CITY OF MOUNT DORA, FLORIDA
CITY COUNCIL
MINUTES

January 18, 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 Community Building.

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 (Via Zoom)
John Cataldo, District 1
Cal Rolfson, District 2
Austin Guenther, District 3
Nate Walker, District 5
Doug Bryant, At Large

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

PRESENTATIONS

PUBLIC COMMENTS

Mayor Stile opened public input

Freddie Allen, 721 Pine Avenue, spoke about the future recreational building.

Mike Masterson, 7887 Crosswinds Ways, inquired about the vision two and suggested when a facility change happens to use the wide way commincations.

Janet Manachon, 2108 Oakleaf Circle, inquired when the Northeast section of town would be placed on an agenda.

John Carr, 1601 Stafford Springs, spoke on the increased growth of the city.

Mayor Stile read into the record a comment card from Valire Sidal,31434 Sand Lake Drive, wrote about a development that is planned to be built by her land.

Chaplain Bobby D Rowe, Chaplain with Mount Dora Police Department, spoke about an upcoming bicycle ride that would take place on February 12th.

Erin Fullenkarup, 345 Veranda Way, spoke about the small town appeal of Mount Dora.

Mayor Stile closed public input

APPROVAL OF AGENDA

Sherry Sutphen, City Attorney, asked to amend the agenda in regards to Resolution No. 2022-08, Amending Building Height Advisory Committee, due to some new information which was brought up at the last Building Height Advisory Committee meeting.

MOTION BY COUNCILMEMBER ROLFSON TO AMEND THE AGNEDA TO INCLUDE NEW INFORMATION STATED BY THE CITY ATTORNEY; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

Councilmember Rolfson inquired to switch agenda item numbers five and six under Public Hearings and requested to add an item under action in regards to comments made by Planning and Zoning Board Commission member James Homich at the Community meeting on January 10, 2022.

MOTION BY COUNCILMEMBER ROLFSON TO AMEND THE AGENDA WITH THE ITEMS STATED. COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

City Manager, Patrick Comiskey, requested that under Public Hearing items number one and two be combined in their public comment portion.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE RECOMMENDATION OF THE CITY MANANGER; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

BOARD APPOINTMENTS

CONSENT AGENDA

1. Request approval of Amended Task Authorization/Guaranteed Maximum Price (GMP) for CMAR Services - Palm Island Park Kayak and Canoe Launch (Faden Builders)

2. Request approval of the Edward Byrne Memorial Justice Assistance Grant (JAG)

3. Request approval of the Piggyback Agreement with Asphalt Paving Systems, Inc., related to Pavement Maintenance and Rehabilitation Continuing Services and authorization to

utilize Asphalt Paving Systems, Inc., for annual road repaving in an amount not to exceed $295,432.15

4. Request Approval of Meeting Minutes
   - November 16, 2021, Regular City Council Session Minutes

COUNCILMEMBER ROLFSON MOTIONED TO APPROVE THE CONSENT AGENDA; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION WAS APPROVED BY A UNAMIOUS VOICE VOTE.

ACTION ITEMS

1. Request adoption of Resolution 2022-04, FY 2021-2022 Budget Adjustment

Ms. Sutphen read Resolutin 2022-04, FY 2021-2022 Budget Amendment by title only.

Resolution 2022-04

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO BUDGET ADJUSTMENTS FOR FISCAL YEAR 2021-22; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF 2021-2022 BUDGET ADJUSTMENTS; 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

John McKinney, Finance Director, provided council with an overview of the item. Mr. McKinney started to summarize the key points of the adjustment. This adjustment accounts for prior year purchase order roll to account for year-end accruals, recognizes ARPA funds received, handles the increase to the CRA and the NECRA, projections from the property appraiser, accounts for the debt service structure of the municipal service complex, and transfers monies from stormwater to electric related to the Dogwood Mountian project.

Mayor Stile inquired about the increase under CRA to waste management Sunday service. To which, Mr. McKinney answered that there is a service in the downtown CRA that has now been in place for about six months that the CRA is paying for.

