	A-1	R-1	R1A	R-2	R3A	R-3	R-4	R-5	MH	PUD	RBO	B2	B3	B4	B5	B6	P	M1	M2
School, Private primary and secondary																	X		
Church/place of worship		SE	SE		X		SE	SE			X								
Recreation facility, outdoor		SE	SE		SE	SE	SE										X		

**Zoning Review Criteria for Approval:** Section 13.11(3) - Procedure and criteria for amendments to official zoning map

3. The application shall be consistent with the comprehensive plan and the future land use map. In their review, recommendation, and decision on a rezoning application, the planning commission and city council shall consider:

- A. Whether it is consistent with all adopted elements of the comprehensive plan.
- B. Its impact upon the environment and natural resources.
- C. Its impact on the surrounding area with regard to the proposed use(s), intensity, density, scale, mass, bulk, height, lot configurations, architecture, and building orientation of surrounding uses (if applicable) and the intensity, density and scale of surrounding development.
- D. Its impact upon the economy of the surrounding area and any other affected area.
- E. Its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste, or transportation systems, or any other infrastructure.
- F. Any changes in circumstances or change in conditions of the surrounding area.
- G. Any mistakes in the original zoning classification other than reclassifications due to inadvertent boundary errors, including clerical or scrivener's errors, which may be corrected administratively.
- H. Its effect upon the use or value of the affected surrounding area.
- I. Its impact upon public health, welfare, or safety.

**FINDINGS OF FACT**

- A. Whether it is consistent with all adopted elements of the comprehensive plan.  
**Response- Zoning change requested is not inconsistent with any of the current elements of the comprehensive plan.**

- B. Its impact upon the environment and natural resources.  
**Response- No significant impact is expected**
- C. Its impact on the surrounding area with regard to the proposed use(s), intensity, density, scale, mass, bulk, height, lot configurations, architecture, and building orientation of surrounding uses (if applicable) and the intensity, density and scale of surrounding development.  
**Response- The proposed uses, covered recreational facility and modular buildings, is consistent with other uses on that existing parcel and the surrounding area.**
- D. Its impact upon the economy of the surrounding area and any other affected area.  
**Response- No significant impact is expected**
- E. Its impact upon any existing necessary governmental services such as schools, sewage disposal, solid waste, or transportation systems, or any other infrastructure.  
**Response- No significant impact is expected**
- F. Any changes in circumstances or change in conditions of the surrounding area.  
**Response- No changes in circumstances or conditions were noted**
- G. Any mistakes in the original zoning classification other than reclassifications due to inadvertent boundary errors, including clerical or scrivener's errors, which may be corrected administratively.  
**Response- No mistakes were found**
- H. Its effect upon the use or value of the affected surrounding area.  
**Response- No significant change in use or value is expected**
- I. Its impact upon public health, welfare, or safety.  
**Response- No significant impact is expected**

#### **STAFF EVALUATION AND FINDINGS**

Staff recommends that the City Council approve the zoning change request.

Mayor Whitt asked for presentation by applicant. Mr. Allison was present to answer any questions.

Councilman Hancock asked if there were any immediate plans for moving forward after the rezoning.

Mr. Allison replied they will be putting a roof over the basketball court on the parcel which is zoned public.

Wilber Vanwyck, 11555 Orlando Street, commented on the church growing and the extra services. He stated he is only here to ask Council to have both blocks zoned for public use.

Mayor Whitt asked for public comments. There were none.

Mayor Whitt gaveled down and stated, "It is now 7:02 p.m. I close the quasi-judicial hearing, and reopen the quasi-judicial hearing and now reopen the July 11, 2016 City Council meeting."

Mayor Whitt said this request for zoning was brought up in a Planning Commission meeting and a motion was made, but no second.

Attorney Hand recommended reopening the quasi-judicial hearing for purpose of discussion.

Mayor Whitt stated, "It is now 7:03 and the public hearing is reopened for the limited purpose of getting clarification/additional information from the public."

Mr. Vanwyck explained as a member of the Planning Commission, when this item was voted on, he refrained from voting. He said it was brought up at the planning meeting for permitting two portable classrooms. He stated the Planning Commission was informed this was not a site plan, it was a rezoning; that the church already had the public use permit and zoning for the portables and the covering. He said the issue continued to grow about the portables to the point they proposed to remove all the trees along Orlando Street to make more room for portables. He said it escalated at that point and the Planning Commission did not vote against it; they did not vote at all. He said the board was informed by City staff, the Planning Chair and himself that it was not a site plan, just a rezoning. He said that is all the church is asking for. He said the portables have been permitted and are in place. Regretfully, they are more visible now because the Planning Commission did not vote and a permit was issued to put them in a different location.

