**CITY OF MOUNT DORA, FLORIDA**
**CITY COUNCIL REGULAR SESSION**
**MEETING MINUTES**
**June 18, 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 Crissy Stile called to order the Regular Session of the Mount Dora City Council in the City Hall Council Chamber.

## MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE

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

## ROLL CALL

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

**Also Present**
Vince Sandersfeld, City Manager
Patrick Brackins, City Attorney
Jeanann Hand, City Clerk

## PRESENTATIONS

**1. Juneteenth Proclamation**
Mayor Stile read the2024 Juneteenth proclamation into the record.

**2. Mount Dora Fun Fact**
Mayor Stile shared information about the first black school in Mount Dora, and about the founding of the Milner-Rosenwald Academy.

## APPROVAL OF AGENDA

***MOTION BY COUNCILMEMBER WALKER TO APPROVE THE AGENDA; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.***

## PUBLIC COMMENT

Mayor Stile opened public comment.

Joe Lewis, 148 Charles Avenue, spoke about the June 10th Budget Workshop, and suggested city services be provided at the least possible cost.

Mayor Stile closed public comment.

## BOARD APPOINTMENTS

**1. Appointment to the Public Arts Commission**

***MAYOR STILE MOVED TO APPOINT LINDSAY PERREAULT TO THE PUBLIC ARTS COMMISSION; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.***

**CONSENT AGENDA**

1. Request Approval of Task Authorization with Faden Builders, Inc. for Rehabilitation of Wastewater Treatment Plant 1 Effluent Filters

2. Request Approval of a Payment Requisition with Shelley's Septic Tank, Inc. for Sludge Hauling and Disposal Services

3. Request Approval of Task Authorization with Southeastern Surveying and Mapping Corp. (SSMC) to Expand Mount Dora's Potable Water, Reclaimed Water and Wastewater Utilities Asset Inventory Map

4. Request Authorization for the Mayor to Execute a Deed on Behalf of the City of Mount Dora for Portion of Limit Avenue

5. Request Approval of City of Mount Dora Purchasing Policy Waiver for the Yardley at the Mount Dora Groves Electric Infrastructure

6. Request Approval of Agreement with BIOREM Environmental, (US) Ltd. and the Task Authorization with BIOREM to add a Pre-treatment Biological Trickling Filter at Wastewater Treatment Plant No. 2

***MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE CONSENT AGENDA; COUNCILMEMBER CATALDO SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.***

**ACTION ITEMS**

**1. Request approval of a Piggyback Agreement with HydroCorp, Inc. to Provide Management Services for Mount Dora's Cross Connection Control Program, and Inspect and Maintain Backflow Preventers on the City's Water System**

City staff explained to Council this item is related to a backflow prevention device. Utility Engineer Bill Mitchell provided more information about the necessity for this item and its benefit to the City. The services provided by HydroCorp are part of a program required by the state to protect the public water systems from any contaminants.

HydroCorp Florida Operations Manager Marco Salvino answered questions and provided additional information about the topic. The City is piggybacking off an agreement between Hydrocorp and the city of Cape Coral. Homeowners, or property owners will be financially

responsible for any adjustments that need to be made. Any expense related to remediation will be part of the property owner's water bill. If testing finds a property is having backflow issues, a notice will be sent with a 30-day time frame to get correct the situation with a plumber. The property owner may use any plumber who is a licensed backflow technician. There will be 2 notices before remedial action is taken.

Hydrocorp will communicate with customers by sending a letter. Mount Dora is not due for testing until October. City staff to keep residents informed about this program. It is an unfunded state mandate. Hydrocorp may provide informational materials to educate the consumer.

