

CITY OF DUNNELLON CITY COUNCIL MEETING

DATE: August 8, 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 5:50 p.m. and led the Council in the Pledge of Allegiance. Mayor Whitt asked if a citizen would volunteer to open with prayer. Pastor Tom Welch provided the invocation.

ROLL CALL

The following members answered present at roll call:

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 & Cassady

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, August 5, 2016.

Mayor Whitt's comments

There were none.

PUBLIC COMMENTS

There were none.

CONSENT AGENDA

1. City Council Minutes
 - June 13, 2016 Council Meeting
 - June 15, 2016 Special Council Meeting
 - July 11, 2016 Council Meeting

2. City Council Workshop Minutes
July 6, 2016
3. Tree Board Appointment - Appoint Sally Chesterfield to serve as regular member of the Tree Board effective 8/8/2016, term to expire 1/10/2017. (This position formerly held by Jack Baird whose term was unexpired)
4. Accept Quit Claim Deed From Moxon Living Trust - #DED2016-01, Parcel #33639-001-00
5. Authorize the Mayor to Sign Sublease #LEA2016-01 with State of Florida (FDEP) Division of Recreation and Parks for Dunnellon Little League Ballfield
6. Authorize the Mayor to Sign Agreement #AGR2015-23 with Kimley-Horn, IPO#55 – Rainbow Springs Infrastructure Development Project – **Removed from consent agenda.**
7. Authorize the Mayor to Sign Lighting Service Contract 1298423, Agreement #AGR2016-36 with Duke Energy for Additional Lighting at City Hall Parking Lot
8. Authorize the City Clerk to Submit the Names of All Persons Who Qualify for a Seat in the 2016 City Council Election to the Supervisor of Elections
9. Approve Proclamation #PRO2016-09, Dunnellon Little League State Finalists

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

Councilman Winkler requested Item #6 be pulled from the consent agenda.

Councilman Dillon moved the consent agenda be approved as amended. 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 – PRESENT PROCLAMATION #PRO2016-09, DUNNELLON LITTLE LEAGUE STATE FINALISTS

The Dunnellon All Star Team and coaches were present for the reading of the proclamation. Mayor Whitt read the following into the record:

“Proclamation #PRO2016-09
2016 Little League
State of Florida Finalists

WHEREAS, founded in 1939, by Carl Stotz, Little League has instilled leadership, character, courage and loyalty in all that participate, including the nearly 1.5 million adult volunteers. Little League can be found in more than 80 countries worldwide with more than 2.4 million children participating each year. Little League has celebrated many milestones due to the dedication of its players, parents and volunteers.

WHEREAS, the mission of the Dunnellon Little League is to promote, develop, supervise, and voluntarily assist the interest of those who want to participate in Little League Baseball. Through proper guidance and exemplary leadership, our goal is to assist youth in developing the qualities of citizenship, discipline, teamwork, and physical well-being. Our goal is to provide a safe, fun, wholesome combination of recreation and competition to players whose ages are 4-18 through regular season play among local teams.

WHEREAS, under the leadership of Manager Gary Leinenbach, Coaches Michael Gray, Chad Davis and A.D. Starks, the 50/70 Intermediate All Star Team won the District 15 Title and gained an opportunity to play in the Section 7 Tournament.

WHEREAS, on July 10th, 2016 the Dunnellon Little League 50/70 Intermediate All Star Team won the Section 7 Tournament and advanced to the State Tournament.

WHEREAS, and on July 17th the 50/70 Intermediate All Star Team traveled to the State Championship Tournament and finished the 2016 season with a final ranking of 2nd place finalist for the State of Florida. In the last decade, no Dunnellon Little League team has placed 2nd in a State Tournament.

WHEREAS, these young men that came together in a fairly new division that Little League formed in the last few years, and accomplished this great honor through determination, attitude and effort. These traits were displayed throughout the season and proved to be the attributes that brought this team to the State of Florida Championship Tournament.

WHEREAS, the Dunnellon City Council would like to sincerely thank each of the players for their unwavering discipline, devotion, and determination; and the coaches for their faithful leadership in this community. You have our genuine reverence and most heartfelt congratulations.

