MOUNT DORA CITY COUNCIL SPECIAL WORKSHOP
July 19, 2011 -- 5:30 p.m.
City Hall Board Room, 510 N. Baker Street

AGENDA

CALL TO ORDER:
ROLL CALL:

DISCUSSION

1. Downtown Streetscape Walking Tour

OTHER BUSINESS

ADJOURNMENT

NOTICE: If any person decides to appeal any decisions made at this meeting with respect to any matter considered at this meeting, such person may need a record of these proceedings. For such purpose, a person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE: In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact Gwen Keough no later than seven (7) days prior to the proceedings. Telephone (352) 735-7126 for assistance. If hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.
MOUNT DORA CITY COUNCIL REGULAR MEETING
July 19, 2011 at 7:00 p.m.
City Hall Board Room, 510 North Baker Street

AGENDA

CALL TO ORDER:
INVOCATION:
PLEDGE OF ALLEGIANCE:
ROLL CALL:
PUBLIC APPEARANCES (7:00 - 7:30 p.m.)
ADJUSTMENTS TO AGENDA

CONSENT AGENDA

1. Approval of Agreement for purchase of public computers

2. Approval of 2011 Labor Day Special Event Street Closures

3. Approval of City Council Meeting Minutes dated June 21, 2011

4. Approval of City Council Workshop Minutes dated July 5, 2011

5. Approval of City Council Meeting Minutes dated July 5, 2011

PUBLIC HEARINGS

ORDINANCES

1. Final Reading and Adoption of Ordinance 2011-09, City Council Redistricting

2. Final Reading and Adoption of Ordinance 2011-10, Amendment to Land Development Code, Garage Definition

3. Final Reading and Adoption of Ordinance 2011-11, Amendment to Land Development Code, Sign Permit Fees

4. First Reading of Ordinance 2011-14, Parks and Recreation Advisory Board Frequency of Meetings
COUNCIL CONSIDERATION/DISCUSSION OF DEPARTMENTAL TOPICS

CITY MANAGER

PUBLIC WORKS

1. Street Resurfacing

PARKS & RECREATION

1. Agreement for Baseball Field Usage – Little League

BOARD APPOINTMENTS

If you or someone you know is interested in supporting the City through service on a Board or Committee, please contact Gwen Keough-Johns, City Clerk at (352) 735-7126 or complete an application online at http://www.ci.mount-dora.fl.us/vertical/Sites/%7BB57363BB-8A05-49A7-AF31-DBFCAAA4A5EF%7D/uploads/%7BCE7DD52-3768-4733-9A4F-3B6C084B1CF6%7D.PDF

CITY ATTORNEY INFORMATION/REPORTS

OTHER BUSINESS

1. Discussion of Residency Requirements for Election Candidates

2. Discussion of Educational Information about City/County Form of Government on Website

MEETING NOTICES

ADJOURNMENT

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DATE: July 19, 2011

TO: Mayor & City Council

FROM: Gus Gianikas, Planning & Development

VIA: Michael Quinn, City Manager

RE: Downtown Streetscape Walking Tour

**Recommendation:** The City Council is requested to provide direction to the design team on the design elements of the streetscape conceptual plans. The major design issues are listed below.

**Overall Design Theme** – Based on direction provided by City Council at the last meeting, the design theme has changed from less landscaping/turf areas that need maintenance and more pavers and walkable surfaces to keeping landscaping/turf areas. The effect of this approach will be explained during the walk.

**Trees** - Consensus is needed on whether or not we leave the existing large oaks that are either unhealthy or unsafe, or do we take them down and replace with another tree? Also, we need direction on whether or not we want to install more canopy type trees and if so, where we want to put them due to existing constraints either above or below grade.

**Bulb-outs/Landscape Islands** - Are the additional green spaces acceptable? What are the thoughts on adding bulb-outs / landscape islands?

**Crosswalks** – Paver crosswalks are proposed.

**Third and Alexander Intersection** – A redesign of the intersection is proposed to allow for more pedestrian space.

**References/Support:** Attached are streetscape conceptual plans overlayed on high resolution aerials. The design team has prepared these plans based on the direction provided by City Council at the last meeting. Please bring these with you to have on the walk.

There are nine sheets included. The sheets have both existing and proposed conditions. The existing green space is outlined in yellow and the proposed is outlined in black.
**Background/Information:** The purpose of the walk is for the design team to be able to more clearly explain how the existing conditions impact the design alternatives. Being in the field allows everyone area to analyze the actual conditions and better visualize proposed improvements. The project area has some physical constraints that significantly impact the design options, such as:

- lack of right of way width;
- the policy to keep existing trees as much as possible;
- building locations and overhead encroachments such as canopies and awnings;
- ADA requirements; and,
- stormwater drainage needs.

**Donnelly Street between Fifth and Fourth Avenues**

We have been notified that the portion of the streetscape project on Donnelly Street between Fifth and Fourth Avenues is the top ranked project on the MPO Enhancement Grant list. The grant is for $273,000, which would fund the entire project. Therefore, we will be discussing more detailed construction drawing issues on this block. Construction can be done in summer of 2012.

The work elements of this block of the Donnelly Street project include the following.

1. Remove and replace sidewalk and curb – the sidewalk surface is severely worn and cracked and does not always match up with door threshold and curb heights. The curb is uneven and almost nonexistent in some locations.

2. Remove Planter Boxes – This will allow more space for better pedestrian movement.

3. Install in-ground electrical service boxes for events – Each time there is an event temporary electrical service has to be installed, which is an extra cost to events.

4. Lighting – better spacing of antique street lamps.

5. Trees – Keep existing palm trees and improve spacing, use a different tree, or no trees.

6. Handicap Ramp – install ADA compliant ramps at corners. Bulb-outs may be required to meet slope requirements.

7. Milling and resurfacing pavement – This is required in order to create proper curb heights for drainage.

**Fourth Avenue**

Due to the pedestrian walkway proposed for Fourth Avenue in the current draft of Visioning Plan, we want to postpone discussion on the streetscape design for Fourth Avenue until the Visioning Plan is finalized and adopted.

**Attachments:** Plan view drawings (9).
DATE:       July 19, 2011
TO:         Mayor and City Council
FROM:       Stephanie Haimes, Library Services Director
VIA:        Michael Quinn, City Manager
RE:         First Amendment to Interlocal Agreement Between Lake County, Florida
And the City of Mount Dora Regarding the Purchase of Public Access
Computers for the W. T. Bland Public Library

Recommendation:
Staff recommends acceptance of the “First Amendment to Interlocal Agreement Between Lake
County, Florida and the City of Mount Dora Regarding the Purchase of Public Access
Computers for the W. T. Bland Public Library. At the present time our Library Advisory Board
is on hiatus until September, but in 2006 the Library Advisory Board recommended approval of
our original application for these funds from the Lake County Library Impact Fee program.

References/Support:
• June 20, 2011 letter from Tomas Merchant, Lake County Library Services Director
• Interlocal Agreement Between Lake County, Florida and the City of Mount Dora
  Regarding the Purchase of Public Access Computers for the W. T. Bland Public Library
  (2007)

Background/Information:
In 2006, the Library applied for a Lake County Library Impact Fee project monies ($12,000) for
the purchase of additional public access computers (8 or more) for our library’s expansion
project. We have not purchased these additional public access computers because we did not
have enough room for them in our present set-up. It did not make sense to purchase any
additional computers and then just hold them as computer technology changes so quickly. Based
on the projected completion schedule of our expansion, we will be purchasing these computers in
the spring of 2012.

Attachments:
• First Amendment to Interlocal Agreement Between Lake County, Florida and the City of
Mount Dora Regarding the Purchase of Public Access Computers for the W. T. Bland Public Library (2011)

**Budgetary Impact:**
The W. T. Bland Public Library will receive $12,000 from the Lake County Library Impact Fee Trust Fund to purchase 8 or more computers for public use.
DATE:    July 19, 2011

TO:    Mayor and City Council

VIA:    Michael Quinn, City Manager

FROM:    T. R. Scoggins, Chief of Police

RE:    Street Closures – 2011 Labor Day Celebration, SE# 1003

Requests:

To close the following streets on Saturday, September 3rd, from 1:00pm until 9:00pm:
  • Tremain Street, between Liberty and Charles.
  • Liberty Avenue, between Grandview and Tremain.

To have exclusive use of the following City facilities on Saturday, September 3rd:
  • The City parking lot between Tremain and Baker Streets (for vehicles with boat trailers)
  • Simpson’s Cove, Gilbert Park (excluding the playground area,) Grantham Point, and Palm Island.
  • Donnelly Park and Pavilion
  • Child’s Park
  • Evans Park

Reference:

  • Special Event Application
  • Letter from sponsor requesting the City co-sponsor the event and provide in-kind services.

Coordination:

City Manager
Finance
Fire
Library
Parks & Recreation
Public Works & Utilities
Budgetary Impact:

As a City co-sponsored event, the costs that would be waived are as follows:

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<tr>
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<th>Cost</th>
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<tr>
<td>Application fee</td>
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<td>Environmental Code Compliance</td>
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</table>

In-kind Services Cost Projection: $5,551.

Discussion:

The Mount Dora Rotary Club, the Mount Dora Chamber of Commerce, the Mount Dora Community Trust, and the Mount Dora Village Merchants Association will co-sponsor this event, and they have requested the City of Mount Dora participate again this year as a co-sponsor.