Mayor Whitt gaveled down and said, "It is now 7:06 p.m. and I again close the quasi-judicial hearing, and discussion among Council will continue."

There was no further discussion.

**AGENDA ITEM NO. 11 – FINAL READING ORDINANCE #ORD2016-05,  
REZONING #REZ2016-01 FIRST BAPTIST CHURCH – 20831 POWELL RD**

Councilman Dillon moved Ordinance #ORD2016-05 be read by title only. Vice-Mayor Green seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

Mrs. Bowne read the following:

“ORDINANCE #ORD2016-05

AN ORDINANCE OF THE CITY OF DUNNELTON, FLORIDA; CHANGING THE ZONING CLASSIFICATION FROM RESIDENTIAL MEDIUM DENSITY (R-3A) TO PUBLIC (P) OF PARCEL 3350-050-000 (LOTS 50, 51, 59, 60) COMPRISING 3.77 ACRES AND PARCEL 3350-081-000 (LOT 1911 AND N 125 FEET OF LOT 81) COMPRISING .79 ACRES LOCATED AT THE NORTHWEST AND SOUTHWEST CORNERS OF THE POWELL ROAD 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 #ORD2016-05 be approved. Vice-Mayor Green seconded the motion.

Mayor Whitt asked for discussion.

Councilman Dillon apologized to Mr. Allison and Mr. Vanwyck for everything they had to go through. He said it could have been done quicker.

Brenda D'Arville, Chair of the Planning Commission, stated she agreed and was embarrassed. She said Mr. Vanwyck had to recuse himself because of his position and two other members wanted to let Council decide.

Mrs. Bowne suggested further education. She stated if Attorney Hand was involved and legal advice available to the Planning Commission as to what their duty and role was, this situation could have been avoided.

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

**AGENDA ITEM NO. 12 – PROCLAMATION #PRO2016-08, 2016 CITY COUNCIL  
ELECTION**

Councilman Dillon moved Proclamation #PRO2016-08 be read into the record. Councilman Winkler seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

Mrs. Bowne read the following:

“PROCLAMATION #PRO2016-08  
DUNNELLON CITY COUNCIL ELECTION

WHEREAS, the Mayor of the City Council for the City of Dunnellon proclaims a general election to be held on November 8, 2016 for the election of council members for the following seats:

SEAT NUMBER OCCUPIED BY

- 1 Nathan Whitt
- 2 Larry Winkler
- 5 Richard Hancock

WHEREAS, any individual interested in seeking election to the City Council must do so by obtaining a qualification package, available no later than July 25, 2016. The qualifying period begins at 12:00 noon on August 22, 2016 and ends at 12:00 noon on August 26, 2016. The qualifying documents will be available on the City’s website at [www.dunnellon.org](http://www.dunnellon.org).

WHEREAS, Petitions, as well as the proper financial disclosure and campaign forms must be submitted to the City Clerk no later than 12:00 noon on August 26th. The cost for qualifying will be \$45.00, plus 1.0% of council’s annual salary equaling \$18.00, for a total of \$63.00.

WHEREAS, in the event that the election results in a candidate not receiving the most votes cast, the Mayor of the City Council for the City of Dunnellon proclaims a runoff election to be held on January 17, 2017.

Be it hereby proclaimed that an election will take place on November 8, 2016 and qualifying packages will be available no later than 12:00 noon, July 25, 2016.

In witness whereof, I have hereunto set my hand and caused the seal of the City of Dunnellon to be affixed, this 11<sup>th</sup> day of July 2016.”

Councilman Dillon moved Proclamation #PRO2016-08 be approved. Councilman Winkler seconded the motion.

Mayor Whitt asked for discussion. There was none.

