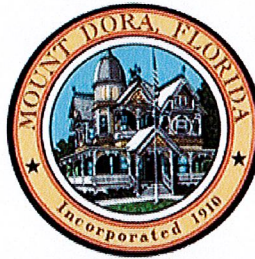


**CITY OF MOUNT DORA, FLORIDA
CITY COUNCIL
MINUTES**



**February 15, 2022
City Hall
510 N. Baker St.
Mount Dora, FL 32757**

CALL TO ORDER

Having been duly advertised as required by law, Mayor Crissy Stile called the Regular Session of City Council to order at 6:00 P.M. in the Mount Dora Council Chambers.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

Councilmember Cataldo led a Moment of Silence and Pledge of Allegiance to the Flag.

ROLL CALL

Members Present

Crissy Stile, Mayor
Marc Crail, Vice-Mayor
John Cataldo, District 1
Cal Rolfson, District 2
Austin Guenther, District 3
Nate Walker, District 5
Doug Bryant, At Large

Also Present

Patrick C. Comiskey, City Manager
Sherry G. Sutphen, City Attorney
Jessica Burnham, City Clerk

PRESENTATIONS

1. Certificate of Recognition for Irene O'Malley

Mayor Stile presented Irene O'Malley with a Certificate of Recognition.

Irene O'Malley thanked the council for this wonderful honor and stated that the need to feed the hungry is still out there.

2. Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ended September 30, 2020

Ken Burke, Pinellas County Clerk of the Court, presented the Finance department with the certificate of achievement for excellence in financial reporting for the fiscal year ended September 30, 2020.

PUBLIC COMMENTS

Mayor Stile opened public comment

Jim Wentz, 1977 Weymouth Court, inquired about the potential Florida Sunshine Law violation of a board member and inquired about the Scottish highland festival and why there is a cost

associated for residents.

Mayor Stile mentioned that there would be an update on the possible Florida Sunshine Law violation at the next meeting.

Amy Jewell, Lesuire Services Director, stated the decision was made to have a fee for this festival so those who do not attend the tax payers do not pay for it.

Mayor Stile closed public comment

APPROVAL OF AGENDA

MOTION BY COUNCILMEMBER ROLFSON TO THE APPROVAL OF AGENDA; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

CONSENT AGENDA

1. Request approval of the Irrevocable Standby Letter of Credit dated December 10, 2021, and Amendment to Irrevocable Standby Letter of Credit dated February 3, 2022, to secure the completion of infrastructure associated with the Lakeside at Waterman Village Project.

****This item was moved to action item number one.***

2. Request approval of the Piggyback Agreement with George Gideon Auctioneers, Inc., for auction services
3. Request Approval of Meeting Minutes
 - January 18, 2022 Regular City Council Session Minutes
 - February 1, 2022 Regular City Council Session Minutes
 - February 1, 2022 NECRA Governing Board Session Minutes
 - February 1, 2022 CRA Governing Board Session Minutes

COUNCILMEMBER ROLFSON MOTION TO APPROVE THE CONSENT AGENDA WITH THE REMOVAL OF ITEM ONE AND PLACING IT UNDER ACTION ITEM ONE FOR FURTHER DISCUSSION; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY UNANIMOUS VOICE VOTE.

ACTION ITEMS

1. Request approval of the Irrevocable Standby Letter of Credit dated December 10, 2021, and Amendment to Irrevocable Standby Letter of Credit dated February 3, 2022, to secure the completion of infrastructure associated with the Lakeside at Waterman Village Project.

****This item was moved off of consent***

Sherry Sutphen, City Attorney, spoke on the agenda item and stated when there is a letter of credit presented, per the code, that item has to be approved by the City Council.

Discussion took place on the letter of credit and how it is used.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE IRREVOCABLE STANDBY LETTER OF CREDIT DATED DECEMBER 10, 2021, AND AMENDMENT TO IRREVOCABLE STANDBY LETTER OF CREDIT DATED FEBRUARY 3, 2022, TO SECURE THE COMPLETION OF INFRASTRUCTURE ASSOCIATED WITH THE LAKESIDE AT WATERMAN VILLAGE PROJECT.; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Councilmember Rolfson
Councilmember Guenther
Councilmember Walker
Councilmember Bryant
Councilmember Cataldo
Vice-Mayor Crai
Mayor Stile

NO None

2. Request approval of Boundary Line Agreement between the Mount Dora Center for the Arts, Inc., and the City of Mount Dora and authorization for the Mayor to execute the Agreement.

Councilmember Guenther voiced a voting conflict and will file with the City Clerk form 8b.

Ms. Sutphen gave the council an overview of the agenda item and stated the agreement that is before council is to establish where the boundary line is for the Center of the Arts building.

Discussion ensued on the boundary line and the footage difference.

MOTION BY VICE-MAYOR CRAIL TO APPROVE THE BOUNDARY LINE AGREEMENT BETWEEN THE MOUNT DORA CENTER FOR THE ARTS, INC., AND THE CITY OF MOUNT DORA AND AUTHORIZATION FOR THE MAYOR TO EXECUTE THE AGREEMENT; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Vice-Mayor Crail
Councilmember Walker

Councilmember Bryant
Councilmember Cataldo
Councilmember Rolfson
Mayor Stile

NO None

3. Request adoption of Resolution No. 2022-14, Key to the City Policy

Ms Sutphen read Resolution No. 2022-14, Key to the City Policy, by title only.

