

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



**July 19, 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 PM in the Mount Dora Council Chambers.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

Councilmember Walker 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
Jeanann Hand, Deputy City Clerk

PUBLIC COMMENTS

Mayor Stile opened public comment.

Kris Haukoos, 925 Northside Drive, spoke about the location of bike racks. Leisure Services Manager Troy Shonk offered to send Ms. Kaukoos helpful information.

Jay Smith, 1046 North McDonald Street, asked about a new location for the Lake Cares Food Pantry.

Mayor Stile closed public comment.

APPROVAL OF AGENDA

***MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE AGENDA WITH
CONSENT AGENDA ITEM ONE MOVED TO ACTION ITEM ONE;
COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED
BY A UNANIMOUS VOICE VOTE.***

CONSENT AGENDA

1. Request adoption of Resolution No. 2022-41, Maximum Millage Rate for Fiscal Year 2022-2023 Budget
**Moved to Action Item One*
2. Request approval of Reimbursement Agreement between Duke Energy Florida, LLC; Florida Municipal Power Pool; City of Mount Dora and Orlando Utilities Commission
3. Request adoption of Resolution No. 2022-45, Fire/EMS Impact Fee Credit for Fire Station 34/EOC
4. Request approval of Meeting Minutes
 - July 5, 2022 City Council Regular Session Minutes
 - July 11, 2022 City Council Budget Work Session Minutes

MOTION BY VICE-MAYOR CRAIL TO APPROVE CONSENT AGENDA ITEMS TWO, THREE, AND FOUR WITH CONSENT AGENDA ITEM ONE MOVED TO ACTION ITEM ONE; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

ACTION ITEMS

1. Request adoption of Resolution No. 2022-41, Maximum Millage Rate for Fiscal Year 2022-2023 Budget
**Moved from Consent Agenda Item One to Action Item One.*

City Attorney Sutphen read Resolution No. 2022-41, Maximum Millage Rate for Fiscal Year 2022-2023 Budget by title only.

RESOLUTION NO. 2022-41

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA PERTAINING TO THE PROPOSED MILLAGE RATE OF 6.1000 MILLS FOR FISCAL YEAR 2022-23 FOR THE CITY OF MOUNT DORA, FLORIDA; PROVIDING FOR THE PROPOSED LEVY OF AD VALOREM TAXES AND PERCENTAGE INCREASES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING A PUBLIC HEARING SCHEDULE FOR BUDGET ADOPTION; PROVIDING FOR CERTIFIED COPIES;

**PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT;
PROVIDING FOR THE IMPLEMENTATION OF
ADMINISTRATIVE ACTIONS; PROVIDING FOR SCRIVENER'S
ERRORS; PROVIDING FOR CONFLICTS; PROVIDING
FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
DATE.**

Budget Officer Aneta Barton explained the purpose of the resolution, which establishes the maximum operating millage rate for the upcoming fiscal year. She announced the two public hearings that would take place in September regarding the rate. Discussion occurred mentioning the requirements of state law, confusion regarding trim notices, and the maximum rate allowing for City needs to be met in the event of an emergency, .

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

***MOTION BY COUNCILMEMBER ROLFSON TO APPROVE RESOLUTION 2022-41;
COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A
ROLL CALL VOTE.***

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

NO None

2. Request approval of the Agreement between the City of Mount Dora and A.C. Schultes of Florida, Inc., for Construction Services - Well 3 at Water Treatment Plant 2

City Manager Patrick Comiskey informed those present that City staff wished to table this item until the August 2, 2022 Council meeting. Council members agreed.

3. Request Adoption of Resolution No. 2022-46, Accepting the FY 2020-2021 Comprehensive Annual Financial Report (CAFR)/Audit prepared by Purvis Gray & Company, LLP and adopting Time Parameters and Procedures

City Attorney Sutphen read Resolution 2022-46 by title only.

RESOLUTION NO. 2022-46

**A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE
AUDIT PREPARED BY PURVIS GRAY & COMPANY, LLP, FOR FISCAL YEAR ENDING**

SEPTEMBER 30, 2021; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; FINANCIAL REPORT/AUDIT (CAFR) AND TIME PARAMETERS AND PROCEDURES; 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.