Mayor Stile opened public input

No one spoke

Mayor Stile closed public input

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE RESOLUTION 2022-

04, FY 2021-2022 BUDGET ADJUSTMENT; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Rolfson Councilmember Cataldo Councilmember Guenther Councilmember Walker Councilmember Bryant Vice-Mayor Crail Mayor Stile
NO	None

2. Request adoption of Resolution 2022-03, Master Fee Schedule Update

Ms. Sutphen read Resolution No. 2022-03, Master Fee Schedule Update by title only.

RESOLUTION NO.2022-03

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE MASTER FEE SCHEDULE FOR THE CITY; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR REPEAL OF PRIOR FEE SCHEDULE RESOLUTIONS; PROVIDING FOR APPROVAL AND ADOPTION OF THE MASTER FEE SCHEDULE; PROVIDING THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SA VIN GS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE

Mr. McKinney mentioned this item was posted in utility bills and on the website. Mr. McKinney stated the study has confirmed the increase is necessary.

Councilmember Rolfson spoke about the fee structure and why the increases are necessary.

Mayor Stile inquired about the waving of the annexation fee.

Councilmember Guenther inquired about the rate increase stopping.

Discussion ensued on rate increases.

Mayor Stile opened public input

Mike Materson, 7887 Crosswinds Way, inquired what a citizen would have to do to request a street light in front of their home.

Steve Lagnley, Electric Utility Director, stated that the lights are placed on private property and the citizen pays for the rate if it is in the right a way and staff elevates the potential for a safety hazard.

Josh Hemingway, 1177 East 5th Avenue, stated that with overdevelopment, that brings the potential for increases to the utility rates.

Mayor closed public input

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE RESOLUTION 2022-03, MASTER FEE SCHEDULE UPDATE; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Rolfson
	Councilmember Cataldo
	Councilmember Walker
	Councilmember Bryant
	Vice-Mayor Crail
	Mayor Stile
NO	Councilmemer Guenther

3. Request approval of the Third Amendment to Solid Waste Agreement between the City and Waste Management Inc. of Florida

Mr. McKinney provided an overview of the agenda item to council and mentioned the proposed rate that Waste Management charges for both residential and commercial solid waste services to the City is projected to increase by 3.5 percent pursuant to the Franchise agreement.

Doug Macoy, Senior District Manager of Waste Management, addressed council and spoke on the increase.

Discussion ensued on the increase and downtown area pickup of trash on Sundays.

Mayor Stile opened public input

No one spoke

Mayor Stile closed public input

MOTION BY COUNCILMEMBER BRYANT TO APPROVE THE THIRD AMENDMENT TO THE SOLID WASTE AGREEMENT BETWEEN THE CITY AND WASTE MANAGEMENT INC. OF FLORIDA; VICE-MAYOR CRAIL SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

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

NO None

4. Discussion in relation to the comments made by Planning and Zoning Board Commission member James Homich at the Community meeting on January 10, 2022.

***This item was added to the agenda**

Councilmember Rolfson spoke about the community meeting that took place on January 10th, 2022 and provided background information regarding boardmember James Homich, Planning and Zoning Commission.

Councilmember Rolfson then asked for the audio clip of Mr. Homich's public input at that meeting to be played.

Continuing, Councilmember Rolfson stated, Mr. Homich criticizes the developer, admits being on the Planning and Zoning Board, and wrongly speaks about the Joint Planning Agreement.

COUNCILMEMBER ROLFSON MOTION TO REMOVE JAMES HOMICH BY THE CITY COUNCIL FROM THE PLANNING AND ZONING COMMISSION FOR THE REASONS AS CONSTITUTING A NECESSITY AS EXPLAINED. SECOUND BY COUNCILMEMBER GUENTHER. MOTION FAILED BY A ROLL CALL VOTE.

Discussion ensued on the motion made.

Discussion ensued on the removal of Mr. Homich in the past, voting conflicts, sunshine law violations, and quasi-judicial boards.

YES Councilmember Rolfson
Councilmember Guenther

NO Councilmember Walker
Councilmember Bryant
Councilmember Cataldo
Vice-Mayor Crail
Mayor Stile

MOTION BY COUNCILMEMBER BRYANT TO REFER THE MATTER THAT HAS BEEN BROUGHT UP BY COUNCILMEMBER ROLFSON ALONG WITH THE AUDIO CLIP TO THE CITY ATTORNEY FOR THE CITY ATTORNEY TO

ELEVAUTE IF THERE HAS BEEN ANY VIOLATIONS IN HER ASSMENT AS TO RULE OR STAUTE AND REPORT BACK TO COUNCIL; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION WAS APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Bryant
	Councilmember Cataldo
	Councilmember Rolfson
	Councilmember Walker
	Vice-Mayor Crail
NO	Councilmember Guenther
	Mayor Stile

Mayor Stile called the meeting to recess at 7:50 P.M.

