

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



**March 21, 2023
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 City Council Chambers.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

A Moment of Silence and Pledge of Allegiance was led by Vice-mayor Crail.

ROLL CALL

Members Present

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

Also Present

Patrick C. Comiskey, City Manager
Sherry G. Sutphen, City Attorney
Jeanann Hand, City Clerk

PRESENTATIONS

1. Earth Day Proclamation-Tree City USA Award
Mayor Stile read the Earth Day proclamation into the record.
2. Mount Dora Yacht Club 70th Annual Sailing Regatta
Mayor Stile read the Mount Dora Yacht Club 70th Annual Sailing Regatta proclamation into the record.
3. Bicycle Month Proclamation
Economic Development Manager Misty Sommer read the Bicycle Month Proclamation into the record.
4. Mount Dora Fun Fact
Mayor Stile shared the number of total electric customers, solar customers, and the fact that the city's solar farm is the largest in the county.

PUBLIC COMMENT

Mayor Stile opened public comment. No one spoke. Mayor Stile closed public comment.

APPROVAL OF AGENDA

MOTION BY COUNCILMEMBER WALKER TO APPROVE THE AGENDA WITH CONSENT ITEM SEVEN MOVED TO ACTION ITEM TWO; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

BOARD APPOINTMENTS

1. Advisory Board Appointments

MOTION BY COUNCILMEMBER DAWSON TO APPOINT JANE SLIVKA TO THE PUBLIC ARTS COMMISSION; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

CONSENT AGENDA

1. Request approval of piggyback agreement between the City of Mount Dora and Ten-8 Fire and Safety, LLC, related to Fire Equipment, Supplies, and Services (Lake County Contract #22-730K)
2. Request approval of piggyback agreement between the City of Mount Dora and Municipal Equipment Company, LLC, related to Fire Equipment, Supplies, and Services (Lake County Contract #22-730H)
3. Request approval of Piggyback Agreement between the City of Mount Dora and Municipal Emergency Services, Inc., related to Fire Equipment, Supplies, and Services (22-730G)
4. Request approval of Task Authorization/GMP (Guaranteed Maximum Price) with Faden Builders, Inc., related to WTP#1 North Ground Storage Tank Rehab Request authorization to purchase replacement computers from MRA International in the amount of \$53,671.08
5. Request authorization to purchase replacement computers from MRA International in the amount of \$53,671.08
6. Request approval of Amendment 3 to piggyback agreement between the City of Mount Dora and Precision Contracting Services, Inc.
7. Request acceptance of the Lenco Bearcat, VIN# 1FDAFSF9FEB46273, Stock #5301 and Florida Title Number 124963817, from the Mount Dora Heroes Foundation, LLC, with the restriction that the same will not be transferred from the ownership of the City for a period of five (5) years from the date of this acceptance, and authorization for the City Manager to execute any and all necessary documentation to effectuate the transfer of the vehicle to the ownership of the City of Mount Dora

****This item was moved to Action Item Number Two***

8. Request approval of Amendment 1 to the Construction Manager At-Risk agreement with Faden Builders, Inc., to include grant funding language
9. Request approval of meeting minutes

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE CONSENT AGENDA WITH CONSENT ITEM SEVEN MOVED TO ACTION ITEM TWO; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

ACTION ITEMS

1. Request Direction from City Council regarding WWTP#1 Rehabilitation/Renovation

City Manager Patrick Comiskey reviewed the purpose of the item, and reminded those present of the workshop that had taken place on March 13th. Councilmembers expressed appreciation for the follow-up information that had been provided by city staff, and for the additional individual meeting time spent reviewing the item in detail in order to fully inform their decisions. Councilmembers agreed consideration should be given to funding and the City's current and imminent wastewater needs, citywide. Vice-mayor Crail recommended a comprehensive look at updating the city's impact fees moving forward.

Mayor Stile opened public comment. No one spoke. Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE OPTION B IN THE WASTEWATER TREATMENT PLANT DISCUSSION; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Rolfson
Cataldo
Dawson
Walker
Bryant
Crail
Stile

NO None

2. Request acceptance of the Lenco Bearcat, VIN# 1FDAFSF9FEB46273, Stock #5301 and Florida Title Number 124963817, from the Mount Dora Heroes Foundation, LLC, with the restriction that the same will not be transferred from the ownership of the City for a period of five (5) years from the date of this acceptance, and authorization for the City Manager to execute any and all necessary documentation to effectuate the transfer of the vehicle to the ownership of the City of Mount Dora

****This item was moved from Consent Item Number Seven to Action Item Number Two***

Interim Police Chief Mike Gibson provided the history leading up to this item. He supplied facts about the Bearcat, which was owned by the dissolving Heroes Foundation nonprofit that once worked closely with the Mount Dora Police Department. The vehicle is in nearly new condition and requires no maintenance at this time. Mount Dora public safety agencies consider it an asset during states of emergency. Interim Chief Gibson answered questions about the vehicle's condition, expense for maintenance or repair, operator qualifications, and its usefulness to the city. Councilmembers considered whether the vehicle would be better placed with the sheriff's office. They acknowledged the advantages of keeping it in the city.