Interim Finance Director Rita Meade introduced Ron Whitesides, who represented Purvis-Gray, the firm that had been contracted to perform the City's audit for the past six years. A PowerPoint was presented by Mr. Whitesides detailing the results from the City's audit for the fiscal year ending September 30, 2021. The presentation is attached as Exhibit A. The presentation summarized the complete audit book. Mr. Whitesides explained that the audit process consisted of a financial audit, a report on internal controls and compliance affecting financial reporting, the State of Florida single audit, and the examination of compliance with Florida Statute on Investment of Public Funds. The Auditor's Reports found the City qualifying for a "clean" opinion, and fully in compliance, with no finding of financial emergency. There was a single recommendation related to internal control over financial reporting. There were no material weaknesses or significant deficiencies found in internal control over compliance. Mr. Whitesides concluded his presentation highlighting 2020-2021 changes that took place in the General Fund, Enterprise Funds, and Pensions. This would be the firm's last year as the City's auditor, as terms are, by law, limited to six years.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE RESOLUTION NO. 2022-46; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

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

NO None

4. Request approval of Amendment 3 between the City of Mount Dora and Allied Universal Corporation for Sodium Hypochlorite

City Manager Comiskey explained the purpose of the amendment, which would ensure uninterrupted delivery of the named water treatment chemical leading up to the renewal of an imminent piggyback agreement. The amendment allows for an increased cost from the vendor, a new condition included in the agreement underlying the piggyback, which was recently renewed.

Discussion took place regarding the City's evaluation of piggyback agreements throughout the term of the agreement, the advantage of piggybacks, and choices regarding their terms.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER WALKER TO APPROVE AMENDMENT THREE TO THE AGREEMENT BETWEEN THE CITY OF MOUNT DORA AND ALLIED UNIVERSAL CORPORATION FOR SODIUM HYPOCHLORITE; VICE-MAYOR CRAIL SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

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

NO None

PUBLIC HEARINGS - RESOLUTIONS/ORDINANCES

1. Request adoption of Final Reading of Ordinance No. 2022-09, Change in Zoning – Daniel C. and Judith Ann McWhorter

City Attorney Sutphen read Ordinance No. 2022-09 by title only.

ORDINANCE NO. 2022-09

**AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA,
PERTAINING TO THE ZONING DISTRICT CLASSIFICATION
CHANGE FOR THAT PROPERTY LOCATED ON THE
SOUTHEAST CORNER OF HIGHLAND STREET AND CAMP**

AVENUE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ZONING DISTRICT CLASSIFICATION CHANGE; PROVIDING FOR OFFICIAL ZONING MAP AMENDMENT; 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 announced his recusal from this item due to potential conflict regarding specific benefit. A completed Form 8B is attached as Exhibit B.

City Attorney Sutphen announced there had been no changes to the Ordinance since its first reading. Discussion followed regarding the restrictions and development possibilities available within mixed-use zoning in comparison to alternative zoning. Planning Director Vince Sandersfeld was available to answer questions. The difference between mixed use and multiple use, and the area's identification as a gateway to the City was discussed. The ordinance's alignment with the City's prior envisioning plans was mentioned. Reference was made to rails-to-trails.

The zoning change was requested by the property owner with the intention of marketing the property for development. Applicant Tim Green, 4070 United Avenue, president of Green Consulting Group, was available for questions.

Mayor Stile opened public comment.

Andrea Lothar 961 Liberty Avenue, voiced support for the spirit of the ordinance, but disapproved of the means of accomplishment. She cautioned against the possible allowance for 60' buildings. She disagreed with zoning change without specific development to support it and suggested tabling the item.

Mayor Stile called upon Planning Director Sandersfeld to explain the absence of plans accompanying the request for zoning change.

Mayor Stile asked for description of the next steps, which Mr. Sandersfeld provided.

The pace and incentivization of development was discussed.

Frank Kerwin, 1110 East Fifth Avenue, spoke of his discomfort regarding rezoning without developer plans.

Suzanne Scheck, 308 North Tremain Street, asserted her agreement with the previous two comments and communicated dissatisfaction with the pace of rails-to-trails progress.

Laura Morales, 585 Seneca Oaks Circle, expressed assent to the above comments.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE SECOND READING OF ORDINANCE NO. 2022-09; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

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

NO None

2. Request approval of First Reading of Ordinance No. 2022-15, Amending Ordinance 2021-01/Chapter 38, Article V, Public Parks and Recreation or as otherwise codified in the Code of Ordinances

City Attorney Sutphen read Ordinance No. 2022-15 by title only.

