CITY OF MOUNT DORA, FLORIDA
CITY COUNCIL REGULAR SESSION
MEETING MINUTES
January 16, 2024, 6:00 p.m.
Mount Dora City Hall
510 N. Baker St., Mount Dora, FL 32757

CALL TO ORDER

Having been duly advertised as required by law, at 6:00 p.m., Mayor Stile called to order the meeting of the City Council in the Mount Dora City Hall Council Chambers.

MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

A moment of silence and Pledge of Allegiance were led by Councilmember Cataldo.

ROLL CALL

Members Present	Also Present
Crissy Stile, Mayor	Patrick Comiskey, City Manager
Marc Crail, Vice-mayor	Patrick Brackins, City Attorney
John Cataldo, District 1	Jeanann Hand, City Clerk
Cal Rolfson, District 2	
Dennis Dawson, District 3	
Nate Walker, District 5	
Doug Bryant, At-large	

PRESENTATIONS

1. Mount Dora Fun Fact
   Mayor Stile shared information about being honored with the Martin Luther King, Jr. Community Service Award the previous weekend.
2. Proclamation for Florida Arbor Day
   Mayor Stile read the proclamation into the record. The Mayor mentioned the January 19th event involving the planting of trees with the Friends of the Environment and the Lakes and Hills Garden Club.
3. Proclamation for Martin Luther King, Jr. Day
   Mayor Stile read the proclamation into the record.

PUBLIC COMMENTS

Mayor Stile opened public comment.

Jennifer Boyette, 1100 Golf Club Court, asked about the price and scope of work of the investigation conducted by DSK Law.

Mayor Stile closed public comment.

APPROVAL OF AGENDA

MOTION BY COUNCILMEMBER CATALDO TO APPROVE THE AGENDA WITH CONSENT AGENDA ITEM THREE MOVED TO ACTION ITEM TWO; COUNCILMEMBER DAWSON SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

CONSENT AGENDA

1. Request Approval of Task Authorization with RCM Utilities, Inc. for Reclaimed Water Storage Pond Valve and Liner Repairs
2. Request Approval of Agreement Between the City of Mount Dora and the University of Central Florida Police Department For Voluntary Cooperation and Operational Assistance Mutual Aid
3. ~~Request Ratification of Payment of DSK Law Invoice #493256, Invoice #496199, and Invoice #496439 in the aggregate amount of $53,239.32 for Investigative Services~~
   ****Item moved to become Action Item Two***
4. Request Ratification of Payment of Roper PA Invoice #84847 and Invoice #85341 in the Aggregate Amount of $570.00
5. Request Authorization to Purchase Electric Distribution Materials from Gresco Utility Supply Incorporated to Replenish Inventory Stock for the Electric Utility Department
6. Request Approval of Task Authorization with Faden Builders in the Amount of $480,700.00 for the Renovation of Frank Brown Park

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE CONSENT AGENDA WITH CONSENT AGENDA ITEM THREE MOVED TO BECOME ACTION ITEM TWO; COUNCILMEMBER DAWSON SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

ACTION ITEMS

1. Request Approval of Reimbursement of City Manager Patrick Comiskey for Attorney Fees and Costs Associated with Whistleblower Investigation

   City Attorney Patrick Brackins explained that the City Manager is entitled to reimbursement under his contract unless conditions are found that negate this eligibility. He stated this item is appropriate for approval.

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

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE REIMBURSEMENT OF CITY MANAGER PATRICK COMISKEY FOR ATTORNEY FEES AND COSTS ASSOCIATED WITH WHISTLEBLOWER INVESTIGATION; COUNCILMEMBER DAWSON SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.

YES Rolfson
Dawson
Cataldo
Walker
Bryant
Crail
Stile

NO None

2. Request Ratification of Payment of DSK Law Invoice #493256, Invoice #496199, and Invoice #496439 in the aggregate amount of $53,239.32 for Investigative Services
****This item was originally Consent Agenda Item Three***

Councilmember Cataldo stated he received questions from constituents regarding the cost and scope of the investigation. He is not pleased about the extent to which the investigation had been carried out and the expenses incurred.

Councilmember Dawson expressed his displeasure with his representation in the invoice, the report, and the transcripts. He found the report to be incomplete. He referenced his many years in professional services and Human Resources.

Mr. Brackins explained that redactions are no longer necessary since the documents are now public record. He spoke about information that hadn't been included in the initial release of the report. He told Councilmembers the additional information is now included, and that Council would receive complete packages.

Councilmember Cataldo expressed dissatisfaction with the report, asserting the directed scope had been exceeded.