NOW, THEREFORE, be it proclaimed that the Dunnellon City Council recognizes the week of August 8, 2016 to August 12th, 2016 as **Dunnellon Little League Week** and encourages the entire community to show their support and appreciation to this baseball team for bringing pride, respect and an honorable piece of fame to our community.

PASSED and PROCLAIMED this 8th day of August 2016.”

Mayor Whitt presented the proclamation to the Dunnellon Little League team and coaches.

AGENDA ITEM NO. 6 – AGREEMENT #AGR2015-23 WITH KIMLEY-HORN, IPO#55 – RAINBOW SPRINGS INFRASTRUCTURE DEVELOPMENT PROJECT

Mrs. Bowne presented IPO#55 in an effort to acquire engineering assistance in the form of general consultation, gathering project information and attending meetings.

Councilman Winkler stated the City cannot afford any additional debt.

Councilman Dillon said if the project was going to cost the City, he would agree with Councilman Winkler. However, he stated it is not. He also commented on the large amount of undeveloped property on 180th Avenue Road and the potential for revenue.

Councilman Hancock stated if the project is approved, the City would be reimbursed and could benefit from the project as it improves the value of the system.

Vice-Mayor Green said he believes this is a sound project and will remove two (2) package plants off the river and increase the value of the utility system.

Councilman Dillon moved to authorize the Mayor to sign agreement #AGR2015-23 with Kimley-Horn, IPO#55 for the Rainbow Springs Infrastructure Development Project. Vice-Mayor Green seconded the motion. There was no further discussion. The vote was taken. The vote was 4-1 with Councilman Winkler opposing.

AGENDA ITEM NO. 11 – RESOLUTION #RES2016-16, REFINANCING BB&T OUTSTANDING WATER AND SEWER REVENUE NOTE SERIES 2011

Councilman Dillon moved Resolution #RES2016-16 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:

“RESOLUTION #RES2016-16

A RESOLUTION OF THE CITY OF DUNNELLO, FLORIDA, AUTHORIZING THE REFUNDING OF THE OUTSTANDING WATER AND SEWER REVENUE NOTE, SERIES 2011, OF THE CITY; PROVIDING FOR THE ISSUANCE OF A \$5,500,000 WATER AND SEWER REFUNDING REVENUE NOTE, SERIES 2016, OF THE CITY TO BE APPLIED TO FINANCE THE COST THEREOF; PROVIDING FOR THE PAYMENT OF SUCH NOTE FROM THE NET REVENUES OF THE WATER AND SEWER SYSTEM OF THE CITY AND CERTAIN GRANT FUNDS; MAKING CERTAIN COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.”

Councilman Dillon moved Resolution #RES016-16 be approved. Councilman Hancock seconded the motion. There was no further discussion. The vote was taken and all were in favor. The vote was 5-0.

Nicole Nate from Bryant Miller Olive, P.A. was present to answer any questions Council may have regarding bond documents.

A short break was taken in order for the Mayor and Interim City Manager to sign the documents. Councilman Hancock requested Council send a thank you card to BB&T.

AGENDA ITEM NO. 12 – PURCHASE APPROVAL REQUEST – UTILITY DEPARTMENT

Councilman Dillon moved the City Council approve the purchase of a 2006 Ford Super Duty F-450 DRW Crane Truck in the amount of \$30,249.00 for the Utility Department. Vice-Mayor Green seconded the motion.

Councilman Winkler asked what happened to the previous crane truck owned by the City. Mrs. Smith stated it was included in the Florida Cable fiber utility purchase.

Councilman Hancock reminded Council the purchase is budgeted.

Mrs. Bowne stated Richard Grabbe, Utilities Supervisor, informed staff only one truck would be purchased instead of two as provided for in the budget.

There was no further discussion. The vote was taken and all were in favor. The vote was 5-0.