The weekend of festivities will begin with the downtown merchants having a sidewalk sale on Friday and Saturday, from 10:00am until 7:00pm. In addition, merchants may continue the sale on Sunday and Monday, at their option. The merchants will not place any tables or sale items on roadways or in an area that would block the normal sidewalk passage of pedestrians. A similar sale was done last year, and there were no problems associated with it.

At Donnelly Park Pavilion, a sale of books, snack foods, soft drinks, and possibly wine coolers will take place. The sponsor is aware that all possession and consumption of alcoholic beverages must remain inside the pavilion building; and, they will provide and post signage to inform the public of this restriction. The sponsor is also aware they must obtain and provide the necessary State beverage permits for the sale of alcoholic beverages. Outside in Donnelly Park, arts and crafts and similar activities may be offered for the children.

The Chamber of Commerce will also have activities for children; and, possibly a “tram-style” train ride, which would be contained on Chamber property. In addition, the Chamber would like to sponsor a hot dog eating contest. The hot dogs would be cooked at the Chamber and be served either on Chamber property or in Child’s Park. The Chamber will also host a Dessert Baking Competition; this portion of the event will be held on private property.

From 2:00pm until 6:00pm, activities will be held in the various parks to entertain the children. The activities will include a football toss, arts and craft activities, and other minor games. There will also be water sports demo’s on Lake Dora from 2:00pm until 6:00pm. During the festivities at Simpson’s Cove, Lake Dora, Gilbert Park and Evans Park, the Rotary and Kiwanis will offer bottled water and sodas for sale.
At 5:00pm, music will be provided by a band that will be located at the entrance to Grantham Point. At approximately 8:00pm, the fireworks will begin over Lake Dora. This is the highlight of the festivities. Crowds will be located at Simpson’s Cove, Gilbert Park, and Evans Park.

I respectfully submit for your consideration and approval the “2011 Labor Day Celebration” special event.

Cc:  Jim Williams, Finance Director
     Roy Hughes, Parks & Recreation Director
     Stephanie Haines, Library Director
     Gary Hammond, Public Works & Utilities Director
     Stephen Kerkhof, Fire Chief
MOUNT DORA POLICE DEPARTMENT

Special Event Plan

Type of Event: “2011 Labor Day Celebration”

Location of Event: Palm Island, Gilbert Park, Grantham Point, Simpson’s Cove, Evans Park, Child’s Park, Donnelly Park and Pavilion.

Duration of Event: Saturday, Sept. 3rd, 2:00pm-9:00pm, Setup, 1:00pm.

Special Hazards: Additional boat/trailer traffic; heavy pedestrian traffic

Barricaded Streets: Liberty Avenue, west of Grandview Street
Tremain Street, south of Charles Avenue

Detoured Traffic: North & South on Grandview at Liberty Avenue
North on Tremain Street at Charles Avenue

Manned Traffic Control Points: Liberty Avenue at Grandview Street
Tremain Street at Charles Avenue

Estimated Vehicle Traffic: 2,000-2,500

Special Parking Areas: Boat trailer parking: City lot between Tremain & Baker Streets. (The sponsor will provide and post signage to inform the public one week in advance of the event.)
Handicapped parking: Liberty at Tremain, east side of Palm Is. lot

Shuttle Bus Service: N/A

Estimated Spectator Population: Park activities: 5,000 Fireworks: 15,000

Estimated Participants: Approximately 100

Anticipated Crime Problems: Theft and beverage violations

Personnel Requirements: See projected costs, page 5

Personnel Assignments: See assignment listing, page 4

Communication Requirement: Channel 2 will be utilized

Designated No Parking Areas: 1. Tremain Street, between 5th Avenue & Liberty (both sides)
2. Grandview Street, just north of R/R tracks to Oak (both sides)
3. Grandview St., between Oak & Johns (one side)
4. Charles Street (both sides, well posted)
5. Liberty Avenue, between Highland & Tremain (both sides)
6. Edgerton Court (west side only)
7. Palm Island parking lot; paved lot by the boat ramp; an, lot between Tremain & Baker.

Coordination with City Departments:

Electric/Utilities: * Use of electrical services at the Palm Island parking lot, Simpson's Cove & Grantham Point for the Public Address System & Band. The City's sound system will be utilized for this event. Coordinate with Cathy Hoechst at the Chamber regarding the technician.

Parks & Recreation: Restrooms in Gilbert Park unlocked, stocked, and maintained from 2:00pm until 9:00pm. Trash pickup & removal in Simpson's Cove, Gilbert Park, Evans Park, Child's Park, and Donnelly Park, 2:00pm until 9:00pm. Extra trashcans at the above areas (set out by 1:00pm.)

Arrange with Waste Management/Sani-Pot for the following: 3 port-o-lots at Evans Park, 1 handicapped and 2 regular units, on a grassy area off of the roadway; and, 1 handicapped and 4 regular units in the paved parking lot by the boat ramp. (No fees, as this event is co-sponsored by the City.)

Locate and program an electronic sign board on Donnelly Street, just north of Limit, on Aug. 29th, stating: 9/3/11 Fireworks Gilbert Pk. 8:00 PM Reprogram sign after event.

Turn the lights down in the parks (and Grantham Point) during the fireworks display, and provide contact information on the employee responsible for handling this task to M. Shelton, at 516-3676, prior to Sept. 1st.

Sprinklers shut off in Simpson Cove, Evans Park, Grantham Point, Gilbert Park, Palm Island, Child's Park, and Donnelly Park.

Scout Hut to be unlocked and available as a headquarters/ staging area for the Police Department from 2:00pm to 9:00pm on Sept. 3rd.

Rope off a safety zone for fireworks preparations in the Palm Island area, from the "red sign" into the water, and from the 1st row of parking spaces to the red sign (just south of the Scout Hut.) This must be in place prior to 10:00am on 09/03/11.

Place temporary fencing and Christmas lights along the border of the lake in Evans Park for safety of children. (See Cathy at the Chamber
for supplies, if needed.) The fencing must be in place prior to 2:00pm on 09/03/11.

Use of the City's sound system for a band and announcements at Grantham Point; City technician to operate the sound system. This is to be coordinated with Cathy H./Chamber of Commerce.

All of the parks will need ant treatment the week of the event; and, arrange for mosquito spraying just prior to the event.

*View the electrical needs listed above.

Public Works:

**No Parking signs:**

**Fireworks Area:** Signs should indicate "No Parking Sept. 3rd --Tow Away Zone" in the fireworks area (Charles St., Tremain St., Simpson's Cove, boat ramp area, Gilbert Park lot, Palm Island lot, and the city lot between Baker & Tremain Streets. Include Liberty Avenue from Tremain to Clayton Street, both sides. Do not place flyers on the signs; there is no parking in these areas all day/night on 9/3/11.

In addition, place no parking signs, on one side only, on 1st Avenue between Grandview and Highland Streets; and, include the streets listed on page 2, "Designated No Parking Areas."

Large Yellow “Special Event” signs:
Charles Street; Edgerton Court; Palm Island; Boat ramp area.

“Police Command Post” signs (2) at the Scout Hut.

*No Pets* signs:
At all entrances to the events (Evans Park, Liberty/Grandview & Tremain/Charles,) and, on the sidewalks at: just south of the boat ramp; just north of the boat ramp.

**Handicapped Parking signs:**
Palm Island lot, east half only.

**Barricades:** (need to be lighted barricades)
Liberty & Grandview & 1 Detour sign.
Charles & Tremain & 2 Detour signs.
Grantham Point (8) on the sidewalk, near the boat ramp
Tremain St. by the boat ramp (2) & 1 Detour sign
City parking lot between Tremain & Baker Streets
Entrance/exits to Palm Island (4) and 2 by the most westerly row;
and, by the Scout Hut, (2)
Corner of Liberty & Tremain (4)
Gilbert Park Lot, Liberty exit (4)
**Coordination with Outside Agencies:**
Contact will be made with Lake County Sheriff’s Office and EMS

**ASSIGNMENT LISTING**

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<tr>
<th>All Detail Areas</th>
<th>1000-2100 hrs, Rove/Relief/Parking Enf.</th>
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<th>Park Security &amp; Posts</th>
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<td>Foot Patrol</td>
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<tr>
<td>Foot Patrol</td>
<td>Child’s Pk 1300-1800; then Docks Area</td>
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<td>Palm Island / Fireworks Zone</td>
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<tr>
<td>Bike Patrol</td>
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<tr>
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<td>Tremain &amp; Charles</td>
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<tr>
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<td>Simpson’s Cove</td>
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<td>Foot Patrol</td>
<td>Evans Park</td>
</tr>
<tr>
<td>Foot Patrol</td>
<td>Evans Park</td>
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</table>

**Posts after the Fireworks 2015-2100 hrs.**

- Donnelly & 3rd 4th, 5th, 7th, 11th, Limit Ave,
- Donnelly & Lincoln
- Highland & 5th
- Highland & 1st
- Highland & Liberty
- Tremain & Charles
- Liberty & Grandview
- Donnelly & Charles
PROJECTED POLICE COSTS

Saturday, September 4th, 2010:

1. 10:00am to 9:00pm (Rove, enforce parking restrictions, relief Ofc.)
   One (1) Motor Unit, 11 hrs @ $28 per hr = $308.