Mr. Brackins told Council that he reviewed the complaint and that while Ms. Helfant claimed protection and alleged complaints under the Whistleblower Act, her essential complaint is a complaint of misconduct. All interviews stem from and relate to her initial complaint.

Council discussed the scope of the investigation. Councilmember Cataldo wished to table the item. Mayor Stile played audio from the September 21, 2023, City Council meeting, during which the scope of the investigation and the option of a recommendation were discussed.

Councilmember Cataldo referenced a discussion related to the investigation scope that took place at the August 28, 2023, meeting.

Mr. Brackins reiterated that the complaint included more than the Whistleblower aspect.

Councilmember Cataldo stated he would have preferred the report be separated. Mr. Brackins expressed understanding of Councilmember Cataldo's position and told Council that it is up to them to decide what to do with the report.

Councilmembers discussed their opinions regarding the investigation and the report.

Mayor Stile opened public comment.

Adrian Coombes, 408 West Ninth Avenue, expressed displeasure with the investigation.

Joe Lewis, 148 Charles Avenue, expressed displeasure with the investigation.

Robert Gordon, 601 East First Avenue, reminded Council of his emails and white papers submitted regarding the investigation.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER WALKER TO RATIFY THE PAYMENT OF DSK LAW INVOICE #493256, INVOICE #496199, AND INVOICE #496439 IN THE AGGREGATE AMOUNT OF $53,239.32 FOR INVESTIGATIVE SERVICES; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION PASSED WITH A 5-2 ROLL CALL VOTE.

YES	Walker
	Rolfson
	Bryant
	Crail
	Stile
NO	Cataldo
	Dawson

PUBLIC HEARINGS - RESOLUTIONS/ORDINANCES

1. Request Approval First Reading of **Ordinance No. 2024-01**, Annexation for SAF NOB US 441, LLC (1.40 Acres)

City Attorney Patrick Brackins read Ordinance No. 2024-01, Annexation for SAF NOB US 441, LLC (1.40 Acres) by title only.

ORDINANCE NO. 2024-01

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE VOLUNTARY ANNEXATION OF PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF US HIGHWAY 441 AT THE ORANGE COUNTY LINE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR VOLUNTARY ANNEXATION; PROVIDING FOR EFFECT OF ANNEXATION; PROVIDING AN AMENDMENT TO CHAPTER 2, CODE OF ORDINANCES; PROVIDING FOR FILING REQUIREMENTS; PROVIDING FOR THE IMPLEMENTATION OF ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR LIMITED CODIFICATION AND SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR

SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Planning Director Vince Sandersfeld explained the purpose of the ordinance. This is a small, voluntary annexation. The annexed land will not be built upon, but will be used to satisfy regulatory needs related to the property. This annexation will decrease an enclave. The land was adjacent to City land, making it eligible for annexation. Staff recommends approval. The land was formerly owned by Harris Oil. No environmental reports have been provided at this time, but may be provided in the future.

Mayor Stile opened public comment.

Al Morales, Windermere, owner of My Place Self Storage, told Council that the parcels being annexed were never part of the above-ground storage containers used by Harris Oil. Mr. Morales will provide environmental reports to Council as needed.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE FIRST READING OF ORDINANCE NO. 2024-01; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.

YES Rolfson
Cataldo
Dawson
Walker
Bryant
Crail
Stile

NO None

2. Request Approval First Reading of **Ordinance No. 2024-02**, Small-Scale Future Land Use Map Amendment for SAF NOB US 441, LLC (1.40 Acres)

City Attorney Patrick Brackins read Ordinance No. 2024-02, Small-scale Future Land Use Map Amendment for SAF NOB US 441, LLC (1.40 Acres) by title only.

ORDINANCE NO. 2024-02

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.

Mr. Sandersfeld said this is the second part of the series of ordinances regarding this property. This ordinance assigns industrial city land use, which is compatible with the existing facility, and serves to designate the entire parcel as a single land use for its annexation. The Lake County zoning for this property is Facility District. The Planning Commission approved of this change of future land use, and City staff recommend approval of this ordinance, setting this small scale future land use to City Industrial.

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

MOTION BY COUNCILMEMBER WALKER TO APPROVE THE FIRST READING OF ORDINANCE NO. 2024-02, SMALL-SCALE FUTURE LAND USE MAP AMENDMENT; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.

YES Walker
Cataldo
Rolfson
Dawson
Bryant
Crail
Stile

NO None

3. Request approval First Reading of **Ordinance No. 2024-03**, Change in Zoning for SAF NOB US 441, LLC (1.40 Acres)

City Attorney Patrick Brackins read Ordinance No. 2024-03, Change in Zoning for SAF NOB US 441, LLC (1.40 Acres) by title only.