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

**AGENDA ITEM NO. 13 – PUBLIC HEARING ORDINANCE #ORD2016-06, CHARTER CHANGES – CITY MANAGER (Advertised on 6/24/2016 on the City’s Website and on 6/30/2016 in the Riverland News)**

Mayor Whitt stated, “All persons wishing to address the City Council will be asked to limit their comments to 3 minutes and 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 Whitt gaveled down and said, “It is now 7:16 p.m. and I close the regular meeting and open the public hearing to discuss: Ordinance #ORD2016-06, Proposed Charter Amendment Adoption, posted on the City’s Website on June 10, 2016, public hearing advertised on the City’s website on June 24, 2016 and in the Riverland News on June 30, 2016.”

Mayor Whitt asked for staff comments.

Attorney Hand stated the ordinance has been amended with the changes Council recommended at the July 6<sup>th</sup> workshop.

Mrs. Bowne explained the ordinance allows for placing amendment questions on the ballot to amend certain sections of the Charter, allowing the City Council to manage through a department head or designee and eliminating the position of City Manager.

Councilman Hancock stated the question is under the heading, “Elimination of City Manager Position: City Council Management of City Department Heads.” He proceeded to read the question as follows: “Shall the Charter of Dunnellon be amended to eliminate the position of City Manager so that the City department heads are managed by the City Council or their designee(s)? For Adoption – (yes) or Against Adoption – (no).”

Mayor Whitt asked for further discussion. There was none.

Mayor Whitt asked for public comment.

Mr. Art Fisher, Dunnellon resident, asked if the vote required a simple-majority or super-majority.

Attorney Hand stated it would be a simple-majority.

Mayor Whitt stated, “It is now 7:20 p.m. and I close the public hearing held to discuss Ordinance #ORD2016-06 and reopen the July 11<sup>th</sup> council meeting.”

**AGENDA ITEM NO. 14 – FINAL READING ORDINANCE #ORD2016-06,  
CHARTER CHANGES – CITY MANAGER**

Councilman Dillon moved Ordinance #ORD2016-06 be read by title only. Councilman Winkler seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

Mrs. Bowne read the following:

“ORDINANCE #ORD2016-06

AN ORDINANCE OF THE CITY OF DUNNELTON, FLORIDA, SUBMITTING TO THE ELECTORS OF DUNNELTON A PROPOSED AMENDMENT TO SECTIONS 18A, 19, 21, 22 AND 25 OF THE CITY CHARTER ELIMINATING THE CITY MANAGER POSITION; PROVIDING FOR CITY COUNCIL MANAGEMENT OF CITY DEPARTMENT HEADS OR MANAGEMENT OF SAME BY CITY COUNCIL’S DESIGNEE(S); PROVIDING THE BALLOT TITLE, SUMMARY, AND TEXT FOR THE PROPOSED AMENDMENT; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR THE EFFECTIVE DATE OF THE CHARTER AMENDMENT IF APPROVED BY A MAJORITY OF ELECTORS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND EFFECTIVE DATE FOR THIS ORDINANCE.”

Councilman Dillon moved Ordinance #ORD2016-06 be approved. Vice-Mayor Green seconded the motion.

Mayor Whitt asked for discussion. There was none.

The vote was taken and all were in favor except for Mayor Whitt. The vote was 4-1 with Mayor Whitt opposing.

**AGENDA ITEM NO. 15 – PUBLIC HEARING ORDINANCE #ORD2016-07,  
PARKING TICKET AMENDMENTS (Advertised on 6/24/2016 on the City’s Website  
and on 6/30/2016 in the Riverland News)**

Mayor Whitt stated, “All persons wishing to address the City Council will be asked to limit their comments to 3 minutes and 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 Whitt gaveled down and said, “It is now 7:22 p.m. and I close the regular meeting and open the public hearing to discuss: Ordinance #ORD2016-07, Proposed Parking Ticket Amendments, posted on the City’s Website June 10, 2016, Public Hearing advertised on City’s website on June 24, 2016 and in the Riverland News on June 30, 2016.”

Mayor Whitt called for staff comments.

Mrs. Bowne explained this ordinance changes the payment process for accepting parking tickets and creates an appeal process. She stated all parking and boating tickets will be made payable to the Marion County Clerk of Court.

Mayor Whitt asked for public comments. There were none.

Mayor Whitt gaveled down and said, “It is now 7:25 p.m. and I close the public hearing held to discuss Ordinance #ORD2016-07 and reopen the July 11<sup>th</sup> council meeting.”