2. 1:00pm to 9:00pm (Simpson’s Cove area events/Fireworks details)
   Seven (7) Officers, 8 hrs per Officer = 56 hrs @ $28 per hr = $1,568.
   One (1) Event Supervisor, 8 hrs @ $28 per hr = $224.

3. 5:00pm to 9:00pm (Park Security/Posts/Fireworks)
   Six (6) Officers, 4 hrs per Officer = 24 hrs @ $28 per hr = $672.

   TOTAL = $2,772.

Note: Two (2) Citizens on Patrol, 4 hrs each = 8 hrs, at no charge.
One (1) Management Staff, 8 hrs, at no charge.
DATE:  June 13, 2011
TO:    Marie Shelton, Police Department
FROM:  Stephen Kerkhof, Fire Chief
RE:    Cost Estimate for 2011 Labor Day Celebration

For the 2011 Labor Day celebration, we will be putting two (2) people on the boat and two (2) people on the shore for medical and fire coverage from 1:00 pm to 9:00 pm.

Cost Breakdown:

September 3, 2011

1 Supervisor @ $32.00/ hr. x 8 hours = $256.00
3 Firefighters @ $28.00/hr. x 8 hours = $672.00

Total Cost:  $928.00

Please call me if you have any questions.
June 22, 2011

SPECIAL EVENT MEMORANDUM

TO: Marie Shelton, Event Coordinator

FROM: Linda Baggett, Administrative Supervisor

SUBJECT: 2011 LABOR DAY CELEBRATION – Public Works & Utilities

ELECTRIC DIVISION:

Based on the Event Plan, there are no Electric Division costs for this event.

PUBLIC WORKS DIVISION:

1. Friday, September 2, 2011, placement of No Parking signs and barricades.
   Two (2) workers @ $14 per hour x 6 hours each = $168.00

   Two (2) workers @ $45.00 per hour (combined salaries) x 4 hours = $180.00

3. Barricade rental price for event.
   Price per barricade - $5.00 x 40 = $200.00
   Price per barricade light - $3.00 x 40 = $120.00
   Price per Detour and Handicap Parking sign - $5.00 x 6 = $30.00
   Price for No Parking signs (medium size event) = $60.00

   Total Projected Public Works Costs = $758.00

ENVIRONMENTAL CODE COMPLIANCE (FOOD VENDORS):

1. Saturday, September 3, 2011
   One (1) worker 6 hours @ $28.00 per hour = $168.00

   Total Projected Environmental Code Compliance Costs = $168.00

TOTAL COSTS FOR PUBLIC WORKS & UTILITIES - $926.00

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## Special Event Staff Budget

**Parks & Rec.**

**Event:** Labor Day Celebration  
**Dates:** Saturday, September 3rd

### Budgeted Staff:

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<th></th>
<th># of Staff</th>
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**Total Amount Budgeted for Event Staff:** $675.00
June 7th, 2011
Dear Honorable Mayor DeMarco
Mount Dora City Council Members
Michael Quinn, City Manager

This year we have the fortune of support for additional fireworks for a Labor Day festival due to the generosity of the Mount Dora Village Merchants and Business Association. The Mount Dora Area Chamber of Commerce and the jump! committee are coordinating the event; Attached is the special event application.

The summary of the attached is: a sidewalk sale with the Merchants for the full weekend but with Sunday and Monday optional; activities in the downtown parks from 2 PM until 6 PM; vendors from Rotary and Kiwanis for bottled water and sodas prior to and during the fireworks at both Evan’s Park and Grantham Point and the fireworks at approximately 8 PM over Lake Dora.

We request that the City sponsor the event with Rotary, The Mount Dora Community Trust, the Mount Dora Village Merchants & Business Association and the Mount Dora Area Chamber of Commerce and waiver the fees for the parks, application and street closures and Public Safety staffing for the fireworks.

We have planned this event collaboratively again this year to continue to try and stimulate the economy in Mount Dora and support the businesses in the area.

If you have any additional questions or suggestions, please contact me at 352-383-2165.

Thank you for your consideration,

Respectfully submitted,

Cathy Hoehst
President
Chamber

Terry Abbott
President
Merchants Association

Jodi McEwen
President
Rotary
SPECIAL EVENTS APPLICATION

Organization: Mount Dora Area Chamber of Commerce / Mount Dora Village Merchants & Business Association / Rotary Club of Mount Dora; Contact Person: Cathy Hoechst

Telephone: 383-2165 Address: Post Office Box 196

Mailing Address (if different from residence):

Dates of Event: September 2nd and 5th, 2011; Hours of Event: Friday and Saturday Sidewalk Sale 10 AM until 7 PM; Sidewalk Sale for Sunday and Monday optional to Merchants; Saturday for activities in the Parks 2 to 6 PM; water sports demo in Lake from 2 to 6 PM; Saturday Music at Grantham Point with Set up 4 PM; music 5PM until 8 PM; Fireworks Saturday, September 3rd at approximately 8 PM; (See Rules and Regulations for deadline for application submittal.)

Type of Event (describe – bike festival, craft fair, etc.) Celebrate Mount Dora: Labor Day Weekend with Sidewalk Sale, activities in the parks and Dessert Baking Competition; water sports demos on Lake Dora; music at Grantham Point entrance and Fireworks off Lake Dora;

Approximate number: Participants: 100 Attendees: 10,000 to 15,000

List all City facilities and/or parks to be utilized for event\(^1\): Parking lot at corner of Tremain and Liberty for safety zone for fireworks and handicap parking; Boat trailer parking moved to lot on Tremain Street just before 3rd; Entrance to Grantham Point for music location; Palm Island for fireworks set up; Childs Park, Donnelly Park and Pavilion and Evans Park for activities;

\(^1\) Any buildings or parks must be scheduled separately with the appropriate fees and deposits paid.

Starting time for Event Set-up Saturday, September 3rd, 2011 at 10 AM for fireworks team for loading of pontoon at Palm Island; Music set up at 4 PM at entrance to Grantham Point; activities in Donnelly Park, Donnelly Pavilion, Evans’s Park and Child’s park from 3 to 8 PM with set up at 1 PM;

Description of any recording equipment, sound amplification equipment, banners, signs or other attention-getting devices or equipment: Typical signage and banners, City sound equipment for the music, fireworks over Lake Dora, concession will be sold.

Route to be traveled or area to be included in event (attach map): due to fireworks, street access to be controlled by Police department along Tremain to Liberty after 6 PM;

Approval: Deputy Chief Ron Routh

Chief T. Randall Scoggins

Date of Submittal: Received 6/4/11

Date of Staff Approval: 6/27/11

Date of Council Approval:

**NOTE: Organization must be Mount Dora-based not-for-profit organization

Copy of 501(c)(3) must be attached.**
Check list for any or all City services that may be needed

A. ___X___ Street closure (List streets, intersections to be closed below)
B. _______ Disposal of cooking grease
C. _______ Access to City Hall parking
D. __X____ Electric service
E. __X____ Portable toilets (number required will be based on # of estimated attendees)
F. __X____ Additional garbage cans
G. _______ Additional dumpsters
H. __X____ Police security*
I. __X____ Fire/rescue services*
J. __X____ Special parking requirements

Additional charges will be made for the following City services:

A. Electrical hook-ups
B. Barricades for street closures
C. Food service grease disposal, deposit of $150
D. Police service during hours of event
E. Police security at night, if required
F. Fire/Rescue services above on-duty complement

G. Administrative Fee**: 
   - Significant events: $550.00
   - Large events: 350.00
   - Medium events: 250.00
   - Small events: 75.00
   - Individual events: 0.00

* Basic City services, including police and fire, will be determined based on the number of anticipated attendees.

** The administrative fee is based on the anticipated number of attendees. For complete information regarding criteria for the different size events refer to the City Code of Ordinances or the brochure, “Special Event Policies and Regulations.”

List all streets and intersections to be closed: Tremain Street, Charles Street, Grandview and Liberty Avenue will need limited access late on Saturday due to the fireworks; on Saturday, September 3rd; with Liberty from Grandview to Tremain closed for the fireworks from 6:30 Pm until after fireworks at 8:30 Pm; Tremain closed from Charles to Liberty during fireworks;

APPLICATION REGULATIONS

(Additional regulations and information is available in the separate brochure, “Special Event Policies and Regulations.”)

A. POLICE PROTECTION

The Chief of Police shall determine whether and to what extent additional police protection reasonably will be necessary for the event for purposes of traffic control and public safety. The Chief of Police shall base this decision on the size, location, duration, time and date of the event, the expected sale or service of alcoholic beverages, the number of streets and intersections to be blocked and the need to detour or preempt ordinary citizen travel and use of the streets and sidewalks. The content of the speech or event will not be a factor in determining the amount of police protection necessary. If possible without disruption of ordinary police services or compromise to public safety, the event will be policed by regularly scheduled on-duty personnel.
If additional police protection for the event is deemed necessary by the Chief of Police, he shall so inform the applicant. The applicant then shall have the duty to secure the police protection deemed necessary by the Chief of Police at the sole expense of the applicant who shall pay the expenses of such protection.

B. PUBLIC ISSUE SPEECH

Persons exercising their first amendment rights by engaging in events, parades or demonstrations conducted for the sole purpose of public issue speech shall not be required to pay the costs of any police protection provided by the City at the assembly.

C. STANDARDS FOR ISSUANCE OF SPECIAL EVENT APPLICATION

The Chief of Police shall issue an approved special event application as provided for hereunder when, from a consideration of the application and from other information as may otherwise be obtained, it appears that:

1. The conduct of the event will not interrupt substantially the safe and orderly movement of other pedestrian or vehicular traffic in or contiguous to the route or location of the event.