RESOLUTION NO. 2022-14

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO KEY TO THE CITY POLICY; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ADOPTION OF THE POLICY; PROVIDING THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Patrick Comiskey, City Manager, spoke about the policy and provided council with background on how this item was brought up.

Councilmember Rolfson inquired about the possibility of adding a number six to the recipient list in regards to a resident who has shown significant and extensive years of volunteerism.

Discussion ensued on the suggestion made.

MOTION BY COUNCILMEMBER WALKER TO APPROVE RESOLUTION NO. 2022-14, KEY TO THE CITY POLICY; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Councilmember Walker
 Councilmember Guenther
 Councilmember Bryant
 Councilmember Cataldo
 Councilmember Rolfson
 Vice-Mayor Crail
 Mayor Stile

NO None

4. Request adoption of Resolution 2022-12 Selection of Location for the Resource and Recreation Center

Ms Sutphen read Resolution No. 2022-12 , Selection of Location for the Resource and Recreation Center, by title only.

RESOLUTION NO. 2022-12

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE COMMUNITY RESOURCE AND RECREATION CENTER IN THE NORTHEAST CRA; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE SELECTION OF SITE FOR COMMUNITY RESOURCE AND RECREATION CENTER IN THE NORTHEAST CRA; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Councilmember Bryant inquired about the parking spaces.

Adam Sumner, CRA Administrator, answered there is a ratio that dictates how many parking spaces are needed based on the square footage of the building.

Discussion took place about the location and the parking spaces.

MOTION BY COUNCILMEMBER WALKER TO APPROVE RESOLUTION 2022-12 SELECTION OF LOCATION FOR THE RESOURCE AND RECREATION CENTER; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Walker
	Councilmember Rolfson
	Councilmember Guenther
	Councilmember Bryant
	Councilmember Cataldo
	Vice-Mayor Crail
	Mayor Stile

NO	None
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PUBLIC HEARINGS - RESOLUTION/ORDINANCES

BOARD APPOINTMENTS

CITY MANAGER

1. City Manager's Report

Mr. Comiskey asked Steve Langley, Electric Utility Director, to present council with an update on the Royellou underground conversation project.

Mr. Langley provided council with a presentation on the project and gave a timeline of the project.

Discussion ensued on the cost of the project and how long it would take to finish the project.

2. Lobbyist Update

Councilmember Rolfson spoke about the past week's legislative days in Tallahsee and spoke on a few of the current bills in session.

CITY ATTORNEY'S REPORT

1. Building Height Petition Matter

Ms. Sutphen stated a letter was submitted to the mayor requesting that the building height committee be permitted to finalize their recommendation before Ms. Sutphen provides City Council with her opinion and council makes any kind of determination with respect to the petition. Ms. Sutphen stated that at this time there is nothing to report other than a request had been made to allow the building height committee to be allowed to make their recommendation.

Discussion took place on the building height advisory committee timeline.

COMMUNICATIONS AND REPORTS

1. Council Member John Cataldo

No report

2. Council Member Austin Guenther

No report

3. Council Member Cal Rolfson

Provided Irene O'malley with his personal thanks.

Recommend the City look into becoming a member of the National League of Cities.

4. Council Member Nate Walker

No report

5. Council Member Doug Bryant

No report

6. Vice-Mayor Marc Crail

Spoke on a provision that the state had in place for parking spaces in regards to buildings that mostly serve children.

7. Mayor Crissy Stile

Thanked Pastor Rowe for putting together the Unity bike ride and the UCAN leaders for the African American Heritage festival.

FUTURE MEETING DATES

1. March 1, 2022, 6:00 PM, Regular Session
2. March 7, 2022, 10:30 AM, City Council Work Session
3. March 15, 2022 6:00 PM, Regular Session
4. April 5, 2022 6:00 PM, Regular Session
5. April 19, 2022, 6:00 PM, Regular Session

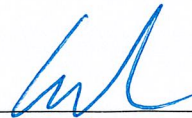
ADJOURNMENT

MOTION BY COUNCILMEMBER ROLFSON TO ADJOURN; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

There being no further business for discussion, the meeting adjourned at approximately 6:59 p.m.



JESSICA BURNHAM
City Clerk



CRISSY STILE, MAYOR
City of Mount Dora

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Guenther, Austin, William Frederick	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE Mount Dora City Council
MAILING ADDRESS 2223 Overlook Drive	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: ☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY Mount Dora	COUNTY
DATE ON WHICH VOTE OCCURRED February 15, 2022	NAME OF POLITICAL SUBDIVISION: District 3 MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Austin Guenther, hereby disclose that on February 15, 2022 :

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____ ;
- ☒ inured to the special gain or loss of my relative, _____ ;
- ☐ inured to the special gain or loss of _____ , by
whom I am retained; or
- ☐ inured to the special gain or loss of _____ , which
is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

1) Request approval of Boundary Line Agreement between the Mount Dora Center for the Arts, Inc., and the City of Mount Dora and authorization for the Mayor to execute the Agreement.

- I recused myself from this item because the specific projects may have inured to the special gain or loss of my father.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

February 28, 2022
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.