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

***MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE PIGGYBACK AGREEMENT WITH HYDROCORP, INC. TO PROVIDE MANAGEMENT SERVICES FOR MOUNT DORA'S CROSS CONNECTION CONTROL PROGRAM, AND INSPECT AND MAINTAIN BACKFLOW PREVENTERS ON THE CITY'S WATER SYSTEM; 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. Special Magistrate Recommendation for MK and AD Land Investments, LLC and AMCO Development, Inc. vs. City of Mount Dora**

Mr. Brackins reviewed the City's timeline with this project thus far. Since the item was tabled at the last meeting, discussion took place through counsel for both parties leading to the current, slightly modified settlement agreement.

Approving the agreement tonight would mean approving it with a modification to the recommended order as agreed to by both parties.

If the agreement is rejected tonight, there is a chance the issue may go to circuit court to determine if there was competent and substantial evidence for Council's decision.

The settlement agreement gives the City the opportunity to set a maximum height cap. Without accepting the agreement, heights may validly exceed the City's desired cap.

The City is not guaranteeing utility capacity at this time. The settlement agreement, the

ordinance and the revised PUD master plan state that the City will agree to serve the development if capacity is available at the time. Ability to serve would be determined at phase one during the site planning process, and similarly for each additional phase.

Council discussed the deadline for their decision. The agreement would be considered rejected by the City if the City does not respond by June 22nd. The City's rejection would give opposing parties the rights to take any legal action they see fit and would reinstitute the circuit court case.

***MOTION BY COUNCILMEMBER BRYANT TO TAKE ACTION ITEMS TWO AND THREE OFF THE TABLE; COUNCILMEMBER ROLFSON SECONDED THE MOTION. MOTION PASSED WITH A UNANIMOUS VOICE VOTE.***

Council discussed steps that would follow their approval of the items brought before them tonight, including various limitations the developer may face that are not under the City's authority.

***MOTION BY COUNCILMEMBER ROLFSON TO APPROVE THE SETTLEMENT AGREEMENT INCLUDING THE MODIFICATION IN PARAGRAPH 2(A) OF THE SETTLEMENT AGREEMENT; VICE-MAYOR CRAIL SECONDED THE MOTION.***

Councilmembers discussed further opportunity for public comment before they vote. Public comment would be available before Council votes on the ordinance later in the meeting. They discussed the difficulty of the decision before them, and their responsibility to protect the City from risk.

***MOTION PASSED WITH A 6-1 ROLL CALL VOTE.***

| | |
|---|---|
| ***YES*** | **Rolfson** |
| | **Crail** |
| | **Cataldo** |
| | **Dawson** |
| | **Bryant** |
| | **Stile** |
| ***NO*** | **Walker** |

## PUBLIC HEARINGS - RESOLUTIONS/ORDINANCES

1. **Request Final Reading and Adoption of Ordinance No. 2023-04 Final PUD Mount Dora Mixed Use for MK and AD Land Investments, LLC**

Mr. Brackins read Ordinance No. 2023-04 by title only.

ORDINANCE NO: 2023-04

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE REZONING AND MASTER PLAN FOR "MOUNT DORA MIXED USE"; PROVIDING FOR THE REZONING AND APPROVAL OF THE MOUNT DORA WOLF BRANCH INNOVATION EMPLOYMENT (WBI-E) PLANNED UNIT DEVELOPMENT DISTRICT

FOR THAT PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF SR 46 AND EAST OF BUTTERCUP LANE; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ZONING DISTRICT CLASSIFICATION CHANGE AND 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.

The ordinance reflects changes due to the mediation concerning building heights and as well as distribution of the offices and phases, which may be seen in the exhibits. The proposed zoning is consistent with the City's future land use designation. Staff recommends adoption of the ordinance. Applicants have been noticed regarding available capacity. Additional actions will follow this reading and adoption, including platting, site planning, review of application for consistency with the Comprehensive Plan, drainage and storm water reports, and tree mitigation plans. This item was properly advertised.

A request was made that the prior staff reports and the records from the Planning and Zoning Commission and the City Council first reading be incorporated into the record.

Mayor Stile opened public comment.