2. The concentration of persons, animals and/or other vehicles at the event will not interfere unduly with proper fire and police protection of, or ambulance service to, areas contiguous to the event area or other areas of the City.

3. Adequate sanitation and other required health facilities are or will be made available in or adjacent to the event area.

4. There are sufficient parking places near to the site of the event to accommodate the approximate number of automobiles reasonably expected to be driven to the event.

5. The applicant has secured police protection, if required.

6. If the event is a parade, such parade is not to be held for the primary purpose of advertising any product, goods or event, which is primarily for private profit, and the event itself is not primarily for profit; provided, however, the prohibition against advertising any product, goods or event shall not apply to signs identifying organizations or sponsors furnishing or sponsoring exhibits or structures used in the conduct of the event.

7. No special event application for the same time and location has been received which has been or will be granted.

8. No special event application for the same time but in another location has been received which has been or will be granted where the police and/or fire resources required for that prior event are so great that in combination with the subsequent proposed application, the resulting deployment of police/fire services would have an immediate and adverse effect upon the welfare and safety of persons and property.
9. Upon the issuance of an approved special event application, no profit making enterprise not included in the original applicant’s plan shall be permitted to operate on public property or within the confines of the area specified for the approved special event.

D. NOTICE OF REJECTION OF APPLICATION

The Chief of Police shall act promptly upon a timely filed application, but in no event less than forty-eight (48) hours prior to the event*. If the Chief of Police, or City Council, disapproves the application, he or his designee shall notify the applicant either by personal delivery or certified mail, within such time period, of his action stating the reasons for the denial of the application.

E. APPEAL PROCEDURE

Any applicant aggrieved shall have the right to appeal the denial of an application to the City Council of the City. The appeal shall be taken by the applicant within five (5) days after receipt of the notice of denial by filing a written notice with the Chief of Police with a copy to the City Manager. The City Council shall consider the appeal at the next regularly scheduled meeting following receipt by the Chief of Police of the notice of appeal, and shall direct the Chief of Police forthwith to issue a permit unless good cause shall be made to appear for the denial of the issuance thereof on the grounds herein stated.

In the event that City Council rejects an applicant’s appeal, the applicant may file an immediate request for review with a court of competent jurisdiction.

F. DUTIES OF PERMITTEE

The applicant shall comply with all directions/conditions set forth by the Mount Dora Police Department or as stated in the City Code of Ordinances.

G. DENIAL OF SPECIAL EVENT APPLICATION

The Chief of Police shall have the authority to deny a special event application issued hereunder instantly upon violation of any one or more of the conditions or standards for issuance as herein set forth (or as set forth in the City Code of Ordinances) or when a public emergency arises where the police/fire resources required for that emergency are so great that deployment of police/fire services for the event would have an immediate and adverse effect upon the welfare and safety of persons or property.

* Applications must be filed in a timely fashion pursuant to City Code of Ordinances and in no case less than 30 days prior to the event.
H. DISCRIMINATION PROHIBITED

It shall be unlawful for any applicant, or any agent or employee of the applicant, either directly or indirectly:

1. To discriminate against any natural person by refusing, withholding, or denying to such person any of the services, advantages, facilities or privileges offered or available to any other person attending the event, or by setting different rates or charges therefore, or by placing or attempting to place any such natural person in a separate and segregated section or area at the event.

2. To publish, circulate, display, post or mail any written or printed communication or notice to the effect that any of the services, advantages, facilities or privileges of the event will be refused, withheld or denied to any natural person on account of the person’s race, color, religion, national origin, ancestry, or sex, or that the person’s attendance and presence at the event is unwelcome or objectionable, or that the person will be prohibited from mingling with other persons at the assembly because of the person’s race, color, religion, national origin, ancestry or sex.

3. To aid, abet, incite or coerce the doing of any act declared herein to be unlawful, or to prevent or attempt to prevent any person from complying with the provisions of this section.

I. INDEMNIFICATION

The applicant, and any other persons, organizations, firms or corporations on whose behalf the application is made by filing a special event application, shall present, stipulate, contract and agree that they will jointly and severally indemnify and hold the City harmless against liability, including court costs and attorney’s fees, and attorney’s fees on appeal, for any and all claims for damage to property, or injury to, or death of person arising out of or resulting from the issuance of the special event application or the conduct of the assembly or any of its participants. Proof of liability insurance shall be required in the amount of $1 million per occurrence and $2 million cumulative for each special event, with the City named as an additional insured for all accidents in the designated event area.

J. PENALTIES

1. It shall be unlawful for any person to stage, present, or conduct any assembly or event without first having obtained approval from the Chief of Police therefore as herein provided.

2. It shall be unlawful for any person knowingly to participate in an event for which approval has not been granted.

3. It shall be unlawful for any person in charge of or responsible for the conduct of a duly licensed event knowingly to fail to comply with any condition of the application.
I have read and understand the contents of this application and agree to the terms and conditions as set forth herein and as stated in the City Code of Ordinances. I also confirm that I have received a copy of the City of Mount Dora ordinance pertaining to special events and regulations pertaining to the use of City parks and facilities.

Cathy Hoechst
Applicant Signature

Cathy Hoechst
Printed Name

STATE OF FLORIDA, COUNTY OF Lake

The foregoing instrument was acknowledged before me this 7 day of June, 2011 by Cathy Hoechst, who is personally known to me or who has produced (type of identification) as identification and did (did not) take an oath.

Catherine Elaine Jenkins
Notary’s signature

Catherine Elaine Jenkins
Notary’s name

Notary Public State of Florida
Notary’s title or rank

Serial Number, if any

Seal
CITY OF MOUNT DORA, FLORIDA
MAYOR AND CITY COUNCIL
MINUTES

Having been duly advertised as required by law, Mayor Melissa DeMarco called the regular meeting of the Mount Dora City Council to order at 7:00 p.m. on Tuesday, June 21, 2011.

Police Chief Randy Scoggins gave the invocation and led in the Pledge of Allegiance to the Flag.

PRESENT: Mayor Melissa DeMarco, Vice-Mayor Bob Thielhelm, Council Members Janet Coffman, Tom Eppich, Vasco Watters, Dennis Wood and James Yatsuk; City Manager Michael Quinn, City Attorney Cliff Shepard and City Clerk Gwen Keough-Johns

ALSO PRESENT: Finance Director Jim Williams, Assistant Planning & Development Director Gus Gianikas, Police Chief Randy Scoggins, Parks & Recreation Director Roy Hughes, Public Works Director Gary Hammond, Fire Chief Skip Kerkhof and Library Director Stephanie Haimes

PUBLIC APPEARANCES

Mr. Terry Abbott addressed the City Council on behalf of the Merchants Association. He provided profit and loss information for the craft fair as well as the entire year.

Mayor DeMarco asked for a copy of the Merchants Association By-Laws. Mr. Abbott will provide that information electronically.

Mr. Abbott said the Merchants Association has worked with the Chamber of Commerce to achieve a single visitor’s map for the City.

Mr. Abbott asked City Council to consider sponsoring new events with an understanding that if a profit is made, the City will be reimbursed.

Mr. Eppich would like to see how much money the Merchants Association had in the bank at the end of the year. He said a balance sheet would be helpful.

Mr. Wood complemented the Merchants Association and the Chamber of Commerce for their working together.
CONSENT AGENDA

1. Approval of The Garland Company, Inc., as lead contractor for roof repairs through the US Communities (USC) Government Purchasing Alliance

2. Approval of Downtown Streetscape Improvements Project Area Walking Tour

3. Approval of City Council Meeting Minutes dated June 7, 2011

Mr. Wood pulled item 3 and Mr. Eppich pulled item 2.

Mr. Wood moved to approve consent agenda item 1. Mr. Thielhelm seconded the motion. The motion was approved unanimously.

Mr. Eppich said the kind of design work being down on the downtown project in context with the visioning, initial maps being used for visioning would potentially impact the nature of downtown streetscape improvements. His concern is incurring design fees and then having a change in the project in the near future.

Mr. Quinn said the existing downtown streetscape plan has been designed and the purpose of the tour is to look at different elements for that plan. Anything resulting from the visioning process would be a new project.

Mr. Yatsuk moved to approve the request for a downtown streetscape project area walking tour on July 19, 2011 at 5:30 p.m. Mr. Thielhelm seconded the motion. The motion was approved unanimously.

Mr. Wood noted that his votes were not in the minutes dated June 7, 2011. He moved to approve the minutes with the addition of his votes. Mr. Thielhelm seconded the motion. The motion was approved unanimously.

COUNCIL CONSIDERATION/DIscussion OF DEPARTMENTAL TOPICS

CITY MANAGER

1. Update on Dogwood Mountain Stormwater Issue

Mr. Quinn gave an update with regard to the Dogwood Mountain Stormwater Issue. He recommended City Council approval for implementation of a Special Assessment charge on property owner’s utility bill for the private storm drain repairs, initiation of contracts for construction and administrative services and preparation of all necessary documentation.

Mr. Quinn has received a petition from property owners to indicate a special assessment would be a successful way to cover cost of repairs.