Mayor Stile called the meeting back to order at 8:00 P.M.

PUBLIC HEARINGS - RESOLUTION/ORDINANCES

1. Request approval of First Reading Transmittal Hearing Ordinance No. 2021-24, Large-Scale Future Land Use Map Amendment for Mount Dora Groves

Mayor Stile stated that item number one and item number two in public hearings would be heard together.

Ms. Sutphen read Ordinance No. 2021-24, First reading Transmittal Hearing, Large-Scale Future Land Use Map Amendment for Mount Dora Groves by title only.

ORDINANCE NO. 2021-24

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO A CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO THE FUTURE LAND USE MAP OF THE FUTURE LAND USE ELEMENT OF THE CITY OF MOUNT DORA COMPREHENSIVE PLAN 2045; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR APPROVAL OF CHANGE IN FUTURE LAND USE DESIGNATION AND AMENDMENT TO FUTURE LAND USE MAP; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NON-CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Sutphen read Resolution No. 2022-01, Preliminary PUD Master Plan for Mount Dora Groves by title only.

RESOLUTION NO. 2022-01

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, RELATED TO THAT PRELIMINARY MASTER PLAN ENTITLED "MOUNT DORA GROVES"; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR PRELIMINARY PUD MASTER PLAN APPROVAL; 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.

Cecelia Bonifay, Akerman Law Firm 420 South Orange Avenue, Orlando, stated she was there on behalf of the applicant, property owners and her client, Brochman LLC. Ms. Bonifay mentioned the three pending applications that are currently in the process of the City. Ms. Bonifay stated that her clients wanted her to express on the record the reasons why they would be withdrawing all three pending applications. Ms. Bonifay continued by saying the discussion over the last hour is truly indicative of the reasons why her client can not move forward in the City of Mount Dora with a fair and equitable, unbiased hearing and for the reasons they will be withdrawing.

Ms. Sutphen stated it has been advertised as a public hearing but there is no need for public comment as the items have been withdrawn completely, so no action is required by the council.

2. Request adoption of Resolution No. 2022-01, Preliminary PUD Master Plan for Mount Dora Groves

3. Request approval of First Reading of Ordinance No. 2022-01, PUD Master Plan 2nd Amendment for Donnelly Woods

Ms. Sutphen read Ordinance No. 2022-01, PUD Master Plan 2nd Amendment for Donnelly Woods by title only.

ORDINANCE NO: 2022-01

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE SECOND AMENDMENT TO THE MASTER PLAN FOR THE DONNELLY WOODS PLANNED UNIT DEVELOPMENT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AN AMENDMENT TO ORDINANCE NO.: 2020-02, DONNELLY WOODS PLANNED UNIT DEVELOPMENT MASTER PLAN TERMS AND CONDITIONS; PROVIDING FOR IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NON-CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

Vince Sandersfeld, Planning and Zoning Director, gave the history of the agenda item to the council.

Ms. Sutphen asked for any Ex-Parte communications.

Councilmember Walker stated he spoke with Jay Oglesby, Liberty Senior Living, related to the basics of the project.

Councilmember Cataldo also stated he spoke with Mr. Oglesby in regards to the basics of the project.

Mayor Stile stated she as well meet with Mr. Oglesby to discuss the basics of the project.

No other Ex-Parte communications were voiced.

Tim Green, Green Consulting Group, spoke about a letter received from Mr. Robert Vason, who inquired about the traffic and the density of the project. Mr. Green stated that the new Donnelly Street egress and ingress was suggested by staff to help alleviate some of the traffic that would have gone to Limit and Donnelly. Mr. Green then spoke about the density of the project.

Jay Oglesby, Liberty Senior Living, spoke about library healthcare companies and independent healthcare.

Mayor Stile opened public hearing.