Harlow Middleton, 699 East Fifth Avenue, legal representative for the Heroes Foundation, asserted the board of the foundation would have to consent to an alternate recipient.

Mayor Stile opened public comment. No one spoke. Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO ACCEPT THE LENCO BEARCAT AS OFFERED BY THE MOUNT DORA HEROES FOUNDATION; COUNCILMEMBER DAWSON SECONDED THE MOTION. MOTION APPROVED 6-1 BY A ROLL CALL VOTE.

YES Rolfson
Dawson
Walker
Bryant
Crail
Stile
NO Cataldo

PUBLIC HEARINGS - RESOLUTIONS/ORDINANCES

1. Request approval of first reading of **Ordinance No. 2023-07**, Revising Public Arts Commission

City Attorney Sherry Sutphen read Ordinance No.2023-07 by title only.

ORDINANCE NO.: 2023-07

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE PUBLIC ARTS COMMISSION; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO CHAPTER 2, ARTICLE VIII, BOARDS AND COMMISSIONS, DIVISION 4, PUBLIC ARTS COMMISSION, SECTION 2-312, MEMBERSHIP AND TERMS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION, SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Ms. Sutphen explained the ordinance serves the purpose of providing consistency between the standards for membership on city boards. Councilmembers clarified that this ordinance points back to Ordinance No. 2022-26, adopted last November, which defines standards for all boards. Councilmember Rolson characterized this ordinance and the two following it on the agenda as pro forma.

Mayor Stile opened public comment. No one spoke. Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE FIRST READING OF ORDINANCE NO. 2023-07, REVISING PUBLIC ARTS COMMISSION; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Rolfson
Cataldo
Dawson
Walker
Bryant
Crail
Stile

NO None

2. Request approval of first reading of **Ordinance No. 2023-08**, Revising Parks and Recreation Advisory Board

City Attorney Sherry Sutphen read Ordinance No.2023-08 by title only.

ORDINANCE NO.: 2023-08

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE PARKS AND RECREATION ADVISORY BOARD; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING

FOR AMENDMENTS TO CHAPTER 2, ADMINISTRATION, ARTICLE VIII, BOARDS AND COMMISSIONS, DIVISION 3, PARKS AND RECREATION BOARD, SECTION 2-292, MEMBERSHIP AND TERMS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION, SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Sutphen explained this item is similar to the last one and serves the same purpose of revising the former ordinance to align with Ordinance No. 2022-26.

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. 2023-08, REVISING PARKS AND RECREATION ADVISORY BOARD; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Crail
Cataldo
Rolfson
Dawson
Walker
Bryant
Stile

NO None

3. Request approval of first reading of **Ordinance No. 2023-09**, Revising Library Advisory Board

City Attorney Sherry Sutphen read Ordinance No.2023-09 by title only.

ORDINANCE NO.: 2023-09

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE LIBRARY ADVISORY BOARD; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR AMENDMENTS TO CHAPTER 30, LIBRARY, ARTICLE II, LIBRARY BOARD, SECTION 30-25, ORGANIZATION; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION, SCRIVENER'S ERRORS AND THE ADJUSTMENT OF PRONOUNS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

City Attorney Sutphen explained this item was similar to the last two and serves the same purpose of revising the former ordinance to align with Ordinance No. 2022-26.

Mayor Stile opened public comment. No one spoke. Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER CATALDO TO APPROVE THE FIRST READING OF ORDINANCE NO. 2023-09, REVISING LIBRARY ADVISORY BOARD; COUNCILMEMBER DAWSON SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Cataldo
Dawson
Rolfson
Walker
Bryant
Crail
Stile

NO None

4. Request adoption of **Resolution No. 2023-14**, New Power Surge Protection Program
City Attorney Sutphen read Resolution No. 2023-14 by title only.

RESOLUTION NO. 2023-14

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE ELECTRIC UTILITY SURGE PROTECTION PROGRAM; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ADOPTION OF SURGE PROTECTION PROGRAM; 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.

Electric Utility Directory Steve Langley described how the program would work. He answered questions about which items will be covered by the program, the costs to customers and to the city, and the terms. Councilmembers acknowledged the benefits of the program. The program will be for large appliances only, with installation taking place at the meter. Adopting this resolution would approve the entire program.