**AGENDA ITEM NO. 16 – FINAL READING ORDINANCE #ORD2016-07, PARKING TICKET AMENDMENTS**

Councilman Dillon moved Ordinance #ORD2016-07 be read by title only. Councilman Hancock seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

Mrs. Bowne read the following:

“ORDINANCE #2016-07

AN ORDINANCE OF THE CITY OF DUNNELLO, FLORIDA, UPDATING PROCEDURES FOR ISSUANCE OF PARKING TICKETS; ADOPTING REQUIREMENTS FOR CONTENTS OF PARKING TICKETS; ESTABLISHING PROCEDURES TO REFER VIOLATIONS TO THE COUNTY COURT SYSTEM; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.”

Councilman Dillon moved Ordinance #ORD2016-07 be approved. Councilman Winkler seconded the motion.

Mayor Whitt asked for discussion. There was none.

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

**AGENDA ITEM NO. 17 – PUBLIC HEARING ORDINANCE #ORD2016-08, BOATING TICKET AMENDMENTS (Advertised on the City’s Website on 6/24/2016 and in the Riverland News on 6/30/2016)**

Mayor Whitt stated, “All persons wishing to address the City Council will be asked to limit their comments to 3 minutes and 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 Whitt gaveled down and said, “It is now 7:26 p.m. and I close the regular meeting and open the public hearing to discuss: Ordinance #ORD2016-08, Proposed Boating Ticket Amendments, posted on the City’s Website June 10, 2016, Public Hearing Advertised on the City’s website on June 24, 2016 and in the Riverland News on June 30, 2016.”

Mayor Whitt asked for staff comments.

Mrs. Bowne stated in order to have consistency for all tickets, everything applicable in the parking ticket ordinance applies to the boating ticket ordinance.

Councilman Hancock commented on Page 1 of the ordinance referencing *Chapter 66, Section 78-53 – Penalties – Fine schedule for civil municipal code violations*. He asked if the violations should be listed in the ordinance. He also asked Chief McQuaig for clarity on the “\$50 per violation.”

Chief McQuaig confirmed it is \$50 per violation.

Council and staff engaged in brief discussion regarding the list of violations in the City’s Code and a scrivener’s error on Page 1 of the ordinance: Section 2, Chapter “66” should be Chapter “78.”

Staff explained the violations are currently listed in the Code and the amendments will be clear when reviewing in the Code.

Mayor Whitt asked for public comments. There were none.

Mayor Whitt gavelled down and said, "It is now 7:34 p.m. and I close the public hearing held to discuss Ordinance #ORD2016-08 and reopen the July 11<sup>th</sup> council meeting."

**AGENDA ITEM NO. 18 – FINAL READING ORDINANCE #ORD2016-08, BOATING TICKET AMENDMENTS**

Councilman Dillon moved Ordinance #ORD2016-08 be read by title only. Councilman Winkler seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

Mrs. Bowne read the following:

"ORDINANCE #ORD2016-08

AN ORDINANCE OF THE CITY OF DUNNELTON, FLORIDA, UPDATING PROCEDURES FOR ISSUANCE OF CIVIL MUNICIPAL CODE VIOLATION TICKETS FOR BOATING; ADOPTING REQUIREMENTS FOR CONTENTS OF MUNICIPAL CODE VIOLATION TICKETS FOR VIOLATIONS OF THIS CHAPTER; ESTABLISHING PROCEDURES TO REFER VIOLATIONS TO THE COUNTY COURT SYSTEM; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE."

Councilman Dillon moved Ordinance #ORD2016-08 be approved with the minor change. Vice-Mayor Green seconded the motion.

Mayor Whitt asked for discussion. There was none.

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

**AGENDA ITEM NO. 19 - CERTIFY THE CITY OF DUNNELTON'S TAXABLE VALUE FOR 2016**

Councilman Hancock moved the 2016 *Certification of Taxable Value* be approved with the proposed millage rate of 8.50. I further move the public hearing date for the tentative budget and millage rate approval be set for September 12<sup>th</sup>, 2016 and the final public hearing on September 26<sup>th</sup>, 2016 Vice-Mayor Green seconded the motion.

Mayor Whitt asked for discussion.

Councilman Dillon said he has concerns with raising the millage rate to 8.5, and he feels there are other ways to reduce the budget deficit without raising the millage rate.

Council and staff engaged in discussion regarding the millage rate and whether to set it at 7.50 or 8.50.

Council agreed to set the millage rate at 7.50.