Laurie Tillet, 101 North Grandview Street, stated she likes the idea of another 55 and up rental. Ms. Tillet's only concern was about the parking spaces.

Lynn Tacher, 8031 St James Way, inquired about the ingress entrance.

Mike Materson, 7887 Crosswinds Way, spoke about the second exit and urged council to also think about speaking with the owner of Lakes of Mount Dora to have a second exit.

Josh Hemingway, 1177 East 5th Avenue, inquired about the PUD process and how an amendment could be made to a PUD.

Mr. Sanderfeld stated the code does allow amendments to PUD.

Mayor Stile closed public hearing

Councilmember Bryant inquired about the traffic impact analysis for which Mr. Sanderfels stated that would be forthcoming.

Discussion ensued about access points, turning lanes, the possibility of turning the woodland area of the project into a public park, and sidewalks within the project.

MOTION BY COUNCILMEMBER WALKER TO APPROVE FIRST READING OF ORDINANCE NO. 2022-01, PUD MASTER PLAN 2ND AMENDMENT FOR DONNELLY WOODS; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Walker
	Councilmember Rolfson
	Councilmember Cataldo
	Vice-Mayor Crail
	Mayor Stile
NO	Councilmember Bryant

4. Request approval of First Reading of Ordinance No. 2022-02, PUD Master Plan Amendment for Villages of Loch Leven

Ms. Sutphen read Ordinance No. 2022-02, PUD Master Plan Amendment for Villages of Loch Leven by title only.

ORDINANCE NO: 2022-02

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE MASTER PLAN FOR VILLAGES OF LOCH LEVEN; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENT TO THE VILLAGES OF LOCH LEVEN PLANNED UNIT DEVELOPMENT TERMS AND CONDITIONS; PROVIDING FOR IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NON-CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Sandersfeld presented the council with an overview of the agenda item.

Alision McGillis ,Poulos & Bennett, LLC, on behalf of the applicant, stated the changes that they are proposing.

Discussion took place about right away with DOT, traffic light signals, and future land use in the area.

Mayor Stile opened public hearing.

No one spoke

Mayor Stile closed public hearing

Ms. Sutphen asked for any Ex-parte communications.

No Ex-parte communications were voiced.

MOTION BY VICE-MAYOR CRAIL TO APPROVE FIRST READING OF ORDINANCE NO. 2022-02, PUD MASTER PLAN AMENDMENT FOR VILLAGES OF LOCH LEVEN; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Vice-Mayor Crail
	Councilmember Guenther
	Councilmember Walker
	Councilmember Bryant
	Councilmember Cataldo
	Councilmember Rolfson
	Mayor Stile
NO	None

5. Final reading and adoption of Ordinance No. 2022-03, Building Height Moratorium

****ORDINANCE NO. 2022-03 WAS HEARD AS ORIGINALLY PLACED ON THE AGENDA AS ITEM NUMBER FIVE.***

Ms. Sutphen read Ordinance No. 2022-03 Building Height Moratorium by title only.

ORDINANCE NO: 2022-03

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE IMPLEMENTATION OF A MORATORIUM ON THE PROCESSING OF ANY PETITION, APPLICATION OR REQUEST FOR DEVELOPMENT ORDER, VARIANCE, PLANNED UNIT DEVELOPMENT OR LAND DEVELOPMENT CODE AMENDMENT WHICH PROPOSES TO ALLOW FOR A CHANGE IN THE BUILDING OR OTHER STRUCTURE HEIGHT LIMITATION OF 35 FEET IN ALL ZONING DISTRICTS IN THE HISTORIC PRESERVATION DISTRICT OF THE CITY OF MOUNT DORA AND OF 25 FEET WITHIN 100 FEET OF LAKE DORA; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR NON-CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR

CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Sutphen mentioned that in the fourth WHEREAS Claus the September 21, 2021 date was not filled in which was the date of the approval of Budilding Height Committee Resolution 2021-115.

Ms. Sutphen stated there has been no changes from the first reading.

Mayor Stile opened public hearing.

No one spoke

Mayor Stile closed public hearing.

Discussion took place on the reasoning behind the moratorium and the length of the moratorium.