The City Council agreed by consensus to authorize staff to move forward with the Dogwood Mountain project.
BOARD APPOINTMENTS

If you or someone you know is interested in supporting the City through service on a Board or Committee, please contact Gwen Keough-Johns, City Clerk at (352) 735-7126 or complete an application online at http://www.ci.mount-dora.fl.us/vertical/Sites/%7BB57363BB-8A05-49A7-AE31-DBFCAA4A5EF%7D/uploads/%7BCE77DD52-3768-4733-9A4F-3B6C084B1CF6%7D.PDF

New Appointment to CRA Advisory Committee

Mr. Thielhelm appointed Ms. Marion Strahl to serve on the CRA Advisory Board. The appointment was approved unanimously.

CITY ATTORNEY INFORMATION / REPORTS

1. Charter Review Committee Final Report

Mr. Shepard, Attorney, explained the four recommendations for ballot questions. The City Council discussed the proposed Charter changes and the possibility that a Preamble to the Charter may be sufficient to address recommendations. Mayor DeMarco suggested information on the website to help citizens understand local government.

Mr. Yatsuk moved to table discussion of the Charter Review Committee’s Final Report, but to sunset the Charter Review Committee. Mr. Thielhelm seconded the motion. The motion was approved unanimously.

OTHER BUSINESS

Mr. Wood asked for an update with regard to the situation with Carl Ludecke, Charlie Johnson Builders. Mr. Quinn said information will be provided to City Council.

Mr. Wood mentioned the July 4th parade. Ms. Hoechst will provide paperwork to the City Clerk so City Council can sign up.

Mr. Wood said August 11, 2011 at the Lakeside Inn, there is a Karaoke singing contest fund raiser.

Mayor DeMarco appointed Ms. Judy Smathers to continue filling the position with the Lake County Arts and Cultural Alliance.

ADJOURNMENT

There being no further business for discussion, the meeting adjourned at approximately 8:00pm.

Melissa DeMarco, Mayor

Gwen Keough-Johns, City Clerk
Having been duly advertised as required by law, Mayor Melissa DeMarco called the July 5, 2011 City Council Governance Wrap-Up Workshop to order at 5:30 p.m.

PRESENT: Mayor Melissa DeMarco, Vice-Mayor Bob Thielhelm, Council Members Tom Eppich, Vasco Watters, James Yatsuk, Dennis Wood and Janet Coffman; City Manager Michael Quinn and City Clerk Gwen Keough-Johns.

ALSO PRESENT: Lyle Sumek, Consultant

WORKSHOP ITEMS

Governance

Mr. Lyle Sumek presented materials to aid in team building and understanding Governance. The workshop discussion wrapped up the initial March Governance session. Mr. Sumek will summarize the findings and provide some sample forms for further review and use by staff and City Council.

ADJOURNMENT

The meeting was adjourned at approximately 6:45 p.m.

Melissa DeMarco, Mayor

Gwen Keough-Johns, City Clerk
Having been duly advertised as required by law, Mayor Melissa DeMarco called the Regular City Council meeting of the Mount Dora City Council to order at 7:00 p.m. on Tuesday, July 5, 2011.

PRESENT: Mayor Melissa DeMarco, Vice-Mayor Bob Thielhelm, Council Members Janet Coffman, Tom Eppich, Vasco Watters, Dennis Wood and James Yatsuk; City Manager Michael Quinn, City Attorney Cliff Shepard and City Clerk Gwen Keough-Johns

OTHERS PRESENT: Mark Reggentin, Planning & Development Director; Police Chief Randy Scoggins; Deputy Police Chief Ron Rauth; Parks & Recreation Director Roy Hughes; Finance Director Jim Williams; Public Works Director Gary Hammond; Human Resources Director Ken Bloom; Fire Chief Skip Kerkhof and Stormwater/Environmental Manager Paul Ritter

Police Chief Randy Scoggins gave the Invocation and led the Pledge of Allegiance to the Flag.

PUBLIC APPEARANCES

Reverend Tom Berry, Pastor of First Presbyterian Church, thanked the City for use of the Community Building for The Rock and The Rabbi production.

PRESENTATIONS

Ms. Jane Brown, volunteer event coordinator for The Rock and The Rabbi, said the original projected net proceeds at $13,000, was nearly met at just over $11,000. There was extraordinary in-kind support and greater ticket sales than expected. The event was done as a benefit for local food pantries.

Mrs. Brown extended a special thank you to City employees Darryl Hylton, Ken Hutzler and Joann Newsome who donated their time even though they were entitled to be paid. They were a joy to work with and Mrs. Brown is very proud to have these three members on City staff.

This Christmas, thanks to the Chamber of Commerce, Parks & Recreation, the Library Association and Lake Cares, On The Water Productions will be bringing their holiday musical, The Child, to Mount Dora for five performances.
On Friday, July 8, 2011, Mrs. Brown will present a check in the amount of $10,000 to the Board of Directors of Lake Cares Food Pantry and a check of $1,000 to Mount Dora toward future improvements of the Community Building.

**CONSENT AGENDA**

1. Agreement with BESH for Engineering and Design of Dogwood Mountain Stormwater Repair Project

Mr. Wood pulled the agreement for discussion. His residents have asked how the project can cost so much. Mr. Chuck Hyatt, BESH, said there are several components to the Engineering. The pipe is 15 – 18’ deep and through a hill in some places. BESH is looking at all aspects relative to the design.

Mr. Wood asked if BESH will guarantee this same problem does not happen in the future. Mr. Hyatt said the contractor is going to guarantee his work for one year.

Mr. Thielhelm asked why Dogwood Mountain residents are not approving their agreement prior to City Council approval. Mr. Wood said there is not a Homeowner’s Association but Mr. Ron Hannah may be contacted since he has been instrumental in contacting and getting consent from the property owners.

Mr. Thielhelm said the BESH proposal does not include certification of satisfactory completion of work nor furnishing certified as-built drawings. The residents will need certification otherwise there is no guarantee. Mr. Hyatt indicated BESH will provide a copy of signed/sealed as-built drawings and can add this to the Proposal before it is signed.

Mr. Thielhelm asked if there will be a thorough video inspection of completed repairs. This can be added to the project proposal.

Mr. Thielhelm said the geotechnical investigation does not include the ongoing erosion that is occurring along the retention pond outlet pipe. Mr. Hyatt was unaware of this issue.

Mr. Hammond said the erosion problem will be addressed once inspected, if necessary. His recommendation is to move forward with the portion presented and if a modification is required in the future, that will be presented to City Council.

Mr. Thielhelm said there is an incomplete examination and investigation of a City responsibility. Mr. Hyatt agreed with Mr. Thielhelm’s assessment.

Mr. Thielhelm recommended tabling the item to allow BESH to make necessary revisions to their proposal. Mr. Hyatt will have the information this week. He said it will require borings and a stability analysis. Mayor DeMarco asked what it would cost to provide more information and Mr. Hyatt said approximately $5,000.
Mr. Eppich moved to TABLE the BESH Agreement pending receipt of additional information at the next City Council meeting. Mr. Thielhelm seconded the motion.

Mayor DeMarco wants to know who is engineering the project when it comes back. Council should not be re-engineering projects at the table.

Due to time sensitivity of the project, Mr. Eppich amended his motion to allow this item to be presented on July 14, 2011 before the Budget Workshop and Mr. Thielhelm said his second carries. The motion was approved unanimously.

PUBLIC HEARINGS

1. First Reading of Ordinance 2011-09, City Council Redistricting

Mr. Shepard read Ordinance 2011-09 by title only.

ORDINANCE 2011-09

AN ORDINANCE OF THE CITY OF MOUNT DORA, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 2, PART II, SUBPART 2, SECTION 2.210 OF THE MOUNT DORA CODE OF ORDINANCES BY REDISTRICTING THE CITY COUNCIL MEMBER DISTRICTS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND SETTING AN EFFECTIVE DATE.

Mr. Thielhelm moved to approve the First Reading of Ordinance 2011-09. Ms. Coffman seconded the motion. The motion was approved by roll call vote.

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<th>Mr. Thielhelm</th>
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<td>Mr. Watters</td>
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<td>Mr. Yatsuk</td>
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<td>Ms. Coffman</td>
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<td>Mayor DeMarco</td>
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<td>Mr. Eppich</td>
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Mayor DeMarco would like to see districts 1, 2 & 3 – more infrastructure similarities for equitable distribution and representation among population.

2. First Reading of Ordinance 2011-11, Sign Permit Fees

Mr. Shepard read Ordinance 2011-11 by title only.

ORDINANCE 2011-11

AN ORDINANCE OF THE CITY OF MOUNT DORA, LAKE COUNTY, FLORIDA, AMENDING SECTION 2.7 “FEE SCHEDULE” OF THE CITY OF MOUNT DORA LAND DEVELOPMENT CODE BY CLARIFYING
THAT SIGN PERMIT FEES TO BE COLLECTED BY THE CITY SHALL INCLUDE PERMIT FEES FOR PERMITS ISSUED FOR ALTERATION AND REPAIR OF EXISTING SIGNS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mr. Reggentin said the proposed ordinance allows staff to charge permit fees for signs being repaired or altered.

Mr. Thielhelm moved to approve the First Reading of Ordinance 2011-11. Mr. Wood seconded the motion. The motion was approved by roll call vote.

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3. First Reading of Ordinance 2011-10, Garage Definition

Mr. Shepand read Ordinance 2011-10 by title only.