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE ZONING DISTRICT CLASSIFICATION CHANGE FOR THAT PROPERTY LOCATED ON THE EAST SIDE OF US HIGHWAY 441 AT THE ORANGE COUNTY LINE; 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.

Mr. Sandersfeld explained the purpose of the item. This ordinance assigns the same zoning district as the adjacent property, which is a Work Place 2 zoning district. The Planning and Zoning Commission approved of this zoning change in the interest of compatibility with the adjacent land. Staff recommends approval. The Business Impact Statement was included with this item and the previous two items, according to FS 166.041(4).

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. 2024-03; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.

YES Rolfson
Cataldo
Dawson
Walker
Bryant
Crail
Stile

NO None

4. Request approval First Reading of **Ordinance No. 2024-04**, Designation of Historic Site for the Mount Dora Community Building

City Attorney Patrick Brackins read Ordinance No. 2024-04, Designation of Historic Site for the Mount Dora Community Building by title only.

ORDINANCE NO 2024-04

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, RELATED TO THE MOUNT DORA COMMUNITY BUILDING LOCATED AT 520 N. BAKER STREET; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR HISTORIC SITE DESIGNATION; 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.

Senior Planner Michelle Janiszewski explained the steps that had taken place to bring this item to Council. On December 13th, historic designation was recommended by the Historic Preservation Board. Wit h this desi gnation, landscape features and site improvements will need to be approved by the Historic Preservation Board. Exterior landscape features already require review by the Historic Board because the building is in the historic review district.

Vice-mayor Crail spoke about the timing of this designation and its relation to contention regarding the naming of the performance venue in the building. The consequences of the historic designation were discussed, specifically the impact on the marketing of the performance venue and the opportunities for appeal if a ruling were to be disputed. Typically, property owners nominate their properties for this designation, although City code also allows Council members or the Historic Board to nominate sites. Property owner authorization is always required. A third-party surveyor determined the property is potentially eligible for the local register of historic places.

Council further discussed controversy regarding the naming of the Music Hall.

Applicants who are denied designation can appeal to City Council. Council further discussed how the building and the City would be affected by the historic designation. If a City property were denied the designation, or if a Certificate of Appropriateness were denied, City staff would bring the appeal to Council.

Mayor Stile opened public comment.

Robert Gordon, 601 East First Avenue, disagreed with remarks about deliberately slowing the naming of the auditorium.

Adrian Coombes, 408 West Ninth Avenue, voiced disagreement about the proposed new sign. He mentioned advertisements not properly referencing the Community Building.

Mayor Stile closed public comment.

MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE FIRST READING OF ORDINANCE NO. 2024-04; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.

YES Rolfson
Cataldo
Dawson
Walker
Bryant
Crail
Stile

NO None

CITY MANAGER'S REPORT

Mr. Comiskey pointed out the Gray-Robinson report included in the agenda packet.

CITY ATTORNEY'S REPORT

Mr. Brackins spoke about the Prompt Payment Act.

COMMUNICATIONS AND REPORTS

Councilmember Dennis Dawson suggested rescheduling the Special Meeting that had originally been scheduled for January 17th. This would provide more time for Councilmembers to review the report and exhibits.

The Special Meeting was rescheduled for January 22nd at 6:30 p.m.

Councilmember Cal Rolfson spoke about receiving a complaint regarding construction noise and lights. He commended Mr. Sandersfeld for his swift response.

Councilmember Rolfson also spoke about the Florida League of Cities legislative call-ins on Monday mornings. He also mentioned last weekend's Unity Walk, congratulated the Mayor on her award, and reminded Council about the League of Cities luncheon.

Councilmember Doug Bryant spoke about upcoming bills that would greatly affect municipalities and their revenues. He also spoke about his vote for ratification of the DSK invoices. He advised the City avoid open-ended contracts.

Councilmember John Cataldo thanked Steve Langley and Merry Lovern for their help in responding to questions from a resident.

Vice-mayor Marc Crail expressed appreciation to the City Attorney and Rita Meade for promptly providing helpful information.

Mayor Crissy Stile requested and received a consensus from Council regarding paying the City Attorney the following day.

ADJOURNMENT

MOTION BY COUNCILMEMBER ROLFSON TO ADJOURN. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.

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

CRISSY STILE, MAYOR
City of Mount Dora

JEANANN HAND, CITY CLERK
City of Mount Dora