MOTION BY VICE-MAYOR CRAIL TO APPROVE THE FINAL READING AND ADOPTION OF ORDINANCE NO. 2022-03, BUILDING HEIGHT MORATORIUM; 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	Councilmember Guenther

6. Request adoption of Resolution 2022-08, Amending Building Height Advisory Committee

Ms. Sutphen spoke on the building height advisory committee and gave background to council in regards to the motion made by the building height committee at their last meeting.

Ms. Sutphen then read into the record the motions that were made by both council and the committee. The motions were as followed:

On December 7th, 2021, City Council meeting - MOTION BY COUNCILMEMBER GUENTHER TO ADVISE STAFF TO PROVIDE LANUAGE FOR AN ORDINCANCE TO PROVIDE THE BUILDING HEIGHT ADVIOSRY COMMITTEE IN ORDER TO

PUT SOMETHING TOGETHER TO BE PLACED ON THE 2022 GENERAL ELECTION BALLOT FOR A CHARTER AMENDMENT; SECONDED BY COUNCILMEMBER BRYANT. MOTION APPROVED BY ROLL CALL VOTE (4-3).

Ms. Sutphen provided the building height advisory committee with the motion and direction from council and the committee at the January 6, 2022 building height advisory committee, after much discussion, made the following motion:

MOTION BY COMMITTEE MEMBER TURNER THAT THIS COMMITTEE IS OPPOSED TO THE REQUIREMENT TO ONLY PURSUE A CHARTER AMENDMENT AND IF THAT IS THE SOLE OPTION OF THIS COMMITTEE, IT IS OUR RECOMMENDATION THAT THE THE COMMITTEE BE DISSOLVED AND THE CITY COUNCIL PREPARE ANY CHARTER AMENDMENT. COMMITTEE MEMBER TUCKER SECONDED THE MOTION. MOTION APPROVED BY ROLL CALL VOTE (11-2)

Ms. Sutphen stated that if council does want to consider the option of having the committee come back with other recommendations, the Resolution that is before council is simply striking a few words in section three which currently reads "This provision shall not in anyway operate to prohibit the City from processing and considering a complete application for a zoning change or other development order which involves building height". The reason why this language is being struck out is because of the Building Height Moratorium Ordinance that is on the agenda tonight as well.

Ms. Sutphen asked council to make a decision with respect to what the building height committee brought to council. If council decides to provide the committee with the option to come forward with what the committee views is best, Ms. Sutphen would ask council to make a motion to resend the December 7th motion, and then make a motion to adopt Resolution 2022-08, Amending Building Height Advisory Committee.

Ms. Sutphen also voiced that if that is the direction council decided to take, Resolution 2022-08 should be heard after Ordinance No. 2022-03.

Discussion ensued on the desire of the building height advisory committee, the focus of the committee, the possibility of disbanding the committee, and the reasons the committee was formed.

Mayor Stile opened public input.

Josh Hemingway, 1177 East 5th Avenue, mentioned the board had stated they had no direction and the council presented the board with direction.

Rozann Abato, 541 East 1st Avenue, spoke about the petition and letting the building height committee continue with their task.

Suzzane Check,308 North Tremain Street, spoke about the petition and the need to have it placed on the ballot.

Chuck Wyre,8253 Bridgeport Bay Circle, stated you have a committee and that committee are the individuals who signed the petition and it should be placed on the ballot for a vote.

Mike Materson, 7887 Crosswinds Way, mentioned he believes the building height committee stated they need direction.

Mayor Stile closed public input

MOTION BY COUNCILMEMBER ROLFSON TO RESEND THE MOITON OF COUNCIL AT THE DECEMBER 7, 2021, CITY COUNCIL MEETING TO DIRECT STAFF TO DRAFT LANUAGE FOR AN ORDINCANCE TO PROVIDE THE BUILDING HEIGHT ADVIOSRY COMMITTEE IN ORDER TO PUT SOMETHING TOGETHER TO BE PLACED ON THE 2022 GENERAL ELECTION BALLOT FOR A CHARTER AMENDMENT; SEONCDED BY COUNCILMEMBER GUENTHER. MOTION APPROVED BY ROLL CALL VOTE.

YES	Councilmember Rolfson
	Councilmember Guenther
	Councilmember Walker
	Vice-Mayor Crail
NO	Councilmember Bryant
	Councilmember Cataldo
	Mayor Stile

Ms. Sutphen suggested hearing Ordinance No 2022-03 first and then hearing Resolution No 2022-08.