AGENDA ITEM NO. 13 – FLORIDA FIBER SETTLEMENT OF OUTSTANDING CHARGES

Councilman Dillon moved Council direct the City Attorney to coordinate with the Interim City Manager, staff and Mr. Orshan to prepare a one year lease agreement with Florida Fiber Network (FFN) to include the terms requested by Council during the August 3rd council workshop, and to prepare mutual releases and any other agreements the City Attorney deemed advisable to settle outstanding FFN debts and receivables per the terms stated in Finance Officer, Jan Smith's correspondence to David Orshan dated July 12, 2016. Vice-Mayor Green seconded the motion.

Council Dillon recommended a twelve (12) month lease for the building.

Councilman Hancock asked if Council will be provided a copy of the draft lease. Attorney Hand replied yes.

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

AGENDA ITEM NO. 14 – FIRST READING ORDINANCE #ORD2016-10, AMENDING ELECTION PROCEDURES

Councilman Dillon moved Ordinance #ORD2016-10 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 #ORD2016-10

AN ORDINANCE OF THE CITY OF DUNNELTON, FLORIDA, UPDATING CITY ELECTION PROCEDURES; PROVIDING FOR SEVERABILITY AND CODIFICATION; PROVIDING FOR THE REPEAL OF CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.”

Councilman Dillon moved Ordinance #ORD2016-10 be approved. Councilman Winkler seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

AGENDA ITEM NO. 15 – PUBLIC HEARING ORDINANCE #ORD2016-09, COMMUNITY REDEVELOPMENT PLAN AMENDMENTS (Advertised on July 22, 2016 on the City’s Website and on July 28, 2016 in the Riverland News)

“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 6:44 p.m. and I close the regular meeting and open the public hearing to discuss Ordinance #ORD2016-09, Community Redevelopment Plan Amendments, posted on the City’s website on July 22, 2016 and in the Riverland News on July 28, 2016.”

Mayor Whitt called for staff comments.

Mrs. Bowne stated the first reading of the ordinance was held during the special council meeting of August 3rd. She explained the ordinance amends the CRA Plan by adding the parks, the Blue Run Park restroom project and signage.

Mayor Whitt asked for public comments. There were none.

Mayor Whitt gaveled down and stated, “It is now 6:47 p.m. and I close the public hearing held to discuss Ordinance #ORD2016-09 and reopen the August 8th council meeting.”

**AGENDA ITEM NO. 16 – FINAL READING ORDINANCE #ORD2016-09,
COMMUNITY REDEVELOPMENT PLAN AMENDMENTS**

Councilman Dillon moved Ordinance #ORD2016-16 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 #2016-09

AN ORDINANCE OF THE CITY OF DUNNELLO, FLORIDA, AMENDING THE DUNNELLO COMMUNITY REDEVELOPMENT PLAN; PROVIDING SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE”

Councilman Dillon moved Ordinance #ORD2016-09 be approved. Councilman Winkler seconded the motion.

Mayor Whitt called for discussion. Councilman Dillon asked if the signage was included in the amendments. Mrs. Bowne replied yes. He requested Mrs. Bowne email pictures of the proposed signs to other council members.

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

AGENDA ITEM NO. 17 – ADJUSTMENT TO INTERIM CITY MANAGER’S SALARY

Councilman Dillon moved to authorize an adjustment to the Interim City Manager’s salary to mid-range of the City Manager’s classification and pay scale (\$70,500.00). Retroactive to June 15, 2016. Vice-Mayor Green seconded the motion.

Mayor Whitt called for discussion. Councilman Hancock stated Mrs. Bowne has done an outstanding job but expressed concern with the amount of the adjustment.

Councilman Dillon said if Mrs. Bowne had declined to accept the interim position, the City would have had a short fall. He stated the residents are getting more “bang for their buck.”

Mayor Whitt stated we may be putting the cart before the horse, due the proposed Charter amendment.

Vice-Mayor Green commended Mrs. Bowne for stepping up when the City needed her.

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

AGENDA ITEM NO. 18 – COUNCIL LIAISON REPORTS AND COMMENTS

Councilman Dillon expressed concern about the extensive use of Blue Run Park, and how the restrooms would affect the capacity for the sewer system. He asked Mrs. Bowne to confer with the utilities supervisor.

