

Amended Agenda  
City of Dunnellon  
Special City Council Meeting  
March 21, 2022, 5:30 P.M.  
Join Zoom

<https://dunnellon.zoom.us/j/82957306056?pwd=bEsvOWdKMC9raEVOa0YyeUJXc3g5QT09>

Meeting ID:829 5730 6056

**Dunnellon City Council meeting will be held on March 21, 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](mailto: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 21, 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 14, 2022. The agenda was amended on March 15th to add item #1.

Council's Comments Regarding Agenda

**1. Proclamation #PRO2022-02, In Honor Of Reverend Paul E.C. Hamilton (Backup To Be Provided)**

Proposed Motion: I move Proclamation #PRO2022-02 be approved.

## 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 March 7, 2022. Public Hearing Advertised On The City's Website On March 15, 2022 And In The Riverland News On March 11, 2022)**
- 3. Final Reading - Ordinance #ORD2022-02, Blue Run Park Commercial Use Exceptions**

**Accept Public Comments**

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. 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.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40

**ORDINANCE #ORD2022-02**

**AN ORDINANCE OF THE CITY OF DUNNELLO, FLORIDA, AMENDING SECTION 46-49 OF THE CODE OF ORDINANCES OF THE CITY OF DUNNELLO TO CLARIFY THE PROHIBITION ON COMMERCIAL USES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City previously enacted Ordinance #ORD2021-02 enacting detailed rules for the use of Blue Run Park consistent with the Blue Run Park Management Plan; and

**WHEREAS**, said Ordinance prohibited unauthorized commercial use of the Park as required by the Blue Run Park Management Plan; and

**WHEREAS**, said prohibition could be read to include activities which are allowed or protected by statute, property right or constitution; and

**WHEREAS**, to provide clarity to police, park employees and others enforcing the Code, the City desires to specify services which could be interpreted as commercial uses but which are not meant to be included within the prohibition; and

**WHEREAS**, Florida Communities Trust ("FCT") has reviewed the amendments and exceptions proposed herein and approved same in writing; and

**WHEREAS**, City Council of the City Dunnellon finds that the provisions of this Ordinance are consistent with the Blue Run Park Management Plan; and

**WHEREAS**, the City Council of the City of Dunnellon determines that it is in the best interest of the health, safety, and welfare of its residents to adopt the rules, regulations, and provisions of this Ordinance as stated herein.

**LEGISLATIVE UNDERSCORING:** Underlined words constitute additions to the City of Dunnellon Code of Ordinances, ~~strike through~~ constitutes deletions from the original, and asterisks (\*\*\*) indicate an omission from the existing text which is intended to remain unchanged.

**NOW THEREFORE BE IT ORDAINED BY THE CITY OF DUNNELLO, FLORIDA AS FOLLOWS:**

**SECTION 1:** The "whereas" clauses cited herein are the legislative findings of the City Council.

41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  
61  
62  
63  
64  
65  
66  
67  
68  
69  
70  
71  
72  
73  
74  
75  
76  
77

**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 14th day of March 2022.

92  
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 21<sup>st</sup> day of March 2022.

95  
96 Ordinance Posted on the City’s website on March 7, 2022. Public hearing advertised on the City’s  
97 website on March 15, 2022 and advertised in the Riverland News on March 11, 2022.

98  
99 ATTEST: **CITY OF DUNNELLON**

100  
101 \_\_\_\_\_  
102 Amanda L. Odom, CMC \_\_\_\_\_  
103 City Clerk William P. White, Mayor

104  
105 Approved as to Form:  
106  
107 \_\_\_\_\_  
108 Andrew J. Hand, City Attorney

109  
110  
111  
112  
113  
114  
115

116  
117  
118  
119  
120  
121  
122  
123  
124  
125

**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 7<sup>th</sup> day of March 2022.

---

Amanda L. Odom, CMC  
City Clerk