Councilman Winkler moved to set the proposed millage rate at 7.50. Councilman Dillon seconded the motion.

Mrs. Bowne reminded Council there is a motion on the floor for the 8.50 millage rate. Councilman Hancock stated he would withdraw his motion.

Vice-Mayor Green asked Mrs. Smith how comfortable she is with the City being able to provide the same services at the 7.50 millage rate.

After lengthy discussion, it was Council consensus to set the proposed millage rate at 7.50.

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

**AGENDA ITEM NO. 20 – COUNCILMAN DILLON**

***Budget Suggestions:*** This was addressed in Agenda Item No. 19

***Proposal to reclassify \$6,000 budgeted for installation of charging stations in Parks/Rec to City Beach Seawall Project in Parks/Rec.:***

Councilman Dillon described the dangerous situation entering the water at the City Beach and said there is no way to enter the water without going down a four foot embankment. He suggested reallocating the \$6,000 that was budgeted for charging stations to the City Beach Seawall project. He stated the importance of obtaining a survey to establish the “mean high-water mark.” He said the cost for the survey would be approximately \$1,400.

Vice-Mayor Green moved to reclassify the budgeted amount for charging stations to the City Beach Seawall Project. Councilman Winkler seconded the motion. The vote was taken. The vote was 4-1, with Councilman Hancock opposing.

Councilman Dillon further stated that he is proposing to pay the architect’s fees for the design of the seawall.

Council and staff engaged in brief discussion regarding the correct procedure to follow if Councilman Dillon is paying for the survey

Mayor Whitt asked Attorney Hand how he would recommend proceeding.

Attorney Hand stated Councilman Dillon can choose to donate the money to the City and the City makes the final decision. Or, have the Council approve, with Councilman Dillon abstaining.

Councilman Dillon stated he would feel more comfortable donating the funds to the City and having staff solicit quotes.

**AGENDA ITEM NO. 21 – COUNCIL LIAISON REPORTS AND COMMENTS**

Mrs. Smith asked for direction on whether Council wants to reduce the capitalization threshold to \$1,000.

Councilman Hancock suggested creating a list of possible changes Council may want to implement.

Councilman Hancock discussed the importance of the residents using their voice and bringing their concerns to Council. He also reported on the TPO meeting last week and stated Paul Marraffino was unanimously selected to be the Citizens Advisory Council Appointee. Lastly, Councilman Hancock stated, “The first forty-five minutes of this meeting is what the United States of America is all about, and I appreciate us as a community.”

Councilman Dillon stated Joan Duggins could not attend tonight’s meeting and he read her comments congratulating Regas Woods, Chief McQuaig and Sargent Shane Yox.

Councilman Winkler stated he agreed with Louise Kenny’s comments regarding her assessment of Florida Cable.

Mathew Baillargeon provided an update regarding Dunnellon’s Little League teams advancing to State. Mr. Baillargeon also addressed the DBA/Visitors Center request to set up a “visitor’s tent” in the Blue Run parking lot for the purpose of greeting visitors and sharing community information.

Council and staff engaged in brief discussion regarding the times. Council agreed to permit the DBA to set up a “visitor’s tent” in the parking lot, temporarily through the end of the year.

Vice-Mayor Green moved to approve the DBA setting up a “visitor’s tent” temporarily through the end of the year. Councilman Dillon seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

**AGENDA ITEM NO. 22– CITY MANAGER’S REPORT**

Mrs. Bowne provided the following report:

**Interim City Manager Report 07/11/2016**

**Finance:**

- **A monitoring visit (Audit) by DEO is scheduled for our CDBG Hotel Grant on July 19<sup>th</sup> at 10:00 a.m.**
- **I have asked Jan to publish a budget schedule including the dates council needs to meet as soon as possible.**

**Community Development:**

- **As of 7/11 Diane McKenzie of DEP advises ball field lease agreement application is being reviewed by her supervisor and legal counsel. Agreement will be sent for Council approval as soon as DEP approves.**
- **Community Development working with Engineer (Troy Burrell) to bring in a new grocer. They are still negotiating with the land owner and working through parking requirements and standards set by the grocer.**
- **CRA Amendment will be scheduled for public hearing and consideration by City Council in August.**
- **Lonnie will be out on an extended FMLA leave around the end July for several weeks assisting his mother through some very serious surgery and working remotely as much as possible during that time.**