Council and staff engaged in brief discussion regarding port-a-johns being removed when the proposed restroom facility is built.

Paul Marraffino addressed the port-a-johns and provided Council details regarding the numbers of park users.

Councilman Winkler commented on code enforcement and Pam MacIntyre volunteering to help report code enforcement issues. Councilman Winkler also discussed the tuber exit and traffic issues.

Councilman Hancock stated a small fact-finding group has been created to discuss the Rainbow River and tuber issues. He said the group consists of Chief McQuaig, Mrs. Bowne and Paul Marraffino, who will discuss options and present to Council before approaching the County or State.

Vice-Mayor Green discussed the expense and detriment to the river by the tubers. He said a user fee could be absorbed by those using the Rainbow River.

AGENDA ITEM NO. 19 – CITY MANAGER'S REPORT

Mrs. Bowne provided the following report:

Interim City Manager Report 08/08/2016

Clerk:

- **Fire/Police Pension Board meeting tomorrow, Tuesday 08/09/16 8:30 a.m.**

Finance:

- **Monitoring visit (Audit) by DEO was completed on 7/19 for CDBG Hotel Grant. No finding/results to date.**
- **Reminder budgets workshop Wednesday 8/10. Council will need to focus on the CRA Budget and obligating reserves for specific projects as required by Statute. Also, a preliminary draft of Water and Sewer Budgets should be available. I would like to wait until the health insurance bids come back on Friday before adjusting the GF. I would like to finalize the GF on 8/17 special budget workshop.**

Community Development:

- **Community Development has already made contact on the two Code Enforcement complaints brought to our attention after the last City Council Workshop and staff is working with the residents toward compliance.**

Public Services

- **Bob Nealy of Nealy Farm donated 13 trees, all of which were planted at the cemetery. Over a three-day period, the Streets & Roads crew planted, stabilized and mulched the trees. Thanks to employees Terry Coffee, Reggie Tomaine, Mike Goff, Robert Pratt and Anthony Santacross for their assistance in getting the trees planted.**
- **Handicapped improvements as required by the ADA Plan for 2016 have been completed at Ernie Mills Park (Pavillion and BB Courts) and the deck/stage behind City Hall.**
- **Police Dept assisted Public Services in providing a list of approximately 10 street lights that are not working. Public Services submitted the request on 07/26 to Duke requesting repair.**

Utilities:

- **Richard Grabbe reports that the new waterline extension on US 41 has been cleared and the utility department is connecting new customers.**

AGENDA ITEM NO. 20 – CITY ATTORNEY’S REPORT

Attorney Hand stated he is prepared to provide a presentation for the City’s board members to address: The Sunshine Law, Quasi-Judicial procedures and Roberts Rules of Order. He

said he provided Mrs. Bowne with DVD's for board members to view the materials. Mrs. Bowne reminded Council of the requirement to meet their statutory training requirements.

Mrs. Bowne said she received an email from Jeff Bryan, Riverland News Editor, regarding a celebration for Regas Woods when he returns from the Paralympic Games in Rio. She said Mr. Bryan is working with the DBA and the Friends of Dunnellon to hold an event on November 5th at Ernie Mills Park, and they would like to partner with the City for the event.

Mr. Bryan asked if the City would be willing to waive the permit fees for this event.

Council and staff engaged in brief discussion regarding the permit fee of \$150 and the \$300 refundable trash deposit being waived.

Vice-Mayor Green moved the City of Dunnellon waive the fees for the Regas Woods celebration. Councilman Winkler seconded the motion. The vote was taken and all were in favor. The vote was 5-0.

AGENDA ITEM NO. 21 – ADJOURNMENT

At approximately 7:40 p.m. Councilman Dillon moved the August 8, 2016 City Council meeting be adjourned. Councilman Winkler seconded. All members voted in favor. The motion passed 5-0.

Attest:


Dawn Bowne, MMC
City Clerk/Interim City Manager
10-10-2016


Nathan Whitt, Mayor
10-10-2016