Bill Kayes, 30415 Gidran Terrace, voiced his opposition to the development related to this ordinance.

Ephraim McCormick, 2800 Wolf Branch Road, spoke of his opposition to this project.

Cindy Newton, Friends of the Wekiva River, requested the City reject this development for reasons of ecological health.

Josh Hemingway, 1177 East Fifth Avenue, disagreed about the burden upon the City to accept this development.

Cheri Pivowar, 30118 Kladruby Point, spoke against this development.

Charlie Sands, 980 Page Lane, thanked Mr. Walker for standing against the development. Spoke about history of Mount Dora fighting to remain who they are.

Bob Gordon, 601 East First Avenue, spoke against Council's decision and suggested a performance bond.

Joe Lewis, 148 Charles Avenue, spoke about positive aspects of the project and asked Council to approve the project.

Jay Smith, 1046 McDonald Street, thanked Mr. Walker for his vote and told Council he is disappointed in them.

Mayor Stile closed public comment.

The developer's counsel, Brent Spain, formally asked to move the exhibit binder from June 4th City Council meeting into the record for this meeting. He stated that the proposed employment center complies with Future Land Use regulations and with the City's Comprehensive Plan. Mr. Spain told those present that the PUD does not violate compliance with St. Johns River Water Management District regulations. He spoke of the positive impact the development will have financially and culturally.

Council discussed the timing of site planning and construction, deadlines and available extensions. Impact fees are collected when building permits are issued. Discussion ensued regarding the phase "shall be consistent with" and "competent substantial evidence."

Changes to City regulations are being made to avoid similar difficulties in the future.

***MOTION BY COUNCILMEMBER ROLFSON TO ADOPT ORDINANCE NO. 2023-04, FINAL PUD MOUNT DORA MIXED USE FOR MK AND AD LAND INVESTMENTS, LLC; VICE-MAYOR CRAIL SECONDED THE MOTION. MOTION PASSED WITH A 5-2 ROLL CALL VOTE.***

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|---|---|
| ***YES*** | ***Rolfson*** |
| | ***Crail*** |
| | ***Dawson*** |
| | ***Bryant*** |
| | ***Stile*** |
| ***NO*** | ***Cataldo*** |
| | ***Walker*** |

**2. Request First Reading of Ordinance No. 2024-15, Animals At Large Animals Prohibited, Leash Law**

Mr. Brackins read Ordinance No. 2024-15 by title only.

ORDINANCE NO. 2024-15

AN ORDINANCE OF THE CITY OF MOUNT DORA, FLORIDA AMENDING THE CITY OF MOUNT DORA CODE OF ORDINANCES, CHAPTER 8, ANIMALS, SECTION 8-5; PROVIDING FOR CONCURRENT ENFORCEMENT OF CHAPTER 4, LAKE COUNTY CODE
OF ORDINANCES; PROVIDING LEGISLATIVE FINDINGS AND INTENT; 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.

Deputy Planning Director and Code Compliance Manager Adam Sumner reviewed for Council the occasion of the City's outsourcing of animal control to Lake County. This ordinance will

adopt the county's leash law to be valid in City. The ordinance is before Council as an action to remedy a resident complaint. The Mount Dora Police Department will have concurrent jurisdiction, assisting the Lake County Sheriff's Office with enforcement.

Mayor Stile opened public comment.

Stan Austen, 1481 Edgewater Drive, thanked the City Manager, Mr. Sumner, the City Attorney and staff for addressing this issue. He urged council to approve at second reading.

Mayor Stile closed public comment.

***MOTION BY COUNCILMEMBER CATALDO TO APPROVE THE FIRST READING OF ORDINANCE NO. 2024-15, ANIMALS AT LARGE ANIMALS PROHIBITED, LEASH LAW; VICE-MAYOR CRAIL SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.***

***YES*** ***Cataldo***
***Crail***
***Rolfson***
***Dawson***
***Walker***
***Bryant***
***Stile***
***NO*** ***None***

**3. Request Adoption of Resolution No. 2024-28, Approval of Aerial Fireworks Display at July 3, 2024, Freedom on the Waterfront Event**

Mr. Brackins read Resolution No. 2024-28 by title only.