ORDINANCE NO. 2022-15

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, AMENDING ORDINANCE 2021-01, OR CHAPTER 38, ARTICLE V, PUBLIC PARKS AND RECREATION OR AS OTHERWISE CODIFIED WITHIN THE CITY OF MOUNT DORA CODE OF ORDINANCES; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO ORDINANCE 2021-01, CHAPTER 38, ARTICLE V, PARKS AND RECREATION, OR AS OTHERWISE CODIFIED WITHIN THE CITY OF MOUNT DORA CODE OF ORDINANCES; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Sutphen explained the two purposes of the ordinance, which removes a

limitation on the discharge firearms in City parks, and establishes a ban on all smoking in City parks with the exception of unfiltered cigars. Discussion ensued regarding the justification for the regulation of smoking.

Mayor Stile opened public comment

Jay Smith, 1046 North McDonald Street, obtained clarification that the ban addresses smoking in public parks and not other areas of the City.

Kris Haukoos, 925 Northside Drive, mentioned social pressure laws with regard to public smoking.

Lynn Tacher, 8031 St. James Way, inquired about signage for the smoking ban, and about trash receptacles.

Leisure Services Manager Troy Shonk informed those present that smoking ban language will be added to existing park signs.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE FIRST READING OF ORDINANCE NO. 2022-15; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

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

NO None

3. Request approval of First Reading of Ordinance No. 2022-16, Amending Chapter 8, Animals, of the Code of Ordinances

City Attorney Sutphen read Ordinance No. 2022-16 by title only.

ORDINANCE NO. 2022-16

**AN ORDINANCE OF THE CITY OF MOUNT DORA,
FLORIDA, AMENDING THE CITY OF MOUNT DORA
CODE OF ORDINANCES, CHAPTER 8,
ANIMALS; PROVIDING FOR LEGISLATIVE FINDINGS
AND INTENT; PROVIDING FOR AMENDMENTS TO**

CHAPTER 8, ANIMALS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING FOR CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Sutphen explained the purpose of the Ordinance, which would go into effect on October 1, 2022. The Ordinance removes from the existing Code of Ordinances all of the matters related to animal control which will be assumed by Lake County and no longer performed by the City. Remaining in the code are the animal control matters and animal-related regulations that will still be undertaken or administered by the City. The impact and benefits of the Ordinance were discussed. Interim Police Chief Michael Gibson, City Manager Comiskey, and City Attorney Sutphen provided further information about the effects of the Ordinance. Interim Chief Gibson informed those present that Mount Dora statistics related to this matter are available. No Mount Dora officers were absorbed by the county.

Mayor Stile opened public comment.

No one spoke.

Mayor Stile closed public comment.

MOTION BY VICE-MAYOR CRAIL TO APPROVE THE FIRST READING OF ORDINANCE NO. 2022-16; COUNCILMEMBER GUENTHER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

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

NO None

CITY MANAGER'S REPORT

City Manager Comiskey provided updates regarding the Lakes of Mount Dora traffic signal and Rails to Trails. He recognized the special accomplishments of Interim Finance Director Rita Meade and the entire Finance Department regarding the chart of accounts modification.

CITY ATTORNEY'S REPORT

No report.

COMMUNICATIONS AND REPORTS

1. Council Member Doug Bryant
Councilmember Bryant commented favorably regarding changes to Donnelly Park.
2. Council Member John Cataldo
Councilmember Cataldo invited Economic Development Manager Misty Sommer and Cultural and Special Events Manager Chris Carson to join him in announcing upcoming events to be held in the Highland district.
3. Council Member Austin Guenther
Councilmember Guenther commended the performance of the Mount Dora Police Department in relation to the recent shooting.
4. Council Member Cal Rolfson
Councilmember Rolfson commented favorably regarding streetlights on 441. He also commended the police department regarding the shooting and mentioned fundraising for the synagogue.
5. Council Member Nate Walker
Councilmember Walker mentioned the upcoming Cauley Lott Golf Tournament, the recently held camp at Bethel Church, and his pleasure at partnering with the City for such events.
6. Vice-Mayor Marc Crail
No report.
7. Mayor Crissy Stile
Mayor Stile read an email she received from First National Bank of Mount Dora, which praised the Mount Dora Police Department and Lake County Sheriff's Office for their performance in relation to the recent shooting.

FUTURE MEETING DATES

1. July 25, 2022, 10:00 AM, Work Session

2. August 2, 2022, 6:00 PM, Regular Session
3. August 16, 2022, 6:00 PM, Regular Session
4. August 29, 2022, 10:00 AM, Work Session

ADJOURNMENT

MOTION BY COUNCILMEMBER WALKER TO ADJOURN; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

There being no further business for discussion, the meeting adjourned at approximately 7:36 PM.



CRISSY STILE, MAYOR
City of Mount Dora



JEANANN HAND
Deputy City Clerk