

Agenda
City of Dunnellon
City Council Meeting
March 8, 2021 5:30 P.M.
Join Zoom

<https://dunnellon.zoom.us/j/92027440875?pwd=UVF4bTFTL3c2UWxWN1lpREQ2S0pvUT09>

Webinar ID: 920 2744 0875

Dunnellon City Council meeting will be held on March 8, 2021, 5:30 p.m. at Dunnellon City Hall with Social Distancing Modifications

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

Members of the public who would like to participate are encouraged to register in advance by Noon on Monday March 8th. Please see instructions below on how to register.

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

Instructions on How to Listen and/or Participate in the Meeting

Attachment: [Meeting Instructions \(PDF\)](#)

Call to Order

Pledge of Allegiance

Opening Prayer/Moment of Silence (suggested time limit: 1 minute

Mayor to request if any invitee is present to open with prayer; if no invitee is present, Mayor will ask if a Dunnellon citizen will volunteer. If no volunteers, a moment of silence will be offered. If a citizen outside of Dunnellon requests to open with prayer, (s)he may so if no invitees/citizens volunteer.)

Roll Call

Proof of Publication - Posted on the City's website and City Hall bulletin board on Thursday March 4, 2021.

Council's Comments Regarding Agenda

Public Comments on non-agenda items - 3 minute time limit

Consent Agenda

Accept public comment on consent agenda items prior to making a motion

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

1. City Council Minutes

December 9, 2020 City Council Workshop
December 14, 2020 City Council Meeting
December 21, 2020 Special City Council Meeting

Documents:

[December 9, 2020 City Council Workshop.pdf](#)
[December 14, 2020 City Council Meeting.pdf](#)
[December 21, 2020 Special City Council Meeting.pdf](#)

2. Waive Section 6-4 Of The City Code, Possession Or Consumption On Public Property Or On Private Property Without Permission, During The Hours Of 9:00 A.m. TO 5:00 P.m. On April 10, 2021, Within The Barricaded Areas As Shown On The Map Provided At The 3/3/2021 Workshop

Documents:

[3-3-2021 ADA Boomtown Alcohol Waiver Request to Council.pdf](#)

3. Approve Proclamation #PRO2021-01, Arbor Day 2021

Documents:

[PRO2021-01_Arbor Day 2021 Proclamation.pdf](#)

4. Ratify Proclamation #PRO2021-02, Centenarian Herbert Wilson Meredith

Documents:

[2021-02 Centenarian Herbert Wilson Meredith.pdf](#)

5. Approve Proclamation #PRO2021-03, Dunnellon High School Football

Consent Agenda Approval

PROPOSED MOTION: I move the consent agenda be approved as presented.

Regular Agenda

6. Special Presentation - Dunnellon High School Football

7. Sheriff Billy Woods - Request To Address City Council

8. Resolution #RES2021-05, Council Code Of Conduct Amendment

Accept Public Comments

Proposed Motion: I move Resolution #RES2021-05 be read by title only.

Proposed Motion: I move Resolution #RES2021-05 be approved.

Documents:

[2021-05 Council Code of Conduct Amendment_Public Comment - REVISED for 3-8.pdf](#)

9. Ordinance #ORD2021-01, City Clerk Duties

Accept Public Comments

Proposed Motion: I move Resolution #RES2021-01 be read by title only.

Proposed Motion: I move Resolution #RES2021-01 be approved.

Documents:

[2021-01 City Clerk Duties_First Draft.pdf](#)
[City Clerk Ordinance - alternate language.pdf](#)

10. Discussion - Nine Island Cove

11. Council Liaison Reports And Comments

12. Department Reports

13. City Attorney's Report

14. Adjourn

Proposed Motion: I move the City Council meeting be adjourned.

ANY PERSON REQUIRING A SPECIAL ACCOMMODATION AT THIS HEARING BECAUSE OF A DISABILITY OR PHYSICAL IMPAIRMENT SHOULD CONTACT THE CITY CLERK AT (352) 465-8500 AT LEAST 48 HOURS PRIOR TO THE PROCEEDING. IF A PERSON DESIRES TO APPEAL ANY DECISION WITH RESPECT TO ANY MATTER CONSIDERED AT THE ABOVE MEETING OR HEARING, HE OR SHE WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE, HE OR SHE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED. THE CITY IS NOT RESPONSIBLE FOR ANY MECHANICAL FAILURE OF RECORDING EQUIPMENT.

City of Dunnellon City Council Workshop

<https://dunnellon.zoom.us/j/97401550528?pwd=VldjYU53R1VDTWphOGJrVnpuSkJQdz09>

Date: December 09, 2020
Time: 5:30 p.m.
Place: City Hall
20750 River Dr., Dunnellon, FL34431

Dunnellon City Council workshop will be held on December 9, 2020 at Dunnellon City Hall with Social Distancing Modifications.

Anyone attending the workshops will be required to wear a mask/face covering. All attendees will be subject to screening to include a temperature check.

Public Comment

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

Members of the public who would like to participate are encouraged to register in advance by Noon on Wednesday December 9th.

Call to Order and Pledge of Allegiance:

Mayor Burns called the meeting to order at approximately 5:30 p.m. and led the Council in the Pledge of Allegiance. He asked if any invitee or volunteer was present to open with prayer. Pastor Tom Welch provided the invocation.

Roll Call

The following members answered present at roll call:

Dale Burns, Mayor, Seat 1
Bill White, Councilman, Seat 2
Anita Williams, Councilwoman, Seat 3
Valerie Hanchar, Vice-Mayor, Seat 4
Jay Dugan, Councilman, Seat 5

Staff Present

Dawn Bowne, City Administrator
Mandy Roberts, City Clerk (attending by Zoom Platform)
Jan Smith, Finance Department (attending by Zoom Platform)
Teresa Malmberg, Community Development
Chief Mike McQuaig, Police Department
Lonnie Smith, Community Development
Troy Slattery, Public Works Department
Lynn Wyland, Clerk's Department

Legal Counsel

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

Proof of Publication

Mrs. Malmberg announced for the record the agenda for this meeting was posted on the City's website and City Hall bulletin board on Wednesday, December 2, 2020.

Agenda Item Number 1 – Dunnellon Chamber & Business Association Report

Julie Mancini, Director of Dunnellon Chamber & Business Association, presented her report on the upcoming events and board memberships. The next board meeting will be held Tuesday, January 12th at 6:00 p.m.

Ms. Mancini stated, "The Chamber would like to thank Dawn, Mayor Burns and Jay Dugan for their services to the community. The businesses especially appreciate you Mayor Burns for going out of your way to provide information about the CARES Act during COVID-19 and for facilitating our communications with the Ocala Marion Visitor Convention Bureau in order to utilize the resources they offer to help bring visitors to town. As many of you can imagine the general public frequently does not know or understand the difference between the City and the Chamber. So we get a lot of calls for the City and the City gets a lot of calls meant for us. Of course there are many times when I also want to know the answer to the questions they ask, so Dawn has been such an invaluable resource to us. She knows the answer to almost anything related to the City of Dunnellon or the source to get the needed information. We the Chamber hope that the new Council will continue to partner with us and share information for the benefit of the community. To that end, we the Chamber also want to advise local businesses that we are working with our current liaison, Valerie and FGUA about the most recent requirement about backflow devices. I'm sure a lot of businesses got this letter in the mail Monday that they have thirty (3) days to comply and we will continue to keep the businesses informed about that."

Council and staff engaged in brief discussion regarding the letter from Florida Governmental Utility Authority (FGUA) regarding backflow valves.

Agenda Item Number 2 – Board Reports

Brenda D'Arville, Planning Commission Chair, provided an update of past and upcoming board meetings.

Agenda Item Number 3 – Stormwater Education -Illicit Discharge as required by FDEP

Troy Slattery distributed the following public education handout regarding "Illicit Discharge Detection and Elimination":

"PUBLIC EDUCATION HANDOUT
City Council Workshop 12/09/2020
MS4 Reporting Requirements and Illicit Discharge

The Public Services Department is responsible for maintaining and improving stormwater management throughout the city limits to include swales, storm drains, drainage (DRA) and water retention areas (WRA) not maintained by the county or state, and responding to flood emergencies to prevent future events, and responding to and addressing citizen complaints or requests.

In order to comply with the City's stormwater permit and MS4 reporting requirements, the City is required to distribute educational materials or conduct equivalent outreach activities about the adverse environmental impacts caused by polluted stormwater and the steps the public can take to reduce pollutants in stormwater runoff.

In that effort, we have distributed "Illicit Discharge Detection & Elimination" brochures to tonight's meeting guests. We would also like to provide some very basic information to Council and the public addressing illicit discharge into our storm drains.

What is Illicit Discharge?

An Illicit Discharge is ANY disposal, emptying or dumping of any substance other than rainfall into the stormwater drainage system. Pollutants entering Dunnellon's stormwater system do not flow to the water treatment plant; they empty into our local rivers and wetlands! Chemicals and nutrients become stormwater pollution as they are soaked up by the passing water. The stormwater pollution is harmful and can lead to algae blooms, resulting in inadequate oxygen levels and other impacts to fish and wildlife.

Improper disposal of oil-based paints, mineral spirits, pool chemicals, pesticides, or other home chemicals can pollute Dunnellon's sensitive environment. Did you know that used automobile batteries and fluids can be returned to an auto parts shop?

Stormwater runoff is rain that does not soak into the ground where it falls. This water runs off yards, streets and parking lots into storm sewers or waterways and carries a variety of pollutants including fertilizers, yard waste, paint, gasoline, motor oil, pesticides, weed killer, pet wastes, detergents and soaps.

These pollutants entering storm drains end up in our Rainbow and Withlacoochee Rivers. Be sure to maintain a "fertilizer-free" zone around all storm drains and be sure that pet waste and yard clippings near storm drains are picked up and disposed of properly.

Disposing Cooking Waste - Cooking oil and grease are wastes that the sewer system cannot handle and should not be discarded down the sink. Dumping grease, fats and oil can clog sewer lines causing sewage back-ups and flooding. Sewage back-ups can damage personal property, public property and also the surrounding environment. DO NOT dump cooking oil, poultry fat and grease into the kitchen sink or the toilet bowl. DO NOT use hot water and soap to wash grease down the sink because it will cool and harden in your pipes or in the sewer down the line. DO place cooled cooking oil, poultry and meat fats in sealed non-recyclable containers and discard with your regular garbage. DO use paper towels to wipe residual grease or oil off of dishes, pots and pans prior to washing them.

Disposing Pharmaceuticals - Flushing medications down the toilet or throwing them into your trash can also be harmful to our environment. These pharmaceuticals can end up in our water system. Residents can dispose properly of expired prescriptions, over-the-counter medications, needles and “sharps,” by visiting the Dunnellon Police Department at 12014 S. Williams Street, 352-465-8510.

Water quality is important to improve and sustain our springs and waterways in Dunnellon and Marion County for future generations to enjoy. Keeping this ecosystem and fishery healthy is critical to protecting the quality of life of the community and wildlife, as well as our local economy.

If you have any questions, or to report a possible illicit discharge, please call the City of Dunnellon (352) 465-8500 x 1010 or visit the City’s website at <http://www.dunnellon.org> and select Departments/Public Services/Stormwater.”

Agenda Item Number 4 – Historic Board Appointment

Lonnie Smith reported an application was received from Danny O’Neal, 19677 SW 82nd Loop for the 2nd Alternate vacancy. He provided a brief background on applicant who introduced himself and answered questions from Council.

Agenda Item Number 5 – Replacing City Administrator - Councilman White

Councilman White said the City of Dunnellon has a strong Council and weak mayor form of government. He explained the Council as a body, has the final say on everything. The Mayor’s position is basically to run the meetings, attend ceremonies and speak for the City. He referred to the 2016 referendum where it was voted to eliminate the City Manager position from the City Charter and create the position of City Administrator with Ordinance ORD2017-04. The City Administrator position that is currently in place is the overseer of all the departments. He said with Mrs. Bowne’s retirement, we have a situation with that authority that has been delegated to a person to run the City and it is now up to Council to run the City until Council determines what to do with this position.

Councilman White said after speaking with the leaders of other cities and Florida League of Cities he discovered that the situation we find ourselves in now is fairly regular especially after an election. He said we can find an interim. The Florida League of Cities has a program called “Members in Transition” who are willing to come in and serve until the position is filled.

He said there is some thought going on about this and things in the works. He said it’s a little cumbersome because we cannot really do anything yet until the new Council is placed. Come Monday when the new Council has its seats he is sure this will be on the front burner.

Councilman White said we all know that we have a great staff here. There isn’t a meeting that somebody does not compliment staff. He said this is an opportunity for staff now to really step up during these times and show us if all those compliments and everything that has been said are true.