***MOTION BY COUNCILMEMBER ROLFSON TO AMENDED THE AGENDA ORDER IN REGARDS TO THE CITY ATTORNEY'S RECOMMENDATION; SECONDED BY COUNCILMEMEBER GUENTHER.
MOTION APPROVED BY A UNANIMOUS VOICE VOTE.***

****RESOLUTION NO 2022-08 WAS HEARD AS ORGINGALLY PLACED ON THE AGENDA AS ITEM NUMBER SIX.***

Ms. Sutphen read Resolution 2022-08, Amending Building Height Advisory Committee by title only.

RESOLUTION NO. 2022-08

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, AMENDING CITY OF MOUNT DORA RESOLUTION 2021-115; PROVIDING LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENT TO SECTION 3; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS;

PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Ms. Sutphen provided the council with an overview of the item.

Mayor Stile opened public input

No one spoke

Mayor Stile closed public input

MOTION BY COUNCILMEMBER WALKER TO APPROVE RESOLUTION 2022-08, AMENDING BUILDING HEIGHT ADVISORY COMMITTEE; VICE-MAYOR CRAIL SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES	Councilmember Walker Vice-Mayor Crail Councilmember Cataldo Councilmember Bryant Mayor Stile
NO	Councilmember Rolfson Councilmember Guenther

CITY MANAGER

1. Lobbyist Update

   Mr. Comiskey spoke on the lobbyist group and mentioned the group being absorbed into a larger group and an amendment to the current agreement would be coming before council to accept the change.

2. City Manager's Report

   Mr. Comiskey spoke about having a work session to prioritize what council would like to set their strategic goals, as on February 14, 2022 at 10:30 A.M.

CITY ATTORNEY'S REPORT

Ms. Sutphen mentioned a new claim filed against the City.

COMMUNICATIONS AND REPORTS

1. Council Member Nate Walker

   Gave thanks to the police department for the events of the past weekend.

2. Council Member Doug Bryant

   No report

3. Council Member John Cataldo

   Spoke on the crosswalk flags that are placed in the crosswalks around the City and inquired about posting directions on them on how to use them.

4. Council Member Austin Guenther

   Gave thanks to the Public Works Department and also inquired about the Northeast, looking at potential sites for the recreation building.

5. Council Member Cal Rolfson

   Spoke about the Martin Luther King Junior walk and mentioned how wonderful the event was and also mentioned the upcoming luncheon on Friday.

6. Vice-Mayor Marc Crail

   No report

7. Mayor Crissy Stile

   Mentioned that if the seven councilmembers could have conversations and disagree on topics and do so with respect, she would hope the public could do the same. Mayor Stile also spoke about the Unity Walk and how fantastic the event was.

FUTURE MEETING DATES

1. February 1, 2022, 6:00 PM, Regular Session

2. February 15, 2022, 6:00 PM, Regular Session

3. March 1, 2022, 6:00 PM, Regular Session

4. March 15, 2022, 6:00 PM, Regular Session

ADJOURNMENT

COUNCILMEMBER ROLFSON MOTIONED TO ADJOURNED;SECONDED BY COUNCILMEMBER WALKER. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

THERE BEING NO FURTHER BUSINESS FOR DISCUSSION, THE MEETING ADJOURNED AT APPROXIMATELY 10:47 P.M.

CRISSY STILE, MAYOR
City of Mount Dora

Jessica Burnham
JESSICA BURNHAM
City Clerk

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

LAST NAME—FIRST NAME—MIDDLE NAME		NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE
Guenther, Austin, William Frederick		Mount Dora City Council
MAILING ADDRESS		THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
2223 Overlook Drive		☐ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
CITY	COUNTY	NAME OF POLITICAL SUBDIVISION:
Mount Dora		District 3
DATE ON WHICH VOTE OCCURRED		MY POSITION IS:
January 18, 2022		☑ 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 January 18, 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, ________;

X 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) First Reading of Ordinance No. 2022-01 PUD Master Plan 2nd Amendment for Donnelly Woods

- I recused myself from these three items 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.

January 28, 2022
Date Filed

[signature]
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.