RESOLUTION NO. 2024-28
A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE 2024 FREEDOM ON THE WATERFRONT EVENT; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING AUTHORIZATION FOR FIREWORKS DISPLAY AND DOCK CLOSURE; PROVIDING FOR AUTHORITY TO THE CITY MANAGER FOR IMPLEMENTING ADMINISTRATIVE ACTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Cultural and Special Events Manager Chris Carson described the appeal of a fireworks display at a special event. The Independence Day event is the most important fireworks event of the year. Mount Dora has a reputation for superior fireworks displays. The vendor used by Mount Dora provides great quality for the price. Councilmember Rolfson conveyed to Mr. Carson the praise received for the Corn Festival.

Mayor Stile opened public comment.

Joe Lewis, 148 Charles Avenue, questioned the prioritization of City funds for a fireworks display.

Mayor Stile closed public comment.

***MOTION BY COUNCILMEMBER WALKER TO ADOPT RESOLUTION NO. 2024-28, APPROVAL OF FIREWORKS FOR FREEDOM ON THE WATERFRONT EVENT; COUNCILMEMBER DAWSON SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.***

***YES*** ***Walker***
***Dawson***
***Cataldo***
***Rolfson***
***Bryant***
***Crail***
***Stile***
***NO*** ***None***

**4. Request Adoption of Resolution No. 2024-13, Preliminary Fire Assessment Rate**

Mr. Brackins read Resolution No. 2024-13 by title only.

RESOLUTION NO. 2024-13

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA, PERTAINING TO THE RE-IMPOSITION OF THE FIRE SERVICES SPECIAL ASSESSMENT AND ESTABLISHMENT OF PRELIMINARY ASSESSMENT FOR FISCAL YEAR 2024-25; PROVIDING FOR AUTHORITY; PROVIDING A PURPOSE AND DEFINITIONS; PROVIDING FOR THE DELIVERY OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS; PROVIDING FOR THE IMPOSITION AND COMPUTATION OF FIRE SERVICES SPECIAL ASSESSMENTS; PROVIDING A LEGISLATIVE DETERMINATION OF SPECIAL BENEFIT AND FAIR APPORTIONMENT; PROVIDING FOR COST APPORTIONMENT METHODOLOGY; PROVIDING FOR PARCEL APPORTIONMENT METHODOLOGY; PROVIDING A DETERMINATION OF FIRE SERVICES ASSESSED COSTS AND THE ESTABLISHMENT OF ANNUAL FIRE SERVICES SPECIAL ASSESSMENTS FOR FISCAL YEAR 2024-25; PROVIDING FOR AN ASSESSMENT ROLL; PROVIDING FOR AUTHORIZATION OF PUBLIC HEARING; PROVIDING FOR NOTICE BY PUBLICATION; PROVIDING FOR NOTICE BY MAIL; PROVIDING A METHOD OF COLLECTION; PROVIDING FOR APPLICATION OF ASSESSMENT PROCEEDS; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Mr. Sandersfeld told Council that the final fire assessment will be presented for Council's adoption on September 10th. This item comes before Council each year, for the preliminary rate and, later, the final rate. Council and staff discussed the fire assessment relief waiver, which will

continue to be available this year. Fire Department Chief Hightower said the department budgets for the program every year. Council discussed a training facility with Chief Hightower.