ORDINANCE 2011-10

AN ORDINANCE OF THE CITY OF MOUNT DORA, LAKE COUNTY, FLORIDA, AMENDING SECTION 3.5 “SUPPLEMENTAL REGULATIONS” OF THE CITY OF MOUNT DORA LAND DEVELOPMENT CODE BY CREATING SECTION 3.5.28 “REQUIRED GARAGE” REQUIRING ALL SINGLE FAMILY AND DUPLEX RESIDENTIAL STRUCTURES TO HAVE A GARAGE REGARDLESS OF ZONING DISTRICT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Mr. Reggentin explained, the City allows single family duplex type development in all zoning districts. However, there was some confusion as to whether garages are required in other zoning districts such as commercial where there may be residential type structures.

Mr. Thielhelm moved to approve. Ms. Coffman seconded.

Mr. Eppich asked if there are areas in the City where single family homes without garages. Mr. Reggentin said yes, they are scattered throughout the City. Mr. Eppich asked if the implication of this ordinance is that someone without a garage will have to construct one and Mr. Reggentin said only if they do a physical addition to their house. Mr. Reggentin said if you add to a nonconforming structure, you are required to bring the structure up to code requirements.

The proposed ordinance would create consistency for home additions in all zoning districts. A modification of this ordinance was contemplated approximately 15 years ago and City Council added a provision to allow accessory structures to be used if unable to construct a garage.
The motion was approved by roll call vote.

Mayor DeMarco asked if City Council would like to discuss this ordinance for potential modifications. The majority consensus of City Council was to have staff provide additional information for further review of the ordinance.

Mr. Quinn needs to discuss this with Mr. Reggentin but the concept issue can be brought back to City Council on August 2, 2011.

**COUNCIL CONSIDERATION/DISCUSSION OF DEPARTMENTAL TOPICS**

**CITY MANAGER**

1. FY 2010 Work Plan Update

Mr. Quinn reported that based on comparison of the Work Plan update provided in March, significant progress has been made with completion on some projects.

Mr. Thielhelm asked if there is a response from the St Johns River Water Management District on the CUP, Mr. Hammond a draft has been received and they are authorizing the wells. Mr. Hammond said the supplemental well will stabilize the water system.

Mayor DeMarco spoke to and expressed concern to Senator Alan Hayes this afternoon with regard to the supplemental well and the emergency temporary consumptive use permit.

**BOARD APPOINTMENTS**

If you or someone you know is interested in supporting the City through service on a Board or Committee, please contact Gwen Keough-Johns, City Clerk at (352) 735-7126 or complete an application online at [http://www.ci.mount-dora.fl.us/vertical/Sites/%7BB57363BB-8A05-49A7-AE31-DBFCAAA4A5EF%7D/uploads/%7BCE77DD52-3768-4733-9A4F-3B6C084B1CF6%7D.PDF](http://www.ci.mount-dora.fl.us/vertical/Sites/%7BB57363BB-8A05-49A7-AE31-DBFCAAA4A5EF%7D/uploads/%7BCE77DD52-3768-4733-9A4F-3B6C084B1CF6%7D.PDF)

Appointment to Police Pension Board

Mr. Thielhelm moved to approve appointment of Chief Scoggins to the Police Pension Board. Ms. Coffman seconded the motion. The motion was approved unanimously.

**CITY ATTORNEY INFORMATION / REPORTS**

1. Charter Review Committee Final Report

Mr. Shepard provided an overview of the recommended amendments received from the Charter Review Committee. He explained what the City Council needs to discuss, stating referendum questions will be provided to the Supervisor of Elections at the will of the City Council.
Mr. Eppich presented information with regard to item 4. Having looked at approximately 100 Florida Cities, 70 had a Council/Manager form of government and 20 had a strong Mayor form of government. Sixty-two of the 70 Cities with a Council/Manager government had the word ‘ceremonial, no administrative duties’ in their City Charter.

Mr. Yatsuk asked how many Cities were elected on population and how many were elected by their City Council. Mr. Eppich said it was a mix.

Mr. Eppich asked the City Attorney to explain how the wording ‘head of government for all purposes’ compares or conflicts with wording in other sections of the Charter. He asked which language would take precedent.

Mr. Shepard said the reality is that an argument could be made to the extent it does not conflict with any other section, it would trump it. Any document, contract or constitution, is to try to read all of the sections together to gain meaning. Generally, Mr. Shepard believes there is potential for the language referred to by Mr. Eppich to trump other language in the document.

Mr. Eppich pointed out inconsistencies in the Charter and what could potentially happen given various scenarios.

Mr. Shepard said the Charter language seems to be somewhere between Council/Manager and Strong Mayor but it is not something that would create a legally irresolvable conflict.

There was discussion about Section 18. – Powers and Duties of the Mayor, as currently written in the Charter.

Mayor DeMarco said the Mayor is elected to be a point person on City Council for situations where an evaluation is warranted. She said a preamble to the Charter may be an appropriate way to educate residents on how the government office operates.

Mayor DeMarco said rather than changing the Charter, Council should look at additional policies. There are no consequences to violating the Charter but consequences can be written into a policy document.

With regard to requirements for residency, Mr. Shepard advised City Council the residency requirement would create more litigation than other requirements in the Charter. He said the idea with the word ‘consecutive,’ is permanent residency in the City in order to run for public office.

Mayor DeMarco suggested a substantive look at the entire Charter.

The City Council voted on each amendment, by roll call vote. Based on results of the roll call votes, there will be no referendum questions on the 2011 ballot. See voting results below.
Amendment 1: Section 3. Government

| Mr. Eppich  | No      | Mr. Watters | No        |
| Mr. Wood    | Yes     | Ms. Coffman | No        |
| Mr. Yatsuk  | No      | Mayor DeMarco | No       |
| Mr. Thielhelm | Yes    |             |           |

Amendment 2: Section 5. Qualifications. Eligibility

| Mr. Wood     | No      | Ms. Coffman | Yes       |
| Mr. Yatsuk   | Yes     | Mr. Eppich  | No        |
| Mr. Thielhelm | No     | Mayor DeMarco | No       |
| Mr. Watters  | Yes     |             |           |

Amendment 3: Section 5. Qualifications

| Mr. Yatsuk   | Yes     | Mr. Eppich  | No        |
| Mr. Thielhelm | No     | Mr. Wood    | No        |
| Mr. Watters  | Yes     | Mayor DeMarco | No       |
| Ms. Coffman  | Yes     |             |           |

Amendment 4: Section 18. Powers and Duties

| Mr. Thielhelm | No      | Mr. Wood    | Yes       |
| Mr. Watters   | No      | Mr. Yatsuk  | No        |
| Ms. Coffman   | No      | Mayor DeMarco | No       |
| Mr. Eppich    | Yes     |             |           |

OTHER BUSINESS

1. Carl Ludecke Complaint on Electrical Service

An update with regard to the above referenced complaint was included in the agenda packet for review by City Council.

Mr. Yatsuk asked if council members could automatically be assigned a space in all City parades. Ms. Hoescht will ask during an upcoming critique meeting.

Ms. Coffman mentioned some graffiti on the wall along Old US 441 between downtown Mount Dora and the Golden Triangle area. She asked who maintains the wall. Mr. Hammond will check on getting the graffiti eliminated.

Mayor DeMarco met with Senator Hayes today and they discussed the City’s CUP. She also discussed grant funding for the Tremain Street Improvement project in case Senator may influence FDOT. Senator Hayes has been a great advocate for trails.
Mayor DeMarco said Lake County Commissioner Leslie Campione asked to confirm with City Council that everyone is on the same page relative to the eventual conversion from Golden Triangle all the way out to the county line with regard to trails.

Mayor DeMarco asked if City Council would be interested in directing staff to look at elimination of the Shuffle Board Courts. Mr. Quinn will report back to City Council about the Shuffleboard Courts after he reviews any existing agreements.

Mayor DeMarco brought up a code enforcement case that is typically handled from start to finish through the regular code enforcement process. At some point in the process, the individual appealed to the City manager for a six month extension. It is typical for Code Enforcement to provide extensions for people based on performance measures. The action is concerning to Mayor DeMarco because in the past, individuals have not had the ability to appeal their case to the City Manager outside of the regular Code Enforcement process. The way the departments involved in the Code Enforcement process found out about the extension that was granted was when they received a copy of the stipulation in the mail. Mayor DeMarco also expressed concern that because of the way this issue was handled, there could have been conflicting actions being conducted out of various departments. She clarified the action taken was legally sufficient but she would have preferred the violator be directed back to the Code Enforcement process. Mayor DeMarco also raised concern about the language in the stipulation. Referring to the part of the agreement dealing with financial assistance, she asked if staff has received a copy of the financial information. She would have liked the finance agreement attached to the stipulation.

Mr. Quinn, City Manager, said the bank provided a letter of commitment back in late April or early May. Staff has received a signed mortgage contract from the bank committing a specified loan amount for construction of the properties. That paperwork was signed approximately June 28, 2011.

Mr. Wood asked Mr. Quinn if he would have granted an extension to any other citizen of Mount Dora and Mr. Quinn said yes. Mr. Wood said that as CEO of the City, he felt that as long as Mr. Quinn would do the same thing for every other citizen, he did his job.

Mr. Quinn said the case is for James Homich and Kerri Mullen, and the original magistrate order was dated to expire June 29, 2011. Mr. Homich had requested an extension, the specific question to Mr. Quinn being whether he would have any objection to a six month extension. Mr. Quinn said he had no objection to the extension but it had to go through the magistrate process and it had to be reviewed and worked on by the City Attorney. Mr. Quinn felt his responsibility had been met in making the decision.