**Fire:**

- **Reception/celebration for Troy will be held at 2:00p.m. on Wed 7/13 at City Hall, please stop by and show your support.**

**Police:**

- **Chief McQuaig will be organizing a BBQ lunch for the Public Services Department on Friday, which is being funded by a Councilman. This is most appreciated by staff and management. Thank you.**

**Public Services**

- **The DBA/Visitors Center would like to request permission to set-up our 10'x10' tent at the Blue Run Park (Tubers Exit). The purpose is to greet visitors and share community information including our Pass Port to Discover Dunnellon visitor cards. These cards offer incentives and discounts to our local businesses in the town. Image provided of where they would like placement.**
- **FDOT request for City of Dunnellon to take on maintenance responsibility for the rectangular rapid flashing beacon to be installed on US 41 approximately 80 feet north of the public boat ramp driveway (in front of the Dunnellon City Hall). Must be formalized ASAP in order to be able to continue with the design of the crosswalk.**
- **Per Masood Mirza, County Traffic Engineer, at our request Marion County is working on a signal maintenance agreement to include the City of Dunnellon versus us contracting it out with an out of area contractor.**

- **City Beach Retaining Wall – meeting today with Anthony and SWFWMD to assess the location of the proposed seawall and determining permitting requirements, etc.**
- **Blue Run overflow parking project completed. Thank you Anthony.**
- **Anthony met with Alan Garri of Kimley Horn to get the cemetery road paving project off the ground. We should be receiving an IPO with an estimate for Kimley Horn to manage the project.**
- **Anthony is in contact with Anjelica Keating and Darren Davis from Duke Energy about the light for City Hall parking lot. There is some confusion within Duke Energy whether an additional agreement is needed. We are asking that they please clear up the confusion and complete our request for service.**

**Utilities:**

- **Kimley Horn reports that the new waterline should be approved and turned over to the City around August 10<sup>th</sup>. Depending on how long the line has been sitting stagnant, our utilities department may need another week before the line goes live. They have some responsibilities in preparing the line for connection.**
- **Meeting scheduled Thursday, July 14<sup>th</sup> with Councilman Hancock, Hugh Lochrane, staff to educate ourselves on the topic of the SWFWMD Grant and the County's proposal to assess Dunnellon utility system.**
- **Lift Station #11 (Rainbow Springs Master Lift Station) experienced some malfunctions over the weekend in which staff worked through a temporary fix. Richard is working to obtain prices to make the necessary/required replacements. It is a Duplex pump control panel. Richard bypassed the main breaker and used emergency circuit/no generator use right now. \$13,000 is the approximate cost for the new panel and is budgeted. Richard can no longer do it in house. It will take 10 weeks for delivery.**

Mrs. Bowne discussed the FDOT request for the City of Dunnellon to assume the maintenance responsibility for the rectangular rapid flashing beacon and crosswalk to be installed on US 41. She explained at the City's request, Marion County is currently working on a signal maintenance agreement to include the City of Dunnellon. The agreement would allow the County to provide the maintenance on the traffic signals and possibly the crosswalk as part of the agreement. She stated the County will amend the current agreement to include this signal.

Vice-Mayor Green moved to assume maintenance for the crosswalk on US 41. Councilman Dillon seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

Council and staff engaged in discussion regarding the roads in the cemetery and whether to have Kimley-Horn engineer the project. To help save on costs, Councilman Dillon offered to step in and help in this matter

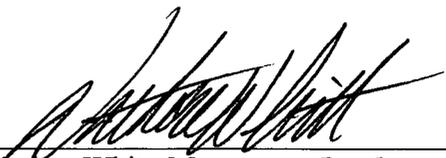
**AGENDA ITEM NO. 23 – CITY ATTORNEY’S REPORT**

Attorney Hand stated he would be willing to provide a comprehensive presentation to City board members to provide them with a better understanding of their functions and responsibilities.

**AGENDA ITEM NO. 24 – ADJOURNMENT**

At approximately 8:45 p.m. Councilman Dillon moved the July 11, 2016 City Council meeting be adjourned. Vice-Mayor Green seconded. All members voted in favor. The motion passed 5-0.

Attest  
  
Dawn Bowne, MMC *8-8-16*  
City Clerk/Interim City Manager

  
Nathan Whitt, Mayor *8-8-16*