

Amended Agenda
City of Dunnellon
Special City Council Meeting
March 28, 2022, 5:30 P.M.
Join Zoom

<https://dunnellon.zoom.us/j/89055049739?pwd=dUxY0owWTY0NVFkZm5GTUVtNUlhdz09>

Meeting ID:890 5504 9739

Dunnellon City Council meeting will be held on March 28, 2022, 5:30 p.m. at Dunnellon City Hall

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 modom@dunnellon.org

Members of the public who would like to participate are encouraged to register in advance by 12:00 noon on Monday, March 28, 2022. 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 do so if no invitees/citizens volunteer.)

Roll Call

Proof of Publication - Posted on the City's website and City Hall bulletin board on Monday, March 21, 2022. The agenda was amended on March 22nd to add item # 1.

Council's Comments Regarding Agenda

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

- 1. Agreement #AGR2022-09, Contract For The Sale And Purchase Of Surplus Property Located At 11808 North Ohio Street Bid #BID2021-02 (Backup To Be Provided)**

Accept Public Comment

Proposed Motion: I move the Mayor be authorized to sign Agreement #AGR2022-09 with Twin Property Investments Unlimited LLC for the Sale and Purchase of Surplus Property located at 11808 North Ohio Street.

Public Hearing Statement

All persons wishing to address the City council will be asked to limit their comments to the specific subject being addressed. Public opinions and input are valued by the Council. However, it is requested that comments are directed at specific issues rather than personal comments directed toward the council members or staff in order to foster mutual respect between council members and the public.

Members of the public in attendance at public forums should listen courteously and attentively to all public discussions before the body; and focus on the business at hand. They shall refrain from interrupting other speakers; making personal comments not germane to the business of the body; or otherwise interfering with the orderly conduct of meetings.

Members of the public addressing City council and boards/commissions on a specific project or proposal are requested to disclose any personal interest or relationship; and any business, professional, or financial interests with any individual, group, project or proposal regarding the subject matter under review. Members of the public should always err on the side of more public disclosure, not less, in order to provide integrity to the public process.

Follow Public Hearing Notes - Public comment taken during public hearing

- 2. Public Hearing Ordinance #ORD2022-02, Blue Run Park Commercial Use Exceptions (Posted On The City's Website On 3/21/2022 And Ordinance Posted On The City's Website On March 3, 2022. Public Hearing Advertised On The City's Website On March 21, 2022 And Advertised In The Ocala Star Banner On March 18, 2022.)**
- 3. Final Reading - Ordinance #ORD2022-02, Blue Run Park Commercial Use Exceptions**

Proposed Motion: I move Ordinance #ORD2022-02 be read by title only.

Proposed Motion: I move Ordinance #ORD2022-02 be approved.

Documents:

[Ordinance ORD2022-02 Blue Run Park Commercial Use Exceptions.pdf](#)

4. Council Comments

5. 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.

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SECTION 2: Section 46-79 of the City’s Code of Ordinances is hereby amended as follows:

Sec. 46-79. – Prohibition on Commercial Use.

- a) Commercial use of the park is prohibited ~~except by written agreement approved by the City of Dunnellon and Florida Communities Trust~~ as otherwise provided herein.
- b) For purposes of this section, ‘commercial use’ shall mean:
 - i. the sale or rental of any item, good, concession, or merchandise within the boundaries of Blue Run Park; and
 - ii. the provision of any service performed within the boundaries of Blue Run Park regardless of whether compensation for such service is paid onsite or offsite.
- c) Governmental provision of park services by Marion County for water-based recreation and/or other passive recreation programs are exempt from this section so long as such services are authorized both via Interlocal Agreement 2007-14 (entered into between the City and Marion County on May 14, 2007) and per the requirements of the Blue Run Park Management Plan. The K.P. Hole shuttle service provided by Marion County (or its contractor on behalf of Marion County) is the sole transportation service authorized per the requirements of the Blue Run Park Management Plan.
- d) This Section shall not be read to prohibit:
 - i. emergency services such as ambulances, tow trucks, and roadside assistance;
 - ii. performance of park-related services and activities for the City or other governmental agency as consistent with the Blue Run Park Management Plan;
 - iii. engagement in expressive activities protected by the First Amendment;
 - iv. disability accommodations authorized by the City;
 - v. utility services provided on site or the maintenance of any utility improvements located on site; and
 - vi. activities or services the City must allow under state or federal law.

SECTION 3. CONFLICTS. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

78 **SECTION 4. SEVERABILITY.** If any section, sentence, phrase, word, or portion of this
79 Ordinance is determined to be invalid, unlawful, or unconstitutional, said determination shall not
80 be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase,
81 word, or portion of this Ordinance not otherwise determined to be invalid, unlawful or
82 unconstitutional.

83 **SECTION 5. CODIFICATION.** The provisions of this Ordinance shall be codified as and
84 become and be made a part of the City of Dunnellon Code of Ordinances. The sections of this
85 Ordinance may be renumbered or re-lettered to accomplish such intention and the word
86 “Ordinance”, or similar words, may be changed to “Section,” “Article”, or other appropriate word.
87 The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

88 **SECTION 6. EFFECTIVE DATE.** This Ordinance shall become effective on April 1, 2022
89 following Ordinance #ORD2021-02.

90 **Upon motion duly made and carried,** the foregoing Ordinance was approved upon the first
91 reading on the 21st day of March 2022.

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93 **Upon motion duly made and carried,** the foregoing Ordinance was approved and passed upon
94 the second and final reading and public hearing on the 28th day of March 2022.

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96 Ordinance Posted on the City’s website on March 3, 2022. Public hearing advertised on the City’s
97 website on March 16, 2022 and advertised in the Ocala Star Banner on March 18, 2022.

98
99 ATTEST:

CITY OF DUNNELTON

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102 _____
103 Amanda L. Odom, CMC
104 City Clerk

William P. White, Mayor

105 Approved as to Form:

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109 Andrew J. Hand, City Attorney

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CERTIFICATE OF POSTING

I HEREBY CERTIFY that copies of the foregoing Ordinance were posted at City Hall, the Chamber of Commerce, and Dunnellon Library, in the City of Dunnellon, Florida, and on the City's Official Website this 3rd day of March 2022.

Amanda L. Odom, CMC
City Clerk