Mayor Stile opened public comment. No one spoke. Mayor Stile closed public comment.

MOTION BY VICE-MAYOR CRAIL TO ADOPT RESOLUTION NO. 2023-14, POWER SURGE PROTECTION PROGRAM; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Crail
Walker
Cataldo
Rolfson
Dawson
Bryant
Stile

NO None

5. Request adoption of **Resolution No. 2023-13**, Establishing a Law Enforcement Training Sponsorship Program

City Attorney Sutphen read Resolution No. 2023-13 by title only.

RESOLUTION NO. 2023-13

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE LAW ENFORCEMENT TRAINING SPONSORSHIP PROGRAM; PROVIDING LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR THE CREATION OF THE LAW ENFORCEMENT TRAINING SPONSORSHIP PROGRAM; 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 Chief Gibson described the challenges the Mount Dora Police Department faces with regard to recruitment. The proposed training program would raise Mount Dora's level of competitiveness for attracting new applicants. Officers trained by the city will be more likely to stay with the city long-term. He answered questions from Council about the costs of the program, commitment requirements for trainees, training timelines, the proposed number of trainees, and comparisons to similar programs in other communities. He would follow up with information about the program's success in other cities, and the total financial commitment required from the city. Councilmembers acknowledged the importance of Mount Dora's police force.

Mayor Stile opened public comment. No one spoke. Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO ADOPT RESOLUTION NO. 2023-13, ESTABLISHING A LAW ENFORCEMENT TRAINING SPONSORSHIP PROGRAM; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION APPROVED BY A ROLL CALL VOTE.

YES Rolfson
Cataldo
Dawson
Walker
Bryant
Crail
Stile

NO None

CITY MANAGER'S REPORT

Mr. Comiskey invited Mr. Langley to announce a reduction in the city's electric rates. Mr. Langley spoke about the solar farm, which would hold a ribbon cutting the following day. Mr. Comiskey clarified the purpose of the solar farm.

Ms Sommer spoke about the Trail Town application that had just been submitted on behalf of the city.

Councilmember Rolfson spoke on resources to learn about legislative updates.

CITY ATTORNEY'S REPORT

Ms. Sutphen announced two legal filings on behalf of the AMCO developer regarding the project that was voted on at the February 21st meeting. The first filing requests a magistrate reexamine the city's decision. Mediation could take place in order to arrive at a solution. Legal counsel for both parties must agree upon a magistrate. Ms. Sutphen requested authority to choose a magistrate on behalf of the city.

The second filing is a writ of certiorari with an immediate motion to hold that matter in abeyance. A resolution to the first filing may preclude action on the second filing. Ms. Sutphen answered questions regarding the filings and appropriate councilmember behavior.

MOTION BY COUNCILMEMBER ROLFSON TO GRANT CITY ATTORNEY SUTPHEN AUTHORITY TO WORK WITH THE PLAINTIFF'S ATTORNEY TO SELECT A MAGISTRATE, AND TO APPROVE THE CITY ATTORNEY WORKING WITH THE CITY MANAGER, THE MAYOR AND THE CITY PLANNING DIRECTOR ON THIS MATTER; COUNCILMEMBER DAWSON SECONDED THE MOTION. MOTION APPROVED BY A UNANIMOUS VOICE VOTE.

There is no new information on the joint planning agreement.

The city was voluntarily dismissed from a lawsuit last week.

COMMUNICATIONS AND REPORTS

1. Councilmember Nate Walker
Councilmember Walker expressed appreciation for city staff.
2. Councilmember Doug Bryant
Councilmember Bryant thanked staff. Mr. Comiskey provided an update on hiring an arborist.
3. Councilmember John Cataldo
Councilmember Cataldo thanked staff.
4. Councilmember Dennis Dawson
Councilmember Dawson thanked staff.
5. Councilmember Cal Rolfson
Councilmember Rolfson complimented the art festival. He thanked Mr. Langley for the news about utility rates.
6. Vice-Mayor Marc Crail
Vice-mayor Crail thanked staff. He also thanked Mr. Comiskey for taking action on items that had been brought to his attention.
7. Mayor Crissy Stile
Mayor Stile thanked law enforcement for their presence at the Getman funeral. She spoke about county response to city communications, and expressed well wishes to the departing Public Information Officer Vershurn Ford.

ADJOURNMENT

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

There being no further business for discussion, the meeting adjourned at approximately 8:10 p.m.

CRISSY STILE, MAYOR
City of Mount Dora

JEANANN HAND, CITY CLERK
City of Mount Dora