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

***MOTION BY VICE-MAYOR CRAIL TO ADOPT RESOLUTION NO. 2024-13, PRELIMINARY FIRE ASSESSMENT RATE; COUNCILMEMBER WALKER SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.***

| | |
|---|---|
| ***YES*** | ***Crail*** |
| | ***Walker*** |
| | ***Cataldo*** |
| | ***Rolfson*** |
| | ***Dawson*** |
| | ***Bryant*** |
| | ***Stile*** |
| ***NO*** | ***None*** |

**4. Request Adoption of Resolution No. 2024-25, Charter Review Committee Final Report**

Mr. Brackins read Resolution No. 2024-25 by title only.

RESOLUTION NO. 2024-25

A RESOLUTION OF THE CITY OF MOUNT DORA, FLORIDA RELATED TO THE 2024 CHARTER REVIEW COMMITTEE REPORT AND ADDENDUM; PROVIDING FOR LEGISLATIVE FINDINGS AND INTENT; PROVIDING FOR ACCEPTANCE OF THE REPORT; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR SCRIVENER'S ERRORS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Lynn Tipton, who served as Chairperson of the 2024 Charter Review Committee, presented the report to the Council. She announced she is available to return at the next meeting should Council wish to spend more time considering the report.

Mr. Brackins told Council they could choose to continue the resolution until the next meeting, but discussion could continue tonight. Council may accept the report and continue the resolution until the next meeting on July 2nd. Adopting the resolution would result in the suggested amendments' inclusion on the 2024 ballot for Mount Dora electors.

Council expressed appreciation for those who volunteered to serve on the committee.

Mayor Stile opened public comment.

Stan Austin, 1481 Edgewater Drive, voiced his disagreement with the amendment related to term limit increase and the amendment related to a super majority vote for City Manager removal.

Mayor Stile closed public comment.

Councilmember Walker thanked Mr. Kirwin and Mr. Ward, who served on the committee and were present at this meeting.

***MOTION BY COUNCILMEMBER ROLFSON TO ACCEPT WITH DEEPEST GRATITUDE THE 2024 CHARTER REVIEW COMMITTEE REPORT AND POSTPONE UNTIL JULY 2ND THE REMAINING CONSIDERATION OF THIS RESOLUTION; COUNCILMEMBER DAWSON SECONDED THE MOTION. MOTION PASSED WITH A 7-0 ROLL CALL VOTE.***

| | |
|---|---|
| ***YES*** | ***Rolfson*** |
| | ***Dawson*** |
| | ***Cataldo*** |
| | ***Walker*** |
| | ***Bryant*** |
| | ***Crail*** |
| | ***Stile*** |
| ***NO*** | ***None*** |

## CITY MANAGER'S REPORT

Mr. Sandersfeld reminded those present that city offices are closed on the following day for Juneteenth, and that there is a Budget Workshop on July 8th.

On July 14-19th Mr. Sandersfeld will be at training and Mr. Langley will be Acting City Manager. He thanked Council for that opportunity.

Mr. Sandersfeld introduced the City's new Human Resources Director Alan Cline.

## CITY ATTORNEY'S REPORT

Mr. Brackins spoke about the Form 6 injunction.

## COMMUNICATIONS AND REPORTS

Councilmember Walker thanked Mr. Brackins for his support and guidance throughout the AMCO proceedings. He announced the Juneteenth event at Cauley Lott Park and congratulated Vice-mayor Crail and Councilmember Cataldo for their unopposed re-election.

Councilmember Rolfson spoke about issues receiving attention from the Lake-Sumter Metropolitan Planning Organization, of which he is a member. He pointed out several projects that will benefit the Mount Dora area. Mr. Sandersfeld and Councilmember Rolfson spoke about Public Works Director George Marek's participation on the board.

Councilmember Dennis Dawson congratulation Vice-mayor Crail, and Councilmembers Cataldo and Walker for their unopposed re-election.

**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 8:27 p.m.

JEANANN HAND, CITY CLERK
City of Mount Dora

~~CRISSY STILE, MAYOR~~
City of Mount Dora
DR. MARC CRAIL, VICE-MAYOR