Vice-Mayor Hanchar wanted staff to know that there is nothing more they need to prove to this Council, the City or anyone who is listening. She said staff has always gave their very best.

Mrs. Bowne noted that should Council not fill her position immediately, Council should consider the City's Charter regarding the paying of bills. She recommended placing a motion on the agenda for Monday's council meeting to appoint a designee to approve disbursement of funds for a check and balance.

Agenda Item Number 6 – Special Presentations

Chief McQuaig – Hiers-Baxley Hometown Hero Award

Chief McQuaig provided a brief overview and presentation of the program. He said Corporal Megan Feliciani, Corporal EJ Raines and Officer Fred Depka were honored to be nominated for a Hometown Hero award. Corporal Feliciani won the award for her work revamping the DPD field training program which ensures all new officers are released into duty well trained and prepared. He thanked the three for the hard work and excellent service.

Special Presentation by Vice-Mayor Hanchar

Vice-Mayor Hanchar presented Mayor Burns a plaque and read the following into the record:

“Presented to
Mayor C. Dale Burns, Jr.
On the 9th Day of December 2020

With an abundant of gratitude and heartfelt appreciation for your passionate leadership as Mayor during a time of inordinate challenges for our community and country including Hurricane Irma, COVID-19 Pandemic and unexpected financial hardship for many businesses and residents.

Your spiritual guidance has aided Council, staff and our residents to remember the principals in which our Country was founded; “We must hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights that among these are life, liberty and the pursuit of happiness.”

Your time and faithful dedication spent strengthening and prioritizing the relationship between the City and our business community is well noticed, valued by many and the effects will be evident for years to come.

In special recognition for the importance you placed on pursuing the objectives of City Council, including assigning unlimited and physical responsibility, the well-being of the businesses and residents through our rapport with Marion County Board of County Commissioners and maintaining a professional and productive connection with staff through positive reinforcement, established goals, clear directives and effective communication.

Delivered with our most sincere thanks for the precious time you have sacrificed by devoting yourself to fulfill your obligation as Dunnellon's Mayor with boundless pride, just the right amount of humbleness and serving with admirable distinction.

September 2018 – December 2020
Dunnellon City Council”

Special Presentation by Councilwoman Anita Williams

Councilwoman Williams presented flowers to Katherine Burns as a token of Council's appreciation for her service, presence and input at Council meetings; the proof of her love and concern for the City of Dunnellon.

Special Presentation by Mayor Burns – Jay Dugan

Mayor Burns presented Councilman Jay Dugan with a Certificate of Appreciation. He read the following into the record:

“City Council Certificate of Appreciation
Presented to
William “Jay” Dugan

In recognition of your heartfelt dedication to the Dunnellon community and its citizens.

You are hereby commended for your exemplary service on the City's Planning Commission during a time in which the City was challenged in maintaining full board membership. Your participation and resourceful insight regarding the duties and responsibilities of this essential body deserves generous praise.

You are hereby applauded for “stepping up to the plate” and serving as an honorable City Councilman when we lost beloved Councilwoman Linda Fernandez. Your extensive financial background and professional leadership proved invaluable in your team approach to support the Council in developing a balanced budget while preserving the millage rate and increasing reserves.

With heartfelt gratitude, pride and appreciation for your Generous service, enthusiasm and commitment.

Dunnellon City Council
December 9, 2020”

Special Presentation by Mayor Burns – Dawn Bowne

Mayor Burns presented Mrs. Bowne with City Council Retiree Commendation and read the following into the record:

“Presented to Dawn M. Bowne
June 4, 1986 – December 10, 2020

In recognition of your 37.5 years of dedicated service to the City of Dunnellon.

You are hereby commended for the many years of faithfully serving the citizens of Dunnellon. Your loyalty and devotion is resolute, and your unwavering commitment to our community will forever be treasured.

With heartfelt gratitude, pride and applause, we wish you a well deserved

Happy Retirement with hopes that your years to come will be truly amazing.

Dunnellon City Council
December 9, 2020”

Mayor Burns presented a plaque and Key to the City to Mrs. Bowne. He read the following into the record:

“Presented to Dawn M. Bowne, City Administrator
June 4, 1986 – December 10, 2020

In recognition of 34 and a half years of remarkable achievements and faithful devotion to the citizens of Dunnellon. You have served the community with boundless distinction holding a multiple titles; excelling as our City Clerk, Human Resource Director, Finance director and Interim City Manager. Finally, accepting the ultimate challenge, you exceeded Council’s expectations and shined brilliantly while serving as our first City Administrator.

As you enjoy your retirement, we encourage you to look back with heartfelt pride on your many accomplishments. You established yourself as an admirable and spirited leader by using your experience and knowledge to teach and guide staff, while continually inspiring and challenging their ability, never failing to proclaim; “Always strive to leave it better than you found it” and “Go learn something new today.” You possess a natural talent to bring individuals together for a common goal using your unwavering gift to inspire compromise.

Your skills have proven invaluable as you became a vital and essential asset to the City Council assisting in their efforts to ensure a state of solid financial stability and promoting the well-being of our residents and businesses. This was accomplished by your diligent efforts to negotiate with Marion County for an improved level of Fire Rescue Services through a shift in management, Sale of the Water and Wastewater Utility System to FGUA resulting in expert government oversight and significant debt reduction, and strategically restructuring our City government administrative organization.

In profound appreciation for your loyal and tireless commitment to public administration. You hold the key to our City and to the hearts of countless councilmembers and employees who served passionately alongside you throughout the years. “Those who are wise will shine as bright as the sky, and those who lead many to righteousness will shine like the stars forever. Daniel 12:3.”

Presented this 9th day of December 2020 By the Honorable Dunnellon City Council.”

Special Presentation by Mandy Roberts and Vice-Mayor Hanchar – Dawn Bowne - Ms. Roberts (attending by Zoom) thanked staff for continuing to keep the office open and running during the absence of Loretta Barton and herself the past two weeks.

Ms. Roberts stated, “Dawn has been a friend and mentor for over twenty years now and you mean so much to me and so much to so many people. It saddens me to see you go but I respect it and I understand why you have made this decision.

Dawn, in keeping with tradition, with all retirees of the City, we have strived to find the perfect gift that suits the individual and will be meaningful to them for years to come. I have to admit for someone as unique as you, this was not an easy task. We wanted to gift you something special that symbolizes who you are and what you believe in that will carry with you and fondly remind you your many dedicated years of exemplary public service. In addition to being the universal symbol of Christianity, the cross also symbolizes faith, devotion and sacrifice. All of which you have so passionately exhibited throughout your successful career.

You have faithfully served the Dunnellon community, past city councils and always adamantly conveyed faith in your staff. You have devoted thirty-four (34) plus years of your life in service to the public, ensuring that the residents of Dunnellon were well served by the most qualified public servants. In that, you have sacrificed sleepless nights, lost time with your family, working holidays, nights and weekends and the list goes on.

One dictionary definition of “cross” is to go to, or extend a cross to the other side. Now, that time has come for you. Time to cross that bridge that leads to new and fulfilling endeavors and more precious time with your family.

It has been a blessing to this Council, many past Councils and staff to have served alongside you. You have been a true professional, mentor, guidance counselor and friend to many of us. Personally, I would not be where I am today, professionally or in my personal life, without your leadership, love and support over the past twenty (20) years.

Now on behalf of the Dunnellon City Council and staff, we present you with “the cross.” We hope that you will wear it proudly in remembrance of all that you have generously contributed and proudly accomplished.”

Special Presentation by Larry Winkler

Larry Winkler wished the incoming mayor, Councilman White, the best of luck.

He stated that he and Mrs. Bowne were involved in an ethics complaint and they received word on December 4th that the complaint was frivolous. He said it cost the State and taxpayers a lot of money.

Mr. Winkler requested Troy Slattery read comments from a performance evaluation from ex-council member, Robert Rutkowski, regarding Mrs. Bowne. He said this councilmember was a vice-mayor and is on the board of the Rainbow River Conservation Group.

Mr. Slattery read the following:

“Directing: Dawn never hesitates to contribute to the council discussion to aid in direction where needed. She directs her staff accordingly and because of her longevity and familiarity with her department is also able to successfully provide advice and direction in all areas. She promotes cooperation among her staff to achieve her department’s goals and objectives. Dawn has continued to serve as Chairman of the Police and Fire Pension board of Trustees and has insured the board has followed policy and procedures mandated by the State. Dawn was assuming all agenda, minutes, administration and communication for the board because of a lack of participation from employee members. She has resolved that situation and directed both the fire and police to handle the communication of meetings and the recording of minutes.

Budgeting: Dawn strives to keep City Council and department heads updated on sensitive issues that may arise at public meetings such as complaints from citizens. She keeps Council apprised of all sensitive personnel issues. Ie: complaint regarding a Fire Department volunteer, previous building official regarding retirement & previous asst. city clerk salary issue. Dawn implemented email communication procedures to more quickly and efficiently communicate correspondence, agendas, minutes to department heads, council and citizens.

Delegating: Dawn receives numerous typing/researching requests from all council members, which she quickly delegates to appropriate staff members to provide timely responses. Dawn provided the cashier/receptionist with better administrative tools and developed procedures for her to track meetings for council members and send reminders through e-mail. She reorganized and re-delegated workload to split the finance and clerk/personnel responsibilities after the resignation of the previous Asst. Clerk. The financial asst. now assumes certain evaluation responsibilities. Dawn hired an extremely capable cashier/receptionist who she then delegated a number of administrative functions. However, Dawn is still very much hands on in several areas that she manages such as finance, personnel and administration.

Planning: Her efforts are innovative and creative, providing for the most effective use of resources. Dawn is exceptional at planning short and long range projects and is one of the best I have met at not only using resources effectively, but also at obtaining resources in order to complete a project that most people would think impossible.

Evaluating: The evaluations completed by Dawn contain significant detail and justification. She is fair, even though she expects employees to excel in their performance. Her employees are never surprised by any evaluation because of the extensive verbal communication Dawn provides them.

Budgeting: Dawn submitted a 2000-2001 balanced budget for all funds meeting certain goals and objectives outlined for her by Councilman Rutkowski, such as outlining capital expenditures differently than in the past and bringing a surplus number to council to allocate within the general fund. She was able to do this working under very difficult circumstances with the Public Service Director. Because of untimely department budget submittals, Dawn worked a 24-hour period non-stop at her desk in order to insure the city met the deadlines established by the state. Dawn mastered the new budget program and created customized budget reports on the report writer that were now available as a canned report. Dawn kept department heads committed to spending within their budget restraints by placing controls on her system to flag over expenditures and created policies for departments to obtain council authorization prior to over expending or transferring monies. Under Dawn's management, once again, the General Fund will result in a surplus to reserves. Dawn and her staff received excellent compliments and review from the auditors during the FY 99-2000 audit conducted February 2000.

Motivating: Dawn is able to keep her staff motivated by providing incentives for job well done, usually at her own expense. Dawn conducts fair reviews of her staff and rewards with salary increases when earned. Dawn can be tough and demanding with her staff but if asked, they will tell you she is fair. She motivates her staff to participate in community projects and functions such as Boomtown Days, etc.

Judgment: During her career with the City of Dunnellon, Dawn has consistently displayed good judgement, as evidenced by the fact that other department heads and city employees go to her for advice and direction. She displayed excellent judgment this year in her decision to hire Mrs. O'Brien and Mrs. Roberts as a part of her team. Each of these employees has excelled in their responsibility. Dawn displays admirable judgment in handling sensitive matters and utilizes her resources for advice when needed.

Teamwork: Dawn promotes a teamwork attitude within her staff. She is always willing to assist other departments when needed. She continually works to assist the Fire Chief who does not have secretarial support. Dawn assisted him through the RFP process for obtaining billing agencies for rescue services. Dawn has encouraged and implemented the department heads to meet weekly to review project/goals, establish agenda items and to promote communication and coordination among the departments. Dawn worked and guided the Police Chief through the process of updating his computer system and obtaining maintenance/support. Dawn demands a teamwork approach from the other department heads in order to balance the respective budgets. Dawn each year teams up with the Marion County Supervisor of Election to provide prospective council candidates with the necessary laws and paperwork to run for office and guide them through any necessary election process.

Job Knowledge: Dawn keeps herself up to date on changing legislation and state mandates. Dawn attended courses provided by the Florida League and the Department of Revenue in order to completely understand the impacts of the new Communications Services Tax Simplification Law. She then followed through with supplying the state with a full audit of our communication revenue in order to insure the City receives an appropriate percentage as a result of the recalculation of the distribution. Dawn also attended educational classes regarding GASB 34. In short this is the legislation in which the state is amending in its entirety how the City must report its financial position and contains additional unfunded mandates regarding budgeting, capital asses and depreciation. This will create significant additional workload in which the City must prepare for. Dawn continually displays her knowledge regarding the City policy and procedures during council workshops and formal meetings. On several occasions during the past year, she has politely corrected staff members who incorrectly recalled City ordinance requirements. This helps facilitate meetings and deter from misleading Council members, which could result in inappropriate decisions.