Mr. Quinn made his decision based on several factors:

- Section 7 of the original Magistrate’s Order made it very clear that the magistrate would entertain any changes in repair schedule by either party
- Had reason to believe that Mr. Homich was truthful about the commitments for financing, the only obstacle keeping him from compliance
Mr. Quinn believes compliance is the issue, not punishments of individuals. He said Mayor is correct in that this case is atypical. Mr. Quinn does not recall any other code enforcement case where the defendant has asked for an extension on a demolition order. In this particular case, the defendant had a contractor secured, building permits and valid financing in order to comply with the order. Mr. Quinn firmly believes the City is in a much better legal position having granted the extension than if the City had demolished the buildings and ended up in a litigation process.

Mr. Quinn said from his perspective there has been no special treatment given. He was asked to respond to a question that the magistrate had clearly set up and it was clear that the magistrate had taken adjudication of the case. Mr. Quinn did not write the language in the order, but depended on the attorney. He has spoken with the attorney about doing a better job of communication in the future to avoid this happening again. Mr. Quinn noted his involvement in the case all along from a corporate standpoint.

Mr. Thielhelm believes the extension places the violator in a situation where he either has to get the buildings repaired or the demolition ensues. In addition, the building permits have expiration dates.

Mr. Watters asked why legal advice was given, knowing the situation. Mr. Shepard, City Attorney, said Mr. Homich prepared the stipulation and it was forwarded to Mr. Drew Smith, Attorney. Mr. Smith said the number one consideration was whether the six month timeframe was okay. Mr. Shepard agreed with Mr. Thielhelm’s analysis the way the document is drafted, it puts Mr. Homich in a situation where there is a commitment to get the work done. Mr. Shepard is most concerned about the fact that he did not know about the order until he received a phone call from an irate Mayor and an irate Police Chief. He said when you have an agreement; it would be atypical to pay a magistrate to simply get an order signed when there is an agreement in place.

Mr. Watters asked how this situation can be avoided in the future. Mr. Shepard said from his perspective, there will be a clear understanding that if there is an agreement, a hearing will not be held. The wording of the order would be reviewed. Mr. Watters would have liked for Mr. Shepard and Mr. Quinn to have said no and had the extension reviewed by Code Enforcement and Chief Scoggins before granting the extension.

Mr. Eppich pointed out this discussion has been going for approximately 32 minutes. He said this evening was started with a governance workshop and this is an operational issue, not a policy issue that should elevate itself to the level of City Council spending 33 minutes in discussion. Mr. Eppich agrees with Mr. Quinn’s decision, end of story.

ADJOURNMENT

There being no further business for discussion, the meeting adjourned at approximately 9:31 pm

Melissa DeMarco, Mayor
DATE: July 19, 2011

TO: Mayor and City Council

FROM: Mark Reggentin, Planning and Development Director

VIA: Michael Quinn, City Manager

RE: City Council Redistricting


**Recommendation:**
Staff recommends approval of the proposed City Council districts as contained in the attached Ordinance No. 2011-09.

On June 7, 2011, the City Council voted unanimously for acceptance of the proposed City Council district boundary map.

City Council, at their regularly scheduled meeting on July 5, 2011, recommended approval of First Reading of Ordinance 2011-09 and hold for Second Reading and Final Adoption on July 19, 2011.

**References/Support:**
Current (existing) City Council District Map
Acceptance District Map June 5, 2011
Proposed District Map

**Background/Information:**

On June 7, 2011, City Council approved the district boundaries. The attached Ordinance No. 2011-09 includes the revised boundary descriptions. Below is a summary of the redistricting process previously presented to the City Council.

Each 10 years, coinciding with the release of the census information, governments are required to reapportion the voting age population into equal districts to ensure equal representation of the
public in their elected bodies. According to the Charter of the City of Mount Dora, four of the seven elected officials represent districts. Based upon this provision, the voting age population of the City must be reevaluated and divided into equal districts.

The current voter district boundary map is shown in Attachment "1." When redrawing district boundaries, the primary concern is to balance the district as closely as possible to divide the voting age population equally among districts. The total voting age population is 9893. It should be noted that there are discrepancies in the census numbers that had to be taken into account to arrive at this figure. The first is an area of unincorporated Lake County south of CR 19A west of Eudora Road (shown in red on the Acceptance District Map - Attachment "2") that was included in the city limits. Due to the fact that they are not in the City, 131 individuals of voting age were deducted from our total. The second issue relates to the roadway annexations that took place two years ago. The policy of the Census Bureau is to “snap” a line within 30 feet of the right-of-way and pick up the population on the adjacent properties. An additional 48 eligible voters not located within the city limits were included as part of the right-of-way annexations (shown in black on the Acceptance District Map - Attachment "2"). These too have been deducted from the total. Based upon the total of 9893 eligible voters within the city limits, the goal was to divide each district into blocks of 2473 eligible voters.

When redrawing district boundaries four primary issues are taken into consideration. First is to balance the districts numerically so that as close to an equal number of eligible voters reside in each district as possible. Second is to respect the location of the residences of the existing district council members. These are shown as black dots on the Acceptance City Council District - Attachment "2" Map. The intent is to not unseat a sitting council person by the administrative act of reapportionment. Next is to take the existing district boundaries into consideration and to the greatest extent possible make adjustments to the existing district boundaries. This is sometimes difficult during periods of high population change. Finally is to ensure that the districts are reasonably compact and contiguous.

The redistricting boundaries achieve these four goals. The greatest variation from the goal of a balanced district is three (3) eligible voters; each sitting district council member remains in their respective district; to the greatest extent possible the integrity of the current districts are maintained; and the districts are reasonably compact and contiguous considering the unique shape of the city limits.

To provide some insight into the configuration of the districts, we have included the voting age population within each census block on the Acceptance District Map. This is the smallest discrete population unit available for redistricting. The peculiar shapes and sizes of the blocks in terms of area and voting age population made this year’s reapportionment a unique challenge.

The Supervisor of Elections has requested that the new district boundaries be established by the qualifying date for City elections which is August 29th. Due to the fact that the districts are described in the Code of Ordinances, an ordinance will be required to amend the districts. In order to meet this deadline, the ordinance must be presented to the Council no later than the first meeting in August.
Schedule/Notification:

City Council First Reading: July 5, 2011
Duly Advertised (Legal Enactment Ad): July 8, 2011
City Council Second Reading and Adoption: July 19, 2011

Attachments:
Ordinance No.: 2011-09
Attachment "1" - Current (existing) District Map
Attachment "2" - Acceptance District Map June 7, 2011
Attachment "3" - Proposed District Map
ORDINANCE NO: 2011-09

AN ORDINANCE OF THE CITY OF MOUNT DORA, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 2, PART II, SUBPART 2, SECTION 2.210 OF THE MOUNT DORA CODE OF ORDINANCES BY REDISTRICTING THE CITY COUNCIL MEMBERS DISTRICTS; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, under the Florida Constitution and Florida Statutes requires governments divide the City into district every ten years following the release of the U.S. Census Data; and

WHEREAS, in accordance with Section 6, Part II, Charter of the City of Mount Dora Code of Ordinances establishes the composition of the City Council districts; and

WHEREAS, The Supervisor of Elections of Lake County Florida requires the new district boundaries be established by the qualifying date for City elections; and

WHEREAS, the 2010 U. S. Census Bureau has delivered, in accordance with Public Law 94-171, redistricting population counts at census block level for the City of Mount Dora; and

WHEREAS, the City of Mount Dora has complied and redrawn, to ensure equal representation, the City Council member districts based on the 2010 U.S. Census Bureau population count; and

WHEREAS, the City Council redistricting boundaries are reasonably compact, contiguous, and close to an equal number of eligible voters reside in each new district.

NOTE: Underlined words constitute additions to the original text of the Code of Ordinances; strikethroughs constitute deletions to the original text of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mount Dora, Florida, as follows:

SECTION 1: Legislative Findings and Intent. The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Mount Dora.

SECTION 2: Amendment. Chapter 2, Part II, Subpart 2, Section 2.210 of the City of Mount Dora Code of Ordinances is hereby amended as follows:

Sec. 2.210. Creation of districts; boundaries described.

The City Council hereby ordains the districts which shall be numbered District 1, District 2, District 3, District 4 and shall be described as follows:
District 1. The area encompassed by the boundary described as follows:

From the intersection of Clayton Street and Crane Avenue (also known as the south line of Township 19 South, Range 27 East and also known as the Lake County line), the Point of Beginning; proceed north along Clayton Street to Lakeview Avenue; thence east on Lakeview Avenue to Highland Street; thence north on Highland Street to Liberty Avenue; thence west on Liberty Avenue to Clayton Street; thence north along Clayton Street to Third Avenue; thence west along Third Avenue to Tremain Street; thence north along Tremain Street to Eleventh Avenue; thence east along Eleventh Avenue to Highland Street; thence north along Highland Street to Lincoln Avenue; thence east along Lincoln Avenue to the eastern city limit line; thence south along the eastern city limit line to the south line of Township 19 South, Range 27 East and also known as the Lake County line; thence west along the south line of Township 19 South, Range 27 East and also known as the Lake County line to the Point of Beginning. Less and except those enclaves of unincorporated Lake County falling within the above described boundary.

From the intersection of South Highland Street and Crane Avenue, the Point of Beginning; proceed north along South Highland Street to the intersection of the CSX right-of-way; thence northwesterly along railroad right-of-way to the intersection of Oak Avenue; thence west along Oak Avenue to the South Gandview Street intersection; thence run north along South Grandview Street to the CSX railroad right-of-way intersection; thence continue northwesterly along railroad right-of-way to the intersection of Tremain Street; thence north along North Tremain Street to Lincoln Avenue; thence run east along Lincoln Avenue to the intersection of North Gandview Street; thence run south along North Grandview Street to the intersection of 11th Avenue; thence run east along 11th Avenue to the intersection of North Simpson Street; thence run north along North Simpson Street to the intersection of Lincoln Avenue; thence run east along Lincoln Avenue to the intersection of US Hwy 441; thence continue northerly along US Hwy 441 to the intersection of Wolf Branch Road; thence run east along Wolf Branch Road to Niles Road intersection (being the northeast corner of Section 28, Township 19 South, Range 27 East); thence run south along the east line of Sections 28 and 33, Township 19 South, Range 27 East to the Lake/Orange County Line; thence run west along the southern line of Sections 32 and 33 Township 19 South Range 27 East to the P.O.B.

Less and except those enclaves and areas of unincorporated Lake County falling within the above described boundary.

District 2. The area encompassed by the boundary described as follows:

From the intersection of Tremain Street and Eleventh Avenue, the Point of Beginning, proceed north along Tremain Street to Lincoln Avenue; thence east along Lincoln Avenue to Hackett Street; thence north along Hackett Street to Florida Avenue; thence east along Florida Avenue to Grandview Street; thence north along Grandview Street to Grant Avenue; thence west along Grant Avenue to Hackett Street; thence north on Hackett Street to Jackson Avenue; thence east along Jackson Avenue to Clayton Street;
thence north along Clayton Street to the city limits (Limit Avenue); thence east and north east along city limits to a point where the West line of the Country Club of Mount Dora, Phase I intersects the northerly right of way line of State Road 500; thence along the boundary of the Country Club of Mount Dora, Phase I to the shoreline of Loch Leven; thence run northeast along the shoreline of Loch Leven to the north line of the Country Club of Mount Dora, Phase I, said line also being the city-limit line; thence turn initially east and run along the city-limit line to the intersection of the city-limit line and to Lincoln Avenue; thence west along Lincoln Avenue to Grandview Street; thence south along Grandview Street to Eleventh Avenue; thence west along Eleventh Avenue to the Point of Beginning. Less and except those enclaves of unincorporated Lake County falling within the above described boundary.

From the intersection of North Tremain Street and Lincoln Avenue, the Point of Beginning (P.O.B) proceed north along North Tremain Street to the intersection of Pine Avenue; thence east along Pine Avenue to the intersection of North Grandview Street; thence run north along North Grandview Street to the intersection of Limit Avenue; thence run east along Limit Avenue (being the north line of Section, 29, Township 19 South, Range 27 East) to the intersection of Bristol Lakes Road; thence run north along Bristol Lakes Road on the east side of roadway (apartment buildings labeled as building numbers 1010, 1008, 1006, 1007, 1003, 1004, and 1002, inclusive) to intersection of US Hwy 441; thence continue south along US Hwy 441 to the County Club of Mount Dora western boundary line; Continue north along the western boundary of the Country Club of Mount Dora to the shoreline of Loch Leven; continue north along the shoreline of Loch Leven to the north boundary line of the Country Club of Mount Dora (also the northern line of Section, 20, Township 19 South, Range 27 East); thence run east along the north boundary line of the Country Club of Mount Dora (also be the northern line of Sections, 20 and 21, Township 19 South, Range 27 East) to the northeast of the Country Club of Mount Dora boundary line and run south 1,064 feet following the City Limits and the Country Club of Mount Dora boundary line; thence run east approx. 617 feet to Britt Road; thence south along Britt Road approx. 255 feet; thence east along City Limits approx. 2,600 feet; thence run south along City Limits to Wolf Branch Road; thence east along Wolf Branch Road to the intersection of Round Lake Road; thence run south along Round Lake Road to the intersection of SR 46; thence west along SR 46 the northwest corner of Section 34, Township 19 South, Range 27 East; thence north along the western line of Section 27, Township 19 South, Range 27 East to the intersection of Wolf Branch Road (also the southern line of Section 21, Township 19 South, Range 27 East); thence run west along Wolf Branch Road to the intersection of US Hwy 441; thence run southerly along US Hwy 441 to the intersection of Lincoln Avenue; thence run west along Lincoln Avenue to the intersection of North Simpson Street; thence run south along North Simpson Street to the intersection of 11th Avenue; thence west along 11th Avenue to the intersection of North Grandview Street; thence north along North Grandview Street to the intersection of Lincoln Avenue; thence west along Lincoln Avenue to P.O.B.

Less and except those enclaves and areas of unincorporated Lake County falling within the above described boundary.
District 3. The area encompassed by the boundary described as follows:

From the intersection of Clayton Street and Crane Avenue (also known as the south line of Township 19 South, Range 27 East and also known as the Lake County line), the Point of Beginning, proceed north along Clayton Street to Lakeview Avenue; thence east on Lakeview Avenue to Highland Street; thence north on Highland Street to Liberty Avenue; thence west on Liberty Avenue to Clayton Street; thence north along Clayton Street to Third Avenue; thence west along Third Avenue to Tremain Street; thence north along Tremain Street to Lincoln Avenue; thence east along Lincoln Avenue to Hackett Street; thence north along Hackett Street to Florida Avenue; thence east along Florida Avenue to Grandview Street; thence north along Grandview Street to Grant Avenue; thence west along Grant Avenue to Hackett Street; thence north on Hackett Street to Jackson Avenue; thence east along Jackson Avenue to Clayton Street; thence north along Clayton Street to the city limits (Limit Avenue); thence west and northwest along city limits to a point where city limit line intersects with and becomes the east right-of-way line of Donnelly Street; thence south on Donnelly Street to Old Eustis Road; thence west on Old Eustis Road to Overlook Drive; thence Southwest on Overlook Drive to Crestview Drive; thence south on Crestview Drive to Heim Road; thence west on Heim Road to Lakeshore Drive; thence southwest along Lakeshore Drive to a point where Lakeshore intersects the city limit line; thence southeast along the city limit line to the Lake County line; thence east along the Lake County line to the Point of Beginning.

From the intersection of South Highland Street and Crane Avenue, the Point of Beginning (P.O.B.); proceed north along South Highland Street to the intersection of the CSX railroad right-of-way; thence run northwesterly along the CSX railroad right-of-way to the intersection of Oak Avenue; thence run west along Oak Avenue to the South Grandview Street intersection; thence run north along South Grandview Street to the CSX railroad right-of-way intersection; thence continue northwesterly along railroad right-of-way to the intersection of Tremain Street; thence run north along Tremain Street to the intersection of Pine Avenue; thence run east along Pine Avenue to the intersection of North Grandview Street; thence run north along North Grandview Street to Limit Avenue; thence run west along Limit Avenue to the intersection of the North Tremain Street right-of-way (also the northwest corner of Section 19, Township 19 South, Range 27 East); thence run south along Tremain Street to the intersection of Bay Street (20th Avenue); thence run west along Bay Street (20th Avenue) to the intersection of Donnelly Street; thence run north along Donnelly Street to the intersection of Old Eustis Road; thence run westerly along Old Eustis Road to the City Limits located at Shoemaker Drive; thence follow City Limit south to shores of Lake Gertrude; thence continue southerly along shores of Lake Gertrude City Limits; continue west along the southern shore and city limit of Lake Gertrude to Park Place; thence run west on Park Place to the intersection of Morningside Drive; thence run south along Morningside Drive to the intersection of Florence Road; thence run west along Florence Road to the intersection of Greenway Drive; thence run north along Greenway Drive to City Limits; thence follow City Limits west to Eudora Road; thence run north along Eudora Road to the intersection of Northland Drive; thence run west along Northland Drive (includes the 9 apartment buildings of Eudora Grove south of the Northland Road extension) to the second apartment entrance at the intersection of Lake Center Drive; thence run west along Lake
Center Drive to the intersection of CR 19A; thence run southerly along CR 19A, following City Limits to the intersection of Old US Hwy 441; thence run south to the shoreline of Lake Dora; thence continue easterly along shore of Lake Dora to the City Limits on the north shore of Lake Dora; thence continue southeasterly along City Limits to the Lake/Orange County line; thence east along Lake/Orange County line to P.O.B.

Less and except those enclaves and areas of unincorporated Lake County falling within the above described boundary.

District 4. The area encompassed by the boundary described as follows:

From the intersection of Crestview Drive and Heim Road, the Point of Beginning, proceed west on Heim Road to Lakeshore Drive; thence southwest along Lakeshore Drive to a point where Lakeshore intersects the city limit line; thence initially north along the city limit line and continuing along the western and northern city limits of the City to the point where the city limit line intersects County Road 44B; thence north along County Road 44B to the point where County Road 44B intersects with southwestern corner of Loch Leven Estates; thence initially northeast and continuing along boundary of Loch Leven Estates (the city limit line) to the shore of Loch Leven; thence southeasterly along the shore of Loch Leven to the west line of the Country Club of Mount Dora, Phase I; thence south along the boundary of the Country Club of Mount Dora, Phase I and its extension to the southern right