Training: Dawn provides her staff with appropriate training and attends continued educational classes herself. In the past year she has attended 3 day hours of training by the Institute of Government through Florida State University, 8 hours of training by the Department of Revenue, State of Florida, 8 hours of training by the Florida Government Finance Officers, 12 hours of training by the Florida Association of City Clerks. These classes specifically provided training knowledge in the area of budget/finance, personnel, Florida Law and local government training. Dawn personally trained her staff as well as other departments on the new budget program, which facilitated data entry by other departments. Dawn installed a new business license software program to more efficiently track local business and more accurately provide license data via public regards request. She received training and trained her staff on the program creating new policies and procedures to better track the accounts receivable and revenue.

Leadership: Dawn was recently appointed President of the West Central Florida Association of City Clerks due to her commitment to leadership and excellence in government. Dawn maintains a positive working relationship with her staff and has received no personnel complaints related to her management. Dawn stays active in community events attending functions to show government involvement in the community. Dawn displays a professional image and is articulate and to the point during public presentations. She professionally led the City's Police Union negotiations resulting in both successfully agreeing to the terms of the contract.

Organization: Dawn properly prepares Council for all meetings and is organized during her presentations to council and the public. She is prepared for most questions and can usually anticipate data/information that will be needed for discussions.”

Mr. Slattery stated the evaluation was written back in 2000 and Mrs. Bowne has not changed a beat. He is very proud to have worked with her.

Mayor Burns called upon any staff member who would like to speak.

Teresa Malmberg, 22925 SW 117th Street, said, “Dawn, my leader, my mentor, my friend. I attempted to put words on paper and I realized that just words would work best for you and the first word that comes to mind stays with me when I think of you is “Fierce”. In Webster’s this led me to the adverb, “Fiercely” meaning: to a high degree. Fiercely Loyal-unswerving in allegiance, as in: faithful in allegiance to God, one’s family, friends, government, employees and work. And I thought, Fiercely Honest, at which time I stumbled upon this: Honest meaning: free from fraud or deception; legitimate, truthful genuine, real, humble, reputable, respectable; worthy of praise, an honest day’s work; puts forth an honest effort; marked by integrity; marked by integrity; marked by free, forthright, and sincere expression; direct and uncomplicated.

Day in and day out for thirteen (13) years, we’ve remained steadfast in our roles. Through thick and thin, good and bad, unwavering.

In closing, I read from the King James Version, Joshua 1:9: Have not I commanded thee? Be strong and of a good courage; be not afraid, neither be thou dismayed: for the LORD thy God is with thee whithersoever thou goest.

As Mama proofed and critiqued my words, she added, and I quote, “The word sweet comes to my mind, Dawn is a sweet girl, and I love her and wish her the very best. Tell her I’ll see her soon.” Fair winds and following seas....you’re always in my heart.”

Lonnie Smith, 200th SW Place, Ocala, Mr. Smith stated, “I witnessed in this past election some of the most disappointing and appalling behavior imaginable. This small town election has cost many people the loss of their privacy and their dignity. Things were said whether truthful or not and dirt was dug up and exposed for all to see. Lives, reputations and futures have been changed permanently. Long standing relationships were strained or irreparably severed. Not many have come away from this unscathed and I keep asking myself, for what. Dawn has dedicated her entire working life to this City. How many of us can say that? Over the years through effort and determination, consistence, skill building and willingness to take on new and more difficult challenges she earned enough respect and trust to be offered the highest and most responsible leadership position in this city’s government. That was not by accident, but by proving herself day in and day out for thirty (30) years. Dawn is a top-notch leader. She truly cares for her staff and is willing to put herself out to make sure the team is supported and nurtured to succeed. In working with her over the last eight (8) years I can adamantly attest that Dawn always, always had the City’s best interest at heart. The City is losing an excellent administrator and will be very hard-pressed to find a person more qualified and more dedicated to this city than her. I wish her the best in whatever new endeavor she avails herself to and I am confident that whatever she decides to do, she will do it with class and excellence.

Regrettably, there has been many injuries in this latest battle for City Council. Staff and elected officials included. I have also taken my fair share of bullets and shrapnel and at this point in my life and career, cannot justify willingly in enduring any more character deformation stress and sleepless nights. It is with deep regret that I have submitted my resignation and will be terminating my community development career with the City of Dunnellon January 5, 2021. This was not an easy decision to make as I have enjoyed

getting to meet and know many fine people in this local area. But one that I feel is necessary. My heartfelt appreciation and thankfulness goes to those who have encouraged and supported me and gave me a chance to try something out of my wheelhouse and to run with it as far as I could. Thank you.”

Councilman Dugan thanked Lonnie and said he was a very talented person and he appreciated the comments he often provided to Councilman Dugan.

Mayor Burns called upon any other members of the public who would like to speak regarding the outgoing Council or Administrator

Former Mayor Walter Green, said we have witnessed the change in the City. He commented on Lonnie’s resignation and said it is one we all regret. He said Mr. Smith worked so hard and put so many hours in for our city. He offered his sincere thanks as a citizen of this town and how much he deeply appreciates all of his efforts for the betterment of this town.

Former Mayor Green commented on the many blessings of Mrs. Bowne’s efforts. He thanked Mrs. Bowne for the leadership she provided to staff and the smooth operations of the city.

He commented the Dunnellon Tigers are now in the top four teams. They are undefeated. If they continue to be undefeated at the next game Friday night, they will be in the State Championship game.

Katherine Burns, 20181 Short Tower Way, said she prays for God’s healing. Her hope for our city is that we lay down our hurts so that we can move forward and keep this city, a balanced budget and do the things that are right for the citizens.

Agenda Item Number 7 – Council Comments

Vice-Mayor Hanchar thanked Lonnie Smith for his service and said she is sorry that he was one of the victims.

She said she would like to make sure this new Council honors and respects one another. She spoke of the false statements that were made. She would ask that the new city council members, when they make mistakes and they put it out in public and it is deemed they are not truthful, that they would have enough integrity and respect for those that they have harmed to please apologize publically.

Councilwoman Williams thanked both Mrs. Bowne and Mr. Smith for being very helpful to her and professional in performing their job duties. She appreciated them. She said we are losing good people.

Councilman Dugan said he has enjoyed his brief time on Council.

Councilman White said everything that needs to be said, has been said. He believes those who have spoken have spoken from their heart how they really feel and there is nothing wrong with that. He wished everybody the best.

Mayor Burns noted that Loretta Barton is attending the meeting by Zoom and would like to make a comment.

Loretta Barton, staff member, said thank you to Mrs. Bowne for being a wonderful mentor and boss. Mrs. Barton said she has learned so much from Mrs. Bowne in her past ten (10) years with the City and she will miss her.

Mayor Burns provided his comments and thanked staff. He appreciate all the relationships that have developed. He said he was honored to offer his help to the city.

Mandy Roberts spoke of Lonnie Smith's resignation, working with the Mayor and Councilman Dugan.

Agenda Item Number 8 – City Administrator Comments

Mrs. Bowne said the Bid opening for BID2020-04 Short Tower Way and Ernie Mills Park Parking Project is scheduled for December 14th.

Troy Slattery has arranged for storm drain cleaning along San Jose Drive. This will be taking place tomorrow morning.

Mrs. Bowne spoke of Lonnie Smith's resignation and her appreciation.

Mrs. Bowne addressed the formal complaint filed by Louise Kenny against Larry Winkler and herself. She said she was contacted by the Complaint Coordinator for the Florida Commission on Ethics to advise her that the formal complaint was determined to be legally insufficient and therefore considered dismissed.

She said, "I had no doubt that there would be a complete exoneration of the unfair and spearheaded baseless accusations made against myself and former Councilman Winkler. Unfortunately it was conveniently timed during the council election for an occurrence that happened in 2017. Because I was publically attacked I am pleased that the timing of this notification allows me to leave on a positive note and share this information with the people that I so cared very much about in our great city. I have four generations of family in this city and care very much for the city. I do want to point out, please everybody know, that I just sensitize the point that when claims like these are made, baseless claims, without people doing their homework or contacting the Commission on Ethics first, when they are baseless and it's filed against a public official, the city is liable for the legal expenses incurred by that official. When they are found to become insufficient, it becomes a financial burden on the taxpayer. We spend every day here trying to reduce the expenses to the taxpayer. Some may not believe that and everybody has their opinion on how things are managed and how budgets are formed. That's a part of the public process. But please know that we have staff and a council. Each council I have worked with, has worked incredibly hard to try to reduce expenses and provide the best budget and the best service for the least cost. Sometimes there are certain expenses that have to make that become reality. But its expenses that are not necessary that are incurred by the city, its' the taxpayer that takes that hit."

Agenda Item Number 9 – City Attorney Comments

There were none.

Agenda Item Number 10 – Public Comments

There were none.

Mrs. Malmberg called for public comments from any Zoom participants.
There were none.

The meeting was adjourned at approximately 7:50 p.m.

Attest:

Amanda Roberts, CMC
City Clerk

Valerie Hanchar, Vice-Mayor

**City of Dunnellon City Council
Zoom Meeting**

<https://dunnellon.zoom.us/j/95882750342?pwd=RENRa2Y4MGgwcjJlEQZJiaEd3bmVlUT09>

Webinar ID: 958 8275 0342

Date: December 14, 2020

Time: 5:30 p.m.

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

Dunnellon City Council meeting will be held on December 14, 2020, at 5:30 p.m. at Dunnellon City Hall with Social Distancing Modifications.

Public Comment

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

Members of the public who would like to participate are encouraged to register in advance by Noon on Monday, December 14th. Please see instructions below on how to register.

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

Call to Order and Pledge of Allegiance

Mayor Burns called the meeting to order at approximately 5:30 p.m. and led the Council in the Pledge of Allegiance. Mayor Burns asked if a citizen would volunteer to open with prayer. Pastor Tom Welch provided the invocation.

Mayor Burns called upon the City Clerk to call roll.

Roll Call

Dale Burns, Mayor, Seat 1

Bill White, Councilman, Seat 2

Anita Williams, Councilwoman, Seat 3

Valerie Hanchar, Vice-Mayor, Seat 4

Jay Dugan, Councilman, Seat 5

Staff Present

Mandy Roberts, City Clerk

Chief Mike McQuaig, Police Department

Troy Slattery, Public Works Department

Jan Smith, Finance Department (attending by Zoom)

Lonnie Smith, Community Development

Lynn Wyland, Clerk's Department

Legal Counsel (attending by Zoom)

Andrew Hand,

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

Proof of Publication

Mrs. Roberts announced for the record the agenda for this meeting was posted on the City’s website and City Hall bulletin board on Thursday, December 10, 2020.

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

Mayor Burns called for Council comments regarding agenda.

There were none.

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

Kathy Bryant, Marion County Board Commission, thanked Mayor Burns for his service to the community. She congratulated the new council members coming on board.

Dwight Porter, 10483 N. Silverlake Point, spoke of surplus property the City owns. He suggested placing the property on a surplus list. He said he would be willing to purchase the property for public parking. He addressed the Nine Island Cove property. He said there are some folks here who are very knowledgeable regarding parks and grant writing. He would like to see that property in the public’s hands.

Consent Agenda – Old Business

- 1. City Council Minutes
August 19, 2020 Special Budget Workshop**

Consent Agenda Approval

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

Regular Agenda – Old Business

Ms. Roberts read the following Quasi-Judicial Hearing Statement into the record:

“All witness addressing City Council in these Quasi-Judicial hearings 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 to approve the application for Special Exception.

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 may question witness. 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."

Agenda Item No. 2 – Quasi-Judicial Hearing Special Exception #SPX2020-02 Development Order #DOR2020-01 First Baptist Church 33653-000-00 (Notice Of Quasi Hearing To Property Owner On 11/28/2020)

Mayor Burns gaveled down and said, "It is now 5:42 p.m. and I close the regular meeting and open this Quasi-judicial hearing to discuss: Special Exception #SPX2020-02 Development Order #DOR2020-01 First Baptist Church 33653-000-00. Notice of Quasi Hearing To Property Owner On 11/28/2020."

He then asked the City Attorney to swear in the witnesses.

Attorney Hand ask for anyone presenting evidence to please raise their right hand. He then sworn in the witnesses.

Mayor Burns asked each council member if there was any disclosure of contacts, ex-parte communications or other evidence. All members except Councilman White, answered there were none. Councilman White reported on having lunch at a restaurant and running into Pastor Russ Randall of the First Baptist Church. He communicated to Pastor Randall that we need to be sure the drinking water is safe before changing the zoning around the well heads.

Attorney Hand asked Councilman White if he felt the exchange of words would change his decision. Councilman White stated no.

Lonnie Smith reviewed the staff report. He explained this is a special exception to allow a church with buildings totaling 50,000 square feet and recreation fields on properties totaling plus or minus thirty-six (36) acres with Residential Medium Density (R-1B) and Central Business (B-3) zoning and Residential Medium Density and Commercial future land uses.

He reviewed the special exception criteria and read the eleven (11) standards and "Staff Findings, which are reviewed during the process, into the record:

Special Exception Criteria:

Zoning Code Section 9.1(b)(1)-(11) lays out standards which are required to be met before a special exception can be approved. Based on this criterion, staff finds the following:

Standard (1): **Ingress and egress to the property and proposed structure thereon, with particular reference to automotive and pedestrian safety, traffic flow and control, provision of services and services for utilities, and access in case of fire or catastrophe.**

Staff Findings
Standard (1):

Staff finds that the proposed church site plan provides adequate ingress and egress to the property along with good traffic flow within the property. The proposal includes one ingress/egress point on West Highway 40, and another on Rolling Hills Road. The distance from these intersections is enough for good traffic flow and turn movements. The presence of two (2) ingress/egress points also improves first responder access in the event of an emergency.

Standard (2): **Manner of drainage on the property, with particular reference to the effect of provisions for drainage on adjacent properties and the consequences of such drainage on overall city capacities.**

Staff Findings
Standard (2):

Staff finds that the applicant has planned sufficient retention on the property for management of drainage without impacting surrounding properties. The large nature of the site also permits for large areas of open space to remain, adding to the site's drainage function. The project will be subject to permitting from the Southwest Florida Water Management District at the time of development review and permitting.

Standard (3) **Conditions on ownership, control, and use generally, conditions on ownership, control, use, and maintenance of open space or common lands to ensure preservation of such lands for their intended purposes.**

Staff Findings
Standard (3)

The project area will be under the common control of the First Baptist Church, with staff finding that this will create sufficient management of open space areas of the property. Staff finds that there is sufficient open space preserved on the property. Any substantial changes to the proposed open space remaining would require an amendment to this special exception approval.

Standard (4) **Utilities, with reference to hook-in locations and capacity for the use projects.**

Staff Findings
Standard (4)

Staff finds that water and sewer lines do exist to service the subject property. At the time of development, the church will be required to reserve capacity from the City utility system.

Standard (5) **Off-street parking and loading areas, with attention to the automotive and pedestrian safety, traffic flow and control, access in case of fire and catastrophe, and screening and landscaping.**

Staff Findings
Standard (5)

Staff finds that as depicted, the off-street parking and loading areas are designed for the efficient flow of vehicular and pedestrian traffic. Although some areas are depicted as grass parking, the applicant is aware that based on

the City's Land Development Regulations and concerns with protecting the area's aquifer, concrete or other impervious materials may be required for parking areas at time of site development review. Staff finds that the number of proposed parking spaces for the development as proposed is sufficient, and as more details of the project are revealed at the time of development, minor changes to the number of parking spaces/areas may be required. Staff finds that parking areas are located to sufficiently reduce their impacts on surrounding properties. Lighting for parking will, as depicted, be designed to shield light from impacting surrounding properties. All required landscaping and buffering of parking areas will be reviewed in full at the time of development approval.

Standard (6) Recreation and open spaces, with attention to the location, size, and development of areas as to adequacy, effect on adjacent and nearby community-wide open spaces and recreation facilities.

Staff Findings
Standard (6)

As previously stated, the location of open space is sufficient, and is located so as to reduce impacts on adjoining properties. The ballfields will not be open for nighttime use, so there will be no additional lighting impacts. The retention areas will be between the ballfields and adjoining residential areas, with there being over 100 feet of open area between the ballfields and adjoining properties. Existing landscaping along the edges of the proposed site will also be discussed for preservation in conjunction with other buffering at the time of development review.

Standard (7) Density and/or purpose of the development, with attention to adjacent and nearby properties.

Staff Findings
Standard (7)

Due to the size of the property, and the opportunity for the preservation of existing landscaping as additional buffering, adjoining properties will not be impacted by the size of the development or its uses. As a church, use of the property will be reduced during the week. The most intense use of the properties will be on Sundays, which will bring activity when other uses in the area are closed.

Standard (8) General site arrangement, amenities, and convenience, with particular reference to ensuring that the appearance and general layout of the proposed development will be compatible and harmonious with properties in the general area and will not be so at variance with other development in the area to cause a substantial depreciation of property values.

Staff Findings
Standard 8

The large size of the development site will help to ameliorate impacts from this church on adjoining properties. The buildings will cumulatively add up to around 50,000 square feet, but are located in the center of the site to reduce visual and other impacts on peripheral properties. Staff finds the church will add to the resources available in the community, and will not depreciate property values.

Standard (9) Loss of pervious surfaces with attention to the lowering of recharge capabilities and increasing runoff.

Staff Findings
Standard (9): As previously stated, staff finds that due to the large area of the site remaining undeveloped and the planned retention, recharge capabilities and runoff increases should not be problematic.

Standard (10) Such other standards as may be imposed by these zoning regulations for the particular use of activity involved.

Staff Findings
Standard (10) Staff does not find any standards which need to be imposed, other than parking area materials and the preservation of existing landscaping as part of buffering, which are to be dealt with during site development.

Standard (11) Consistency with neighborhood and historical character.

Staff Findings
Standard (11) Staff finds this project will be consistent with the character of this area. No historical buildings or districts are near the proposed site.

FINDINGS OF FACT:

To determine whether the proposed special exceptions meet all criteria of Zoning Code Section 9.1(b)(1)-(11), all relevant City code sections were reviewed. Consistency has been established with the preceding Special exception criteria.

RECOMMENDATION:

Based on the findings of fact above, staff recommends Special Exception SPX2020-03 are consistent and satisfy the requirements of Zoning Code Section 9.1(b)(1)-(11) code criteria. The Planning Commission reviewed the Special Exceptions for Comprehensive Plan consistency on October 20th 2020 and recommends, via Resolution RES2020-28, that the City Council approve Resolution for Special Exception RES2020-30 as presented.”

Mayor Burns called upon the representative for the property.

Russ Randall, 20831 Powell Road, said this has been a two year process and he thanked all council and board members for their due diligence.

Mayor Burns called for public comments. There were none.

Mayor Burns gavelled down and stated, “It is now 5:59 p.m. I close the quasi-judicial hearing, and reopen the December 14, 2020 city Council Meeting.”

Mayor Burns called for council comments.

Vice-Mayor Hanchar asked if pavers were permitted. Lonnie Smith stated yes.

Agenda Item No. 3 - Consideration of Resolution #RES2020-30/Special Exception Development Order #DOR2020-01/SPX2020-02 First Baptist Church

Vice-Mayor Hanchar moved Resolution #RES2020-30 be read by title only. Councilwoman Williams seconded the motion. The vote was taken and all members were in favor. The vote was 5-0.

Ms. Roberts read the following into the record:

“Resolution #RES2020-30

A Resolution Of The City Council Of The City Of Dunnellon, Florida, Granting A Special Exception To Dunnellon First Baptist Church, Applicant And Agent For Phyllis Peterson, To Operate A House Of Worship At Parcel 33653-000-00, Sec 27 Twp 16 Rge 18, Dunnellon, Florida, Totaling ± 16.35 Acres More Or Less, Pursuant To The City Of Dunnellon Land Development Regulations Section 7.1, Table Of Permitted Uses, Section 8.3, Single-Family Residential (R-1b) Formerly (R-3a), Section 8.12 Central Business (B-3), And Section 9.1(A)(3); Providing For Conflicts, Severability And; Providing For An Effective Date.”

Vice-Mayor Hanchar moved Resolution #RES2020-30 be approved and authorize Mayor to sign Special Exception Development Order #DOR2020-01. Councilman Dugan seconded the motion.

Mayor Burns called for discussion. There was none. The vote was taken and all members were in favor. The vote was 5-0.

Agenda Item No. 4 – Quasi-Judicial Hearing Special Exception #SPX2020-01 Development Order #DOR2020-02, First Baptist Church 33653-001-00, 11330 Rolling Hills Road (Notice Of Quasi Hearing To Property Owner On 11/28/2020)

Mayor Burns gaveled down and said, “It is now 6:04 p.m. and I close the regular meeting and open this Quasi-judicial hearing to discuss: Special Exception #SPX2020-01 Development Order #DOR2020-02 First Baptist Church 33653-001-00 11330 Rolling Hills road (Notice of Quasi Hearing to Property Owner on 11/28/2020.)”

Mayor Burns called upon the City Attorney to swear in the witnesses.

Attorney Hand ask for anyone presenting evidence to please raise their right hand. He then sworn in the witnesses.

Mayor Burns asked each council member if there was any disclosure of contacts, ex-parte communications or other evidence. All members except Councilman White, answered there were none.

Mayor Burns called for staff presentation.

Lonnie Smith said the previous staff report covered both agenda items. He read the Findings of Facts into the record:

“Based on the findings of fact above, staff recommends Special Exception SPX2020-01 are consistent and satisfy the requirements of Zoning Code Section 9.1(b)(1)-(11) code criteria. The

Planning Commission reviewed the Special Exception for Comprehensive Plan consistency on October 20th 2020 and recommends, via Resolution RES2020-27, that the City Council approve Resolution for Special Exception RES2020-29 as presented.”

Mayor Burns called for public comments. There were none.

Mayor Burns gavelled down and stated, “It is now 6:08 p.m. I close this quasi-judicial hearing, and now reopen the December 14, 2020 City Council Meeting.”

There was no further discussion.

Agenda Item No. 5 – Consideration of Resolution #RES2020-29 Special Exception Development Order #DOR2020-02/SPX2020-01 First Baptist Church

Vice-Mayor Hanchar moved Resolution #RES2020-29 be read by title only. Councilman Dugan seconded the motion. The vote was taken and all members were in favor. The vote was 5-0.

Ms. Roberts read the following into the record:

“Resolution #RES2020-29

A Resolution Of The City Council Of The City Of Dunnellon, Florida, Granting A Special Exception To Dunnellon First Baptist Church To Operate A House Of Worship At 11330 Rolling Hills Road, Dunnellon, Florida, Further Described As Sec 27 Twp 16 Rge 18 N ½ Of Ne ¼ Of Se Qtr, Parcel 33653-001-00, Totaling ± 20 Acres More Or Less, Pursuant To The City Of Dunnellon Land Development Regulations Section 7.1, Table Of Permitted Uses, And Section 8.3, Single-Family Residential (R-1b) Formerly (R-3a), And Section 9.1(A)(3); Providing For Conflicts, Severability And; Providing For An Effective Date.”

Councilwoman Williams moved Resolution #RES2020-29 be approved and authorize Mayor to sign Special Exception Development Order #DOR2020-02. Councilman Dugan seconded the motion. There was no further discussion. The vote was taken and all members were in favor. The vote was 5-0.

Agenda Item No. 6 - Regular Agenda – New Business

Mayor Burns thanked all the neighbors for the honor of serving them for the last two years. He prayed the new Council to be prosperous and all their ways they do business. He prayed for our small city in a positive way. He thanked Council and the staff.

Councilman Dugan thanked staff for all the assistance they provided to him. He wishes the best for the incoming Council.

Oath of Office

The following Oath of Office was administered to Bill White, Seat 1, Mayor, by his mother, Ramona Greene; Louise Kenny by Mary Ann Hilton, Council Seat 2; and Jan Cubbage by her husband, Bob Cubbage, Council Seat 5.

“I, (inserted name), a citizen of the State of Florida and of the United States of America, being employed by and officer of the City of Dunnellon and a recipient of public funds as such

employee and officer, do hereby solemnly swear or affirm that I will support the constitution of the United States and of the State of Florida.”

The Mayor called for a five (5) minute adjournment. The meeting reconvened at 6:30 p.m.

Mayor White made a statement and thanked former Mayor Burns and Councilman Dugan for their services. He also thanked the newly appointed Council members Louise Kenny and Jan Cabbage.

Agenda Item No. 7 – Historic Preservation Board Appointment

Lonnie Smith provided the staff presentation. He said an application was received from Danny O’Neal to serve as 2nd alternate member of the Historic Preservation Board to fill unexpired term formerly held by James Burchett. Mr. O’Neal was present at the workshop and was introduced and provided a brief background.

Mayor White called for public comments. There were none.

Vice-Mayor Hanchar moved the appointment be approved. Councilwoman Williams seconded the motion. The vote was taken and all member were in favor. The vote was 5-0.

Agenda Item No. 8 –Hiring City Administrator

Mayor White said the proposed motion is to authorize staff to place an ad for the City Administrator position.

Mayor White called for public comments.

Annette Stutzman, 204 SW 192nd Court, referred to the 2016 referendum. The City Administrator position was created. She said the people voted not to have a City Manager or City Administrator. They wanted it to be the Council and the sitting Council at that time decided didn’t want that and therefore the City Administrator title was created.

Mary Ann Hilton, 12078 Palmetto Court, said she is in agreement. She suggested going back to what the people requested at that time.

Vice-Mayor Hanchar moved to authorize staff to place an ad for City Administrator. Councilwoman Williams seconded the motion.

Mayor White called for discussion.

Councilwoman Kenny said at this particular point and time, in order to really know what direction we are going in, we need an interim position in order to discuss and turn to legal help to have our Code reflect the will of the people. She said there should be some clarification.

Mayor White stated this is not unusual in where a City has a key person on staff that either retires, resigns or has an illness. These things do happen and sometimes cities have to function during a period of time when you have a major change in your government. Council created the City Administrator position to basically delegate its day to day authority to run the City. He said contrary to what people believe, the City Administrator isn’t able to do whatever the person wants to do. It is at the directives of the Council. In between meetings the City Administrator runs the city through the direction of the Council. He said this is what we currently have in place. He said if Council

wanted to, they could meet every day and run the City. He said the practicality of running a city with a Council, is that Council cannot even speak to each other about business outside of a meeting and somebody has to be the person that follows the will of the Council.

Mayor White explained the procedure of hiring a City Administrator and said it can take up to four months. He said for now, we can look at our current staff and see if a member will step up and be the interim person for a period of time. Or, Council can look for a person who has already been a city manager and would like to step in for a short time. After speaking with the Florida League of Cities and different municipalities he concluded that most cities get someone within the staff to step up. He said Chief McQuaig said he would be willing to step up and help us get through the transition.

Vice-Mayor Hanchar questioned the pay range of the City Administrator's position.

Ms. Roberts said the current pay range is \$62,400 to \$78,600.

Council and staff engaged in brief discussion regarding the pay scale.

Councilwoman Cabbage recommended going low-ball and stay within the salary range.

Mayor White said this is just the process, if we are going to do it. It doesn't make any sense to wait until the next Council meeting before we begin this. He said sending out the advertisements and at least starting the process, what we do with it is up to us. He said there is no down side to placing the ads to see what's out there.

Mayor White said there is a motion on the floor. He called for a vote. The vote was taken and all members were in favor. The vote was 5-0.

Agenda Item No. 9 – Short Term Delegation of Authority/Council Designee

Mayor White called for public comments. There were none.

Vice-Mayor Hanchar moved to authorize the Finance Officer and City Clerk as Council's designee to approve disbursement of funds per Sec. 21 of the City's Charter. Councilwoman Kenny seconded the motion.

Vice-Mayor Hanchar asked if Chief McQuaig accepts the position of interim, do we still need a designee.

Attorney Hand recommended authorizing the Finance Officer and City Clerk for bill paying. He discussed how things would work with Chief McQuaig taking on the duties. He said dual office holding is prohibited by Florida constitution. He explained the problem is not Police Chief McQuaig being the Police Chief, it's just any law enforcement officer is also an officer under the constitution. Accordingly, everything has to be structured in a way for him to perform additional duties in a way that is legally sound. He recommended creating a resolution or other legislation in general determining the City administrator is unavailable to serve and the Chief would take on those additional duties as long as it's temporarily.

Attorney Hand recommended holding a special meeting to consider a proposed ordinance or resolution. He advised noticing the meeting at least seventy-two (72) hours in advance.

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

Council agreed to hold a special meeting Monday, December 21st at 4:00 p.m.

Agenda Item No. 10 – New Council Liaison Assignments

Ms. Roberts reviewed the current liaisons assignments and the vacancies.

Mayor White recommended Ms. Roberts send the list out to Council members and they can get back to her. He suggested this be placed on the special meeting agenda.

Vice-Mayor Hanchar noted Ocala Marion Transportation Planning Organization (TPO) has signed her up for a class she will be attending. She would like to remain the liaison for the TPO.

Agenda Item No. 11 – Council’s Liaison Reports and Comments

Vice-Mayor Hanchar provided her report on the Ocala Marion Transportation Organization (TPO). She also attended a legislative delegation meeting this date.

Councilwoman Williams reported on an informational meeting held at the Boys and Girls Club regarding the Chatmire community sewer conversion project. The proposed project start date is September 2021.

Mayor White said he spoke to Will Fontaine and requested he or a representative attend a future meeting to provide an update on the conversion of the wastewater treatment plants. He recommended staying on top of the historic grant to enhance the historical district.

Mayor White addressed the parking projects. Mr. Slattery stated the bids were received this date.

Mayor White spoke to the Bike Trail being moved up on the list. He said the City will be required to send in an updated application of its interest and what we want. He said he is looking forward to getting an update of the future of the Police Station.

Ms. Roberts said Mr. Smith is scheduled for vacation Monday and will not be in attendance at the special meeting. She said his liaison assignment is the TPO Advisory Board. She requested he provide a brief summary of his involvement.

Mr. Smith said this board deals with FDOT and the transportation planning for the future of Marion County. The board meets the second Tuesday of every month at 10:30 a.m. at the Ocala library.

Ms. Roberts advised all new councilmembers to use their new city email addresses for City business.

Agenda Item No. 12 - City Attorney’s Report

Attorney Hand provided a brief Sunshine Law refresher.

Agenda Item No. 13 – Adjourn

At approximately 8:00 p.m. Vice-Mayor Hanchar moved the December 14, 2020 City Council meeting be adjourned. Councilwoman Williams seconded. The vote was taken and all members voted in favor. The motion passed 5-0.

Attest:

Amanda Roberts, CMC
City Clerk

Valerie Hanchar, Vice-Mayor

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

<https://dunnellon.zoom.us/j/93333819210?pwd=V1YrM1BwcjBheVk3OHRyRG1qYlpNUT09>

Webinar ID: 933 3381 9210

Date: December 21, 2020

Time: 4:00 p.m.

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

Dunnellon Special City Council meeting will be held on December 21, 2020, at 4:00 p.m. at Dunnellon City Hall with Social Distancing Modifications.

Public Comment

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

Members of the public who would like to participate are encouraged to register in advance by Noon on Monday, December 21st. Please see instructions below on how to register.

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

Call to Order and Pledge of Allegiance

Mayor White called the meeting to order at approximately 4:00 p.m. and led the Council in the Pledge of Allegiance. Mayor White asked if a citizen would volunteer to open with prayer. Ramona Greene provided the invocation.

Mayor White called upon the City Clerk to call roll.

Roll Call

Bill White, Mayor, Seat 1

Louise Kenny, Councilwoman, Seat 2

Valerie Hanchar, Vice-Mayor, Seat 4

Jan Cabbage, Councilwoman, Seat 5

Council Absent

Anita Williams, Councilwoman, Seat 3

Staff Present

Mandy Roberts, City Clerk

Chief Mike McQuaig, Police Department

Troy Slattery, Public Works Department

Jan Smith, Finance Department (attending by Zoom)

Lynn Wyland, Clerk's Department

Legal Counsel (attending by Zoom)

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

Proof of Publication

Mrs. Roberts announced for the record the agenda for this meeting was posted on the City's website and City Hall bulletin board on Thursday, December 17, 2020.

Mayor White called for Council comments regarding the agenda.

There was a brief discussion regarding non-agenda Council comments.

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

There were none.

Regular Agenda

1. Resolution #RES2020-32, Enacting Policy To Ensure Continued City Operations In The Absence Of City Administrator

Attorney Hand explained during any temporary vacancy of the City Administrator position the Chief of Police shall in addition to his or her usual duties, temporarily undertake the extra duties.

Mayor White called for public comments. There were none.

Vice-Mayor Hanchar moved Resolution #RES2020-32 be read by title only. Councilwoman Kenny seconded the motion. The vote was taken and all members were in favor. The vote was 4-0.

Ms. Roberts read the following into the record:

“Resolution #RES2020-32

A Resolution Of The City Of Dunnellon, Florida, Enacting A Policy To Ensure Continued Operation Of The City In The Absence Of A City Administrator; Providing For Severability, Conflicts, And An Effective Date.”

Vice-Mayor Hanchar moved Resolution #RES2020-32 be approved. Councilwoman Kenny seconded the motion. The vote was taken and all members were in favor. The vote was 4-0.

Mayor White asked if Chief McQuaig would provide an update on COVID-19 and the vaccine.

Chief McQuaig explained the procedure for distributing the vaccination according to the Marion County Health Department. He answered questions from the audience.

Mayor White requested Troy Slattery to provide a brief overview of the Ernie Mills and Short Tower Way parking projects.

Mr. Slattery provided an update. He said the bids are being reviewed by the engineers and he expects to have some information to share with Council during the January meeting.

Agenda Item No. 2 – City Council Liaison Assignments

Vice-Mayor Hanchar said she would like to continue being the liaison to the TPO

Councilwoman Cabbage volunteered to be the liaison to the Historic Preservation Board and SWFWMD.

Councilwoman Kenny offered to be the liaison to the Planning Commission.

Mayor White said he would serve as the liaison to the TDC and the DCBA. He said he would serve as alternate to the TPO.

Mandy Roberts commented on the upcoming vacancy for Community Development. It was Council's consensus to place an ad.

Councilwoman Cabbage asked what venues the City will use to advertise for the City Administrator position. She suggested advertising in the New York Times. Vice-Mayor Hanchar disagreed.

Mayor White commented on Florida League of Cities providing assistance for advertising.

Mayor White suggested the City acknowledge the Dunnellon football team for their accomplishments

Agenda Item No. 3 – City Attorney's Report

There was none.

Agenda Item No. 4 – Adjourn

At approximately 5:00 p.m. Vice-Mayor Hanchar moved the December 21, 2020 City Council meeting be adjourned. Councilwoman Kenny seconded. The vote was taken and all members voted in favor. The motion passed 4-0.

Attest:

Amanda Roberts, CMC
City Clerk

William P. White, Mayor

City of Dunnellon
Agenda Summary Form

Meeting Date: March 8, 2020

1. Responsible Department: Community Development
2. Presenter: Matthew Leibfried
3. Recommended Action: Approval is consistent with city code

Subject: Alcohol Waiver for 2021 Boomtown Day, April 10, 2021 9 a.m. – 5 p.m.

Request for Approval Summary Explanation & Background:

In accordance with Code Section 6.8 Waivers for Festival Events, Boomtown Day event organizers are requesting a waiver of Code Section 6-4 to allow the sale and consumption of alcoholic beverages during the event on April 10, 2020, 9 a.m. – 5 p.m. within the barricaded areas as shown on the map to be provided at the workshop (a revision may be necessary for area reduction due to COVID public safety and will be submitted to staff in good faith for approval by Chief McQuaig, Emergency Manager).

The event organizers(s) must also seek City Council permission which is then presented to the State Division of Alcoholic Beverages & Tobacco for permit authorization of sale and consumption of beer and wine.

Sec. 6-8. - Waivers for festival events.

(a) Upon request by organizers of any city-approved festival, ceremony, or celebration, the city council may waive specific sections of the restrictions and prohibitions of this chapter. (b) The waiver shall set forth the specific sections of this chapter being waived, the location, time and other restrictions established by the city in its sole discretion deemed necessary to promote and protect the health, safety and welfare of the public.(c)Any restrictions imposed by the city council shall be strictly enforced and are a precondition to such waiver. Failure to adhere to the restrictions shall vitiate the waiver and all persons violating such restrictions shall be considered in violation of this Chapter (d) There shall be no waiver of sections 6-5 and 6-7.

(Ord. No. 99-08, § 1, 8-9-1999)

Sec. 6-4. - Possession or consumption on public property or on private property without permission.

(a)It shall be unlawful for any person to consume or to have in his possession any alcoholic beverage in a publicly owned park or recreation area or on any public school property within the city.(b)It shall be unlawful for any person to consume or have in his possession any alcoholic beverage in an open container on any public street, thoroughfare, sidewalk, or alley or on any publicly owned, operated, leased or controlled public recreation area or other facility, including parking areas, within the city, nor shall any person except the owner or person placed in charge by the owner consume or have in his possession any alcoholic beverages in an open container on any private property, unless such person is a lawful guest and has the consent of the owner or person in charge of the private property.

(Code 1985, § 3-118)

The City of Dunnellon



Office of the Mayor A Proclamation

#PRO2021-01

WHEREAS, 2021 marks the 199th anniversary of Arbor Day and;

WHEREAS, trees are among Florida's, and more particularly the City of Dunnellon's, most beautiful natural resources. They bestow fine opportunities for aesthetic appreciation and recreation as well as improvements for our homes and communities, and are indispensable to our ecology as providers of wildlife habitat, erosion control, air filters and noise inhibitors; and

WHEREAS, the demands on our environment and on our environmental resources necessitate an increased awareness of ecological values, as well as individual commitment to the study and appreciation of trees and their maintenance.

WHEREAS, the Arbor Day Foundation continues to promote its initiative "*The Time for Trees*" at a time when life's necessities are at great risk, a time when planting trees is more important than ever. Trees are being lost at an alarming rate - in our forests and our cities - putting the very necessities of life at risk. Trees are needed to provide what we must have in order to live: clean air, clean water, and a tolerable climate.

WHEREAS, if there ever was a time for trees, now is that time. Together, we can plant trees and create great change for generations to come.

NOW, THEREFORE, I, Mayor William P. White and the Dunnellon City Council, do hereby recognize:

FRIDAY, APRIL 30, 2021 as

ARBOR DAY

In the City of Dunnellon, State of Florida, and I commend this observance to all citizens.

Affix Seal Here

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the City of Dunnellon, State of Florida to be affixed. Done at City Hall this 8th day of Marc in the year Two Thousand and Twenty-One

Amanda L. Roberts, CMC
City Clerk
State of Florida

William P. White, Mayor
City of Dunnellon
State of Florida



PROCLAMATION #PRO2021-02

**IN HONOR OF CENTENARIAN
HERBERT WILSON MEREDITH**

WHEREAS, Thursday, March 4, 2021 marks an extraordinary day in our great City. Our very own Herbert Wilson Meredith turns a “youthful” one-hundred years of age; and

WHEREAS, Herbert was born in a house in Vogt Springs and has lived in Dunnellon all his life; and

WHEREAS, Herb (also known as “Hub”) served in World War II on landing barges. He served on the USS Dickman as a “motor mac”, which is Navy slang for a motor machinist’s mate. Herb served in four major campaigns; Gila, Salerno, Normandy (D-Day) and Southern France; and

WHEREAS, Herb married Helen Ruth Reid in 1952 and they were married for 53 years when she passed in 2005. They had two children; James Reid Meredith and Keith Wilson Meredith, 5 grandchildren and 6 great grandchildren; and

WHEREAS, Herb ran a sawmill in Meredith, Florida where to this day a Methodist church still stands that was built with the lumber from his sawmill. He worked for the Post Office for a while and for Florida Power as a Control Center Operator and soon became the Senior Chief Operator. Herb helped build the Dunnellon Airport by hauling dirt and lime rock to the jobsite; and

WHEREAS, Herb has been a dedicated member of the First Baptist Church in Dunnellon since he was 12 years old. He was baptized on June 22, 1952 and served in many capacities with the church through the years.

NOW, THEREFORE BE IT RECOGNIZED by the City Council of the City of Dunnellon, Florida that Herbert “Hub” Wilson Meredith is celebrating his 100th Birthday and is hereby honored as a Dunnellon Centenarian. The citizens of Dunnellon are urged to join with us on this joyous occasion to wish Hub our very best, not only for today, but also for years to come. Delivered with wishes of health, happiness, and great joy this 3rd day of March 2021.

DUNNELLON CITY COUNCIL

William P. White, Mayor

Valerie Hanchar, Vice-Mayor

Anita Williams, Councilwoman

Jan Cubbage, Councilwoman

Louise Kenny, Councilwoman

ATTEST:

Amanda L. Roberts, CMC
City Clerk

RESOLUTION #RES2021-05

A RESOLUTION OF THE CITY OF DUNNELLON AMENDING RESOLUTION NO. 2013-15 REGARDING THE CITY COUNCIL CODE OF CONDUCT TO AMEND RULES OF ORDER REGARDING PUBLIC COMMENT AND PUBLIC PARTICIPATION; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Dunnellon has traditionally permitted public participation in its public meetings; and

WHEREAS, public participation in government business is the bedrock of American government and should be protected, permitted, and not discouraged consistent with principles of common and statutory law; and

WHEREAS, the City Council of the City of Dunnellon finds it to be in the best interests of the City to amend its rules pertaining to public comment at City Council meetings and Workshops.

NOTE: Words ~~stricken~~ are deletions and words underlined are additions to Resolution 2013-15.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

SECTION 1. Legislative Findings. The Whereas clauses above are adopted as legislative findings of the City Council.

SECTION 2. Exhibit "A" attached hereto and incorporated by reference, is adopted as the City Council Code of Conduct.

SECTION 3. If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, that holding in no way affects the remaining portions of this Resolution.

SECTION 4. All resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. This resolution shall take effect immediately upon its approval.

Upon motion duly made and carried, the foregoing Resolution was adopted by the City Council of the City of Dunnellon on the 8th day of March 2021.

CITY OF DUNNELLON, FLORIDA

ATTEST:

William P. White, Mayor

Amanda Roberts, CMC, City Clerk

First Draft March 3, 2021 City Council Workshop
Second Draft March 8, 2021 City Council Meeting

CITY COUNCIL CODE OF CONDUCT
March 8, 2021
EXHIBIT A

"Conduct is three-fourths of our life and its largest concern."

-- Matthew Arnold

The Three R's of Government Leadership:

Roles, Responsibilities and Respect

The City Charter provides information on the roles and responsibilities of Councilmembers, the Vice Mayor, and the Mayor; however, it does not spell out a code of conduct for elected officials.

This Code of Conduct is designed to describe the manner in which Councilmembers should treat one another, city staff, constituents, and others they come into contact with in representing the City of Dunnellon. ***It reflects the work of the City Council in defining more clearly the behavior, manners, and courtesies that are suitable for various occasions.***

The contents of this Code of Conduct includes:

- I. Overview of Roles & Responsibilities**
- II. Policies & Protocol Related to Conduct**
- III. Council Conduct with One Another**
- IV. Council Conduct with City Staff**
- V. Council Conduct with and Relationship to City Attorney**
- VI. Council Conduct with The Public**
- VII. Council Conduct with Other Public Agencies**
- VIII. Council Conduct with Boards and Commissions**
- IX. Council Conduct with the Media**
- X. Sanctions**
- XI. Principles of Proper Conduct**
- XII. Checklist for Monitoring Conduct**
- XIII. Glossary of Terms**

The constant and consistent theme through all of the conduct guidelines is "respect." Councilmembers experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers to do the right thing, in even the most difficult situations.

I. Overview of Roles & Responsibilities

"Leadership is an action, not a word."

-- Richard Cooley

MAYOR

- Acts as the official head of the City for all ceremonial purposes (Dunnellon City Charter, Section 12)
- Chairs Council meetings (Dunnellon City Charter, Section 12)
- Calls for special meetings
- Recognized as spokesperson for the City
- Responsible to find a substitute for City representation when Mayor cannot attend
- Leads the Council into an effective, cohesive working team
- Signs documents on behalf of the City

VICE MAYOR

- Serves at the pleasure of the Council (Dunnellon City Charter, Section 14)
- Performs the duties of the Mayor if the Mayor is absent or disabled (Dunnellon City Charter, Section 14)
- Chairs Council meetings at the request of the Mayor
- Represents the City at ceremonial functions at the request of the Mayor

ALL COUNCILMEMBERS

All members of the City Council, including those serving as Mayor and Vice Mayor, have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect.

All Councilmembers should:

- Fully participate in City Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of Council meetings and be familiar with issues on the agenda
- Represent the City at ceremonial functions at the request of the Mayor
- Be respectful of other people's time. Stay focused and act efficiently during public meetings
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Dunnellon government
- Provide contact information with the City Clerk in case an emergency or urgent situation arises while the Councilmember is out of town
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct

MEETING CHAIR

The Mayor will chair official meetings of the City Council, unless the Vice Mayor or another Councilmember is designated as Chair of a specific meeting.

- Maintains order, decorum, and the fair and equitable treatment of all speakers

- Keeps discussion and questions focused on specific agenda item under consideration
- Makes parliamentary rulings with advice, if requested, from the City Attorney who acts as an advisory parliamentarian. Chair rulings may be overturned if a Councilmember makes a motion as an individual and the majority of the Council votes to overrule the Chair.

II. Policies & Protocol Related To Conduct

"Wherever there is a human being, there is an opportunity for kindness."

-- Seneca

Ceremonial Events

Requests for a City representative at ceremonial events will be handled by City staff. The Mayor will serve as the designated City representative. If the Mayor is unavailable, then City staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Councilmember should be asked to serve as a substitute. Invitations received at City Hall are presumed to be for official City representation. Invitations addressed to Councilmembers at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures

Councilmembers do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. City staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that another Councilmember or City staff member sign them. A copy of the direct response to the citizen shall be provided to the City Council.

If correspondence is addressed only to one Councilmember, that Councilmember may check with staff on the best way to respond to the sender.

Written communication requesting an appearance before the City Council is to be referred to the City Clerk for:

- Forwarding to the Council with their agenda packet, or
- Placement on an agenda with or without a staff report

Deadlines

Evaluations:

Councilmembers evaluating the City Manager shall do so in a timely fashion. The evaluation form provided to councilmembers shall be completed in its entirety along with any comments and shall be submitted to the City Clerk within four (4) weeks of the date in which it was received by said councilmember. The date that staff provided the document to councilmembers shall be recorded on the document by staff along with the calculated return date. If any evaluation is received after the four week deadline it will not be included in the final compilation to be submitted to City Council for approval.

Miscellaneous:

At times the City Council will have work product that must be completed and returned to staff for processing or compilation as council meeting backup. For example, goals and objectives, strategic plan concepts, etc. Councilmembers will adhere to a (4) four-week deadline for all items requiring completion and return such to the City Manager or City Clerk. If the sensitive nature of the work product in question requires a more immediate response, staff will place the due date on the document or notify the Councilmembers in writing.

Endorsement of Candidates

Councilmembers shall not actively endorse or campaign for other candidates for City council seats.

Intergovernmental Relations

Each year during a council meeting, city council members will agree on which liaison assignments shall be assigned to them.

Rules of Parliamentary Procedure

The City of Dunnellon is guided by Webster's New World Robert's Rules of Order Simplified and Applied Second Edition as amended from time to time for meeting management. The City Attorney serves as advisory parliamentarian for the City and is available to answer questions or interpret situations according to parliamentary procedures. Final rulings on parliamentary procedure are made by the Chair, subject to the appeal of the full Council.

Main motions may be followed by amendments, followed by substitute motions. Any Councilmember can call for a point of order. Only Councilmembers who voted on the prevailing side may make motions to reconsider.

Public Participation on Non-agenda Items: General Public Comments at City Council Meetings

There shall be an item on each regular Council meeting agenda entitled "General Public Comments." ~~Prior to, or At~~ at the beginning of the meeting, a person, wishing to address the Council under this agenda item should fill out a public comment form provided by the City to, at a minimum, give his/her name and address. The comments shall be limited to one (1) appearance per ~~subject~~ person for a duration not to exceed three (3) minutes unless a majority of the Council feels some other time limit is appropriate, and must address a subject or subjects other than a specific item appearing on the agenda.

Staff members, City Attorney, or Councilmembers may not be able to give an immediate response to a comment. If the Council decides that a matter raised during General Public Comments requires further review and discussion that cannot take place during the meeting, the matter may be referred to City staff or City Attorney and placed on a subsequent agenda.

No question or comment by the public should be addressed directly to any individual Councilmember, staff member, or City Attorney. All comments must be directed to the Chair.

Public Participation on Legislative and Administrative Items on Agenda at City Council Meetings

Prior to Council decisions, the Chair shall allow the public to participate and comment on specific agenda items of a legislative or administrative nature. Prior to making comments, each person wishing to address the Council should fill out a form provided by the City to give his/her name and address. (S)he can indicate his or her designation of a representative to speak for him or her on the proposition.

A person shall be limited to one (1) appearance on each agenda item and may not speak for more than three (3) minutes, unless a majority of the Council feels some other time limit is appropriate.

Once a legislative public hearing is closed, Council discussions will take place. Council will deliberate the issue and make a motion, if deemed appropriate, and take the final appropriate action.

To maintain orderliness of the meeting, no question or comment by the public should be addressed directly to any individual Councilmember, staff member, or City Attorney. All comments must be directed to the Chair.

When multiple speakers appear to speak on one topic on the Agenda

When a group of people supporting or opposing the same position regarding an item on the agenda desires to be heard, in the interest of time and to avoid repetitious comments, a spokesperson should be designated by the group to express the group's concerns. However, a person in the group may make comments which were not included in the spokesperson's comments. Participation shall be limited to three (3) minutes per person, unless a majority of the Council feels some other time limit is appropriate.

Public participation on Consent Agenda matters

The Council agenda typically includes a Consent Agenda, during which Council adopts a series of measures listed on the Consent Agenda in one vote. If one or more Council members requests that an item(s) be removed from the Consent Agenda for discussion during the main agenda, the item(s) shall be removed and placed on the main agenda without necessity of a formal vote of Council.

No public comment is required for ministerial items on the Consent Agenda, such as, and not limited to, approval of minutes of meetings, ceremonial proclamations, and items provided for informational purposes only and are not propositions for action by Council.

Exceptions when public participation is not required

The right of the public to a reasonable opportunity to be heard does not apply:

When an official act must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements for public participation would cause an unreasonable delay in the ability of the Council to act;

When an official act involves a ministerial act, including but not limited to, approval of minutes and ceremonial proclamations;

When the Council holds an executive session pursuant to § 286.011, Florida Statutes; and

When a public hearing is held before Council acting in its quasi-judicial capacity, pursuant to a separate Resolution of Council. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

Public Comment at City Council Workshops

Public comments shall not be taken during specific workshop agenda items at a workshop, unless a majority of the City Council makes a determination to permit public input. However, there shall be two agenda items on each regular Council workshop agenda entitled "General Public Comments" with one of the comment periods scheduled at the beginning of the workshop prior to Council discussion of the first agenda item and the other scheduled near the end of the workshop, following Council discussion of the last agenda item. Prior to each

comment period, a person wishing to address the Council should fill out a public comment form provided by the City to, at a minimum, give his/her name and address. The comments shall be limited to one (1) appearance **per each comment period** for a duration not to exceed three (3) minutes unless a majority of the Council feels some other time limit is appropriate, and may address either agenda or non-agenda items.

Written Correspondence between board members

The use of e-mail, a written report, or any other form of written communication from one Councilmember to other Councilmembers on a subject which might be discussed at a public meeting is not a violation of the Sunshine Law if no other Councilmembers respond to the Councilmember's correspondence outside of a public meeting.

If, however, **even one** Councilmember responds to the e-mail, written report, or other written communication, **a violation of the sunshine law has occurred.**

THEREFORE, NO COUNCILMEMBER SHOULD SEND E-MAILS, REPORTS, POSITION PAPERS, OR OTHER FORMS OF COMMUNICATION REGARDING A SUBJECT WHICH MIGHT COME BEFORE THE COUNCIL FOR ACTION. Thus, the city council's discussions and deliberations on matters coming before the council must occur at a duly noticed city council meeting. If any Councilmember wants to communicate his or her position on a subject which might come before the Council, he or she can send the communication to the City Manager and the City Clerk and ask that it be included in the Council's meeting packet.

Similarly, a board that is responsible for assessing the performance of its chief executive officer (CEO) must conduct the review and appraisal process in a proceeding open to the public as prescribed by s. 286.011, F.S., instead of using a review procedure in which individual board members evaluate the CEO's performance and send their individual written comments to the board chairman for compilation and subsequent discussion with the CEO. AGO 93-90.

Handling of Litigation and Other Confidential Information

All written materials and verbal information provided to Councilmembers on matters that are confidential under State law shall be kept in complete confidence to ensure that the City's position is not compromised. Any confidential material will only be provided to Councilmembers when needed by Council to make a formal decision that is to come before them. No disclosure, photo copies, or mention of any information in these materials may be made to anyone other than Council members, the City Attorney, or City Manager, and City Clerk when applicable.

Confidential materials provided in preparation for and during closed sessions must be returned to staff at the conclusion of the closed session.

Confidential materials provided to Council members outside of closed sessions must be returned to staff within ten (10) days of their receipt.

Council members may not request confidential written information from staff that has not been provided to all Council members.

Travel Expenses

The policies and procedures related to the reimbursement of travel expenses for official City business by Councilmembers are outlined in the City's Personnel Manual. All Council travel, with the exception of liaison assignments, in which the Councilmember expects to officially represent the City and/or be reimbursed by the City for travel costs, must be approved in

advance by the Council. The travel policy and budget for Council should be reviewed at each budget cycle.

Council Conduct with One Another

"In life, courtesy and self-possession, and in the arts, style, are the sensible impressions of the free mind, for both arise out of a deliberate shaping of all things and from never being swept away, whatever the emotion, into confusion or dullness."

-- William Butler Yeats

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

In Public Meetings

Practice civility and decorum in discussions and debate: Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Councilmembers to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

Honor the role of the Chair in maintaining order: It is the responsibility of the Chair to keep the comments of Councilmembers on track during public meetings. Councilmembers should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions in enforcing the rules of order set forth herein, those objections should be voiced politely

and with reason. If the rest of Council disagrees with the decision of the Mayor, a majority vote of Council is binding. In the event a decision cannot be reached by the Council as to the manner of proceeding on any matter, the Council may use Robert's Rules of Order as a guide to assist the Council in making a determination.

Avoid personal comments that could offend other Councilmembers: If a Councilmember is personally offended by the remarks of another Councilmember, the offended Councilmember should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Councilmember to justify or apologize for the language used. The Chair will maintain control of this discussion.

Demonstrate effective problem-solving approaches: Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Social Encounters

The Florida Open Meetings Law will prevail on any social gatherings involving Councilmembers: Members of a public board or commission are not prohibited under the Sunshine Law from meeting together socially, provided that matters which

may come before the board or commission are not discussed at such gatherings. Thus, when two or more members of a public board are attending or participating in meetings or other functions unconnected with their board, they must refrain from discussing matters on which foreseeable action may be taken by the board, but are not otherwise restricted in their actions.

A luncheon meeting held by a private organization for members of a public board or commission at which there is no discussion among such officials on matter relating to public business would not be subject to the Sunshine Law, merely because of the presence of two or more members of a covered board or commission.

Councilmembers should avoid situations in which they may be perceived by the general public as discussing matters which may come before the board or commission.

Elected officials are always on display – people around them that they may not know monitor their actions, mannerisms, and language. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

Continue respectful behavior in social gatherings: The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in social conversations.

Be aware of the insecurity of written notes, voicemail messages, and e-mail: Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message was played on a speakerphone in a full office?

What would happen if this e-mail message were forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

The Sunshine Law applies to the deliberations and discussions between two or more members of the City Council on some matter which foreseeably will come before the Council for action. The use of a telephone to conduct such discussions does not remove the conversation from the requirements of s. 286.011, F.S.

Section 286.011, F.S., applies to meetings of "two or more members" of the same board or commission when discussing some matter which will foreseeably come before the board or commission.

IV. Council Conduct with City Staff

"Never let a problem become an excuse."

-- Robert Schuller

Governance of a City relies on the cooperative efforts of elected officials, who set policy, and City staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Treat all staff as professionals.

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior toward staff is not acceptable.

Limit contact to specific City staff.

Questions of City staff and/or requests for additional background information should be directed only to the City Manager, City Attorney, or Department Heads. The Office of the City Manager should be copied on any request.

Requests for follow-up or directions to staff should be made only through the City Manager or the City Attorney when appropriate. When in doubt about what staff contact is appropriate, Councilmembers should ask the City Manager for direction. Materials supplied to a Councilmember in response to a request will be made available to all members of the Council so that all have equal access to information.

Do not disrupt City staff from their jobs.

Councilmembers should not disrupt City staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

Never publicly criticize an individual employee.

Council should never express concerns about the performance of a City employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the City Manager through correspondence or conversation. Comments about staff in the office of the City Attorney should be made directly to the City Attorney.

Do not get involved in administrative functions.

Councilmembers must not attempt to influence City staff on items that are within the jurisdiction of the City Manager such as the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of City licenses and permits.

Check with City staff on correspondence before taking action.

Before sending correspondence, Councilmembers should check with City staff to see if an official City response has already been sent or is in progress.

Do not attend meetings with City staff unless directed by council.

Even if the Councilmember does not say anything, the Councilmember's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

Limit requests for staff support.

Routine secretarial support will be provided to all Councilmembers. All mail for Councilmembers is opened by the City Clerk or designee, unless other arrangements are requested by a Councilmember. Mail addressed to the Mayor is reviewed first by the City Manager who notes suggested action and/or follow-up items.

Requests for additional staff support – even in high priority or emergency situations -- should be made to the City Manager who is responsible for allocating City resources in order to maintain a professional, well-run City government.

Do not solicit political support from staff.

Councilmembers should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from City staff. City staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Prior to Council Meetings

When preparing for Council meetings, Council members should direct questions ahead of time to the City Manager so that staff can provide the desired information at the Council meeting.

V. Council Conduct with and Relationship to the City Attorney

No Attorney-Client Relationship

Council members who consult the City Attorney, his or her staff and/or attorney(s) contracted to work on behalf of the City cannot enjoy or establish an attorney-client relationship with said attorney(s) by consulting with or speaking to same. Any attorney-client relationship established belongs to the City, acting through the City Council and as may be allowed in Florida Bar Rules of Professional Conduct and State law for purposes of defending the City and/or the City Council in the course of litigation and/or administrative proceedings, etc.

Request for Legal Assistance

Legal assistance may be requested directly to the City Attorney by an individual City Council member outside of public meeting(s) to assist the City Council member in carrying out his or her official duties on a matter. The City Attorney will respond to the individual request as prescribed in the Legal Services Agreement with the City.

VI. Council Conduct with the Public

"If a man be gracious and courteous to strangers, it shows he is a citizen of the world, and that his heart is no island cut off from other lands, but a continent that joins to them."

-- Francis Bacon

In Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Councilmembers toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with care and gentleness.

"I give many public presentations so standing up in front of a group and using a microphone is not new to me. But I found that speaking in front of Council was an entirely different experience. I was incredibly nervous and my voice was shaking. I think the reason was because the issue was so personal to me. The Council was going to take a vote that would affect my family's daily life and my home. I was feeling a lot of emotion. The way that Council treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity."

Give the appearance of active listening. It is disconcerting to speakers to have Councilmembers not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time gazing around the room gives the appearance of disinterest.

Ask for clarification, but avoid debate and argument with the public.

Only the Chair – not individual Councilmembers -- can interrupt a speaker during a presentation. However, a Councilmember can ask the Chair for a point of order if the speaker is off the topic or exhibiting behavior or language that the Councilmember finds disturbing.

No personal attacks of any kind, under any circumstance

Councilmembers should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

In Unofficial Settings

Make no promises on behalf of the Council.

Councilmembers will frequently be asked to explain a Council action or to give their

opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise City staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

Make no personal comments about other Councilmembers. It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Councilmembers, their opinions and actions.

Remember that Dunnellon will always be a small town at heart.

Councilmembers are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Dunnellon. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Councilmembers, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

VII. Council Conduct with Other Public Agencies

"Always do right. This will gratify some people and astonish the rest."

-- Mark Twain

Be clear about representing the city or personal interests.

If a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Councilmember must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the City; 2) whether this is the majority or minority opinion of the Council.

If the Councilmember is representing the City, the Councilmember must support and advocate the official City position on an issue, not a personal viewpoint.

If the Councilmember is representing another organization whose position is different from the City, the Councilmember should withdraw from voting on the issue if it significantly impacts, or is detrimental to the City's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

Correspondence also should be equally clear about representation.

City letterhead may be used when the Councilmember is representing the City and the City's official position. A copy of official correspondence should be given to the City Clerk to be filed as part of the permanent public record.

City letterhead shall not be used for correspondence of Councilmembers representing a personal point of view, or a dissenting point of view from an official Council position.

VIII. Council Conduct with Boards and Commissions

"We rarely find that people have good sense unless they agree with us."

--Francois, Duc de La Rochefoucauld

The City has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government, and serve as advisors to the City Council. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

If attending a Board or Commission meeting, be careful to only express personal opinions.

Councilmembers may attend any Board or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer -- could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a Board or Commission meeting should be clearly made as an individual opinion, and not a representation of the feelings of the entire City Council.

Limit contact with Board and Commission members to questions of clarification.

It is inappropriate for a Councilmember to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. It is acceptable for Councilmembers to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

Remember that Boards and Commissions serve the community, not individual Councilmembers.

The City Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. But Board and Commission members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

Be respectful of diverse opinions.

A primary role of Boards and Commissions is to represent many points of view in the community, and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on Boards and Commissions, but must be fair and respectful of all citizens serving on Boards and Commissions.

Keep political support away from public forums.

Board and Commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Councilmember.

Inappropriate behavior can lead to removal.

Inappropriate behavior by a Board or Commission member should be noted to the City Manager, and the City Manager should counsel the offending member. If inappropriate behavior continues, the City Manager should bring the situation to the attention of the Council, and the individual is subject to removal from the Board or Commission.

IX. Council Conduct with the Media

"Keep them well fed and never let them know that all you've got is a chair and a whip."

-- Lion Tamer School

Councilmembers are frequently contacted by the media for background and quotes.

The best advice for dealing with the media is to never go "off the record."

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

The Mayor is the official spokesperson for the representative on City position.

The Mayor is the designated representative of the Council to present and speak on the official City position. If an individual Councilmember is contacted by the media, the Councilmember should be clear about whether their comments represent the official City position or a personal viewpoint.

Choose words carefully and cautiously. To avoid inadvertent errors by the media when quoting what a Councilmember says, it is advisable to give short answers. Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

X. Sanctions

"You cannot have a proud and chivalrous spirit if your conduct is mean and paltry; for whatever a man's actions are, such must be his spirit." -- Demosthenes

Public Decorum

No person attending Council meetings shall be allowed to make obscene, vulgar, or abusive remarks, nor shall any person be allowed to make repetitive remarks so as to become disruptive to the purpose of the meeting. No person shall be allowed to become violent, aggressive, belligerent, or boisterous. Any such person shall be instructed by the Chair to cease making such remarks or engaging in such improper conduct. If the person fails to

comply with the Chair's instruction, (s)he may be removed from the Council Chambers upon the Chair's directive, unless a majority of Council grants such person permission to remain in Council Chambers.

It is the duty of the Chief of Police or a member of the Police Department acting as sergeant-at-arms to forcibly evict, if necessary, any person from the Council Chambers upon the order of the Chair or Council at any such meeting. The sergeant-at-arms shall carry out all orders and instructions given by the Chair for the purpose of maintaining order and decorum at the Council meeting.

If speakers become flustered or defensive by Council questions, the Chair will make a good faith effort to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Councilmembers to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Councilmembers' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

All persons wishing to address the City Council must limit their comments to the specific subject being addressed. All questions or comments must be directed to the Chair rather than to an individual Councilmember, City Staff, Attorney, or other City consultant.

Inappropriate Staff Behavior

Councilmembers should refer to the City Manager any City staff or to the City Attorney any City Attorney's staff who do not follow proper conduct in their dealings with Councilmembers, other City staff, or the public. These employees may be disciplined in accordance with standard City procedures for such actions. (Please refer to the section on Council Conduct with City Staff for more details on interaction with Staff.)

XI. Principles of Proper Conduct

Proper conduct IS ...

- Keeping promises
- Being dependable
- Building a solid reputation
- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT ...

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors

- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner
- **It all comes down to respect.**

Respect for one another as individuals . . . respect for the validity of different opinions
respect for the democratic process . . . respect for the community that we serve.

XII. Checklist for Monitoring Conduct

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense?
- Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

XIII. Glossary of Terms

attitude - The manner in which one shows one's dispositions, opinions, and feelings

behavior - External appearance or action; manner of behaving; carriage of oneself

civility - Politeness, consideration, courtesy

conduct - The way one acts; personal behavior

courtesy - Politeness connected with kindness

decorum - Suitable; proper; good taste in behavior

manners - A way of acting; a style, method, or form; the way in which things are done

point of order - An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration

point of personal privilege - A challenge to a speaker to defend or apologize for comments that a fellow Councilmember considers offensive

propriety - Conforming to acceptable standards of behavior

protocol - The courtesies that are established as proper and correct

respect - The act of noticing with attention; holding in esteem; courteous regard

I affirm that I have read and understand this City of Dunnellon Code of Conduct.

Printed Name

Council Seat Number

Councilmember Signature

Date

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37 ~~Sec. 2-102. Appointment.~~

38 ~~The city administrator shall be appointed by majority vote of the city council for an indefinite~~
39 ~~term. The administrator shall be chosen by the council solely on the basis of administrative~~
40 ~~qualifications with special reference to actual experience in or knowledge of accepted practice in~~
41 ~~respect to the duties of the office set forth in this division. No councilmember shall receive such~~
42 ~~appointment during the term for which the councilmembers shall have been elected or within one~~
43 ~~year after the expiration of the councilmember's term.~~

44

45 ~~Sec. 2-103. Removal.~~

46 ~~The city council may remove the city administrator at any time by a supermajority vote of its~~
47 ~~members. Notwithstanding the supermajority vote requirement above, the city council may remove~~
48 ~~the city administrator by majority vote of its members at a meeting where the city administrator~~
49 ~~receives his or her annual performance review, which annual review shall occur on a yearly basis~~
50 ~~within 60 days of the date of the anniversary of hire or promotion to the position. If requested, a~~
51 ~~public hearing shall be granted by the council within 30 days following notice of removal. During~~
52 ~~the interim, the council may suspend the administrator from duty, but shall continue the~~
53 ~~administrator's salary and, if the removal becomes final, shall pay the salary in accordance with~~
54 ~~the terms of the city administrator's employment agreement.~~

55 Secs. 2-101 – 103. - Reserved.

56 Sec. 2-104. - Authority and responsibilities.

57 The city ~~administrator~~ clerk shall be responsible to the city council for the proper administration
58 of ~~all~~ the affairs of the city and may head one or more departments. To that end, the ~~administrator~~
59 city clerk shall have the power to:

- 60 (1) Appoint and, when necessary for the good of the service, suspend or remove ~~all~~ officers
61 and employees of the city except as otherwise limited by the City's ordinances and/or as
62 provided by the Charter or law. The city administrator clerk may authorize the head of a
63 department or office to appoint, suspend, or remove subordinates in such department or
64 office. The city clerk shall exercise no authority over the City's Chief of Police.
- 65 (2) Prepare all budgets annually (operating and capital) and submit the budget to the council
66 together with a message describing the important features and be responsible for its
67 administration after adoption.
- 68 (3) Prepare and submit to the council as of the end of the fiscal year a complete report on the
69 finances and administrative activities of the city council for the preceding year.
- 70 (4) Keep the council advised of the financial condition and future needs of the city; and make
71 such recommendations as may be deemed desirable or necessary.
- 72 (5) Recommend to the city council a standard schedule of pay for each appointed office and
73 position in the city service, including minimum, intermediate, and maximum rates, and
74 provide annual performance reviews for all department heads.

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- 75 (6) Recommend to the city council, from time to time, adoption of such measures as may be
76 deemed necessary or expedient for the health, safety, or welfare of the community or for
77 the improvement of administrative services.
- 78 (7) Direct and supervise the administration of ~~all~~ departments, offices, and agencies of the
79 city, except the City's Chief of Police, or as otherwise provided by the Charter or by law,
80 including, but not limited to, ~~the city clerk,~~ community development, public services, ~~fire~~
81 ~~and rescue, and police~~ and any other departments created by the city.
- 82 (8) Create new, consolidate, or combine offices, positions, departments, or units under his or
83 her jurisdiction, in order to improve operational efficiencies and/or delivery of services.
84 The city ~~administrator~~ clerk may be the permanent or temporary head of one or more
85 departments.
- 86 (9) Attend all meetings of the city council unless excused therefrom and take part in the
87 discussion of all matters coming before the council. If the city ~~administrator~~ clerk is
88 unable to attend, the ~~administrator~~ clerk will appoint a subordinate to attend the meeting
89 and make presentations on the ~~administrator's~~ clerk's behalf.
- 90 (10) Supervise the scheduling and purchase of all materials, supplies, and equipment for which
91 funds are provided in the budget, let contracts under the purchasing policies of this
92 chapter, and sign checks for the payment of goods and services purchased on behalf of
93 the city, provided the checks are countersigned by authorized signatories.
- 94 (11) See that all laws and ordinances are duly enforced that are not under the jurisdiction of
95 the City's Police Department.
- 96 (12) Investigate and review all operational affairs of the city or any department or division
97 thereof other than the City's Police Department; investigate all complaints in relation to
98 matters concerning the administration of the government of the city, and in regard to
99 service maintained by the public utilities in the city, and see that all franchises, permits,
100 and privileges granted by the city are faithfully observed; and keep the council informed
101 of all results and actions taken.
- 102 (13) Perform such other duties as may be required by the council, not inconsistent with the
103 Charter, law, or ordinances.
- 104 (14) Exercise all duties and powers as directed by the City Charter.

Sec. 2-105. Limitations of Powers.

- 107 (1) Notwithstanding the authorities and responsibilities listed in Sec. 2-104 above, the City
108 Clerk shall not have authority to direct and/or supervise the City's Chief of Police.
- 109 (2) Pursuant to Section 21 of the City Charter, the City Clerk as City Treasurer shall not pay
110 out any funds except upon authorization of the City's Finance Director. The City Clerk
111 shall not direct or supervise the Finance Officer regarding his or her duty to authorize
112 payments to be made by the City.

113
114 2-106—2-107. - Reserved.

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115 Sec. 2-108. - Compensation.

116 The city ~~administrator~~ clerk shall receive such compensation as the council shall fix from time to
117 time, or as provided for in ~~the city administrator's~~ an employment agreement.

118
119 Sec. 2-109. - Filling of vacancies.

120 Any vacancy in the office of the city ~~administrator~~ clerk shall be filled within 90 days after the
121 effective date of such vacancy or as soon as practical.

122
123 Sec. 2-110. - Replacement of references to "city manager."

124 Per this provision, any use of and/or reference to the term "city manager" anywhere in the Code of
125 Ordinances of the City of Dunnellon including, but not limited to Subpart A, General Ordinances
126 and Subpart B, Land Development Regulations, shall be replaced and substituted in practice with
127 the term "city ~~administrator~~ clerk."

128
129 Secs. 2-111—2-130. - Reserved.

130
131 **SECTION 3:** Chapter 2 - Administration, Article III – Officers and Employees, Division 3 –
132 Finance Officer, is hereby created as follows:

133
134 DIVISION 3. – Finance Officer

135
136 Sec. 2-131. – Finance Officer.

137 The City’s Finance Officer shall have the authority to order payments to ensure the operation of
138 the City and advance the City’s affairs. The City’s Finance Officer shall not approve or order any
139 payment unless there are funds sufficient to meet or cover such payment.

140
141 **SECTION 4. CONFLICTS.** In any case where a provision of this Ordinance is found to be in
142 conflict with a provision of any other ordinance of this City, the provision which establishes the
143 higher standards for the promotion and protection of the health and safety of the people shall
144 prevail.

145 **SECTION 5. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this
146 Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not
147 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
148 word, or portion of this Ordinance not otherwise determined to be invalid, unlawful or
149 unconstitutional.

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150 **SECTION 6. CODIFICATION.** The provisions of this Ordinance shall be codified as and
151 become and be made a part of the City of Dunnellon Code of Ordinances. The sections of this
152 Ordinance may be renumbered or re-lettered to accomplish such intention and the word
153 “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word.
154 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

155 **SECTION 7. EFFECTIVE DATE.** This Ordinance shall become effective immediately upon
156 adoption at the second reading/public hearing.

157 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first
158 reading on the 8th day of March 2020.

159
160 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon
161 the second and final reading and public hearing on the 22nd day of March 2021.

162
163 Ordinance Posted on the City’s website on February 24, 2021. Public hearing advertised on the
164 City’s website on March 4, 2021 and advertised in the Riverland News on March 11, 2021.

165
166 ATTEST:

CITY OF DUNNELLON

167
168 _____
169 Amanda L. Roberts, CMC
170 City Clerk

William P. White, Mayor

171
172
173 Approved as to Form:

174
175 _____
176 Andrew J. Hand, City Attorney

177
178
179 **CERTIFICATE OF POSTING**

180
181 **I HEREBY CERTIFY** that copies of the foregoing Ordinance were posted at City Hall, the
182 Chamber of Commerce, and Dunnellon Library, in the City of Dunnellon, Florida, and on the
183 City’s Official Website this 24th day of February 2021.

184
185
186 _____
187 Amanda L. Roberts, CMC
188 City Clerk

Alternative language for Sec 2-104.1

- (1) Appoint, hire, and/or, when necessary for the good of the service, suspend or remove all non-department head officers and employees of the city except as otherwise limited by this section, the City's ordinances, and/or as provided by the Charter or law. Notwithstanding this provision, ultimate authority to permanently appoint and terminate department heads shall lie with the City Council with department head appointment decisions requiring a three-fifths vote and department head termination decisions requiring a three-fifths vote following the City Clerk's initiation of the termination process, except as otherwise specifically indicated by the Charter or law. The city clerk shall be responsible for making recommendations to City Council for permanent department head appointments and for initiating the department head termination process at his/her sole discretion and making recommendations to City Council regarding same. The city clerk shall have authority to temporarily fill a department head vacancy for a period not to exceed ninety (90) days. When necessary for the good of service, the city clerk may suspend department heads. The city ~~administrator~~ clerk may authorize the head of a department or office to appoint, suspend, or remove subordinates in such department or office. The city clerk shall exercise no authority over the City's Chief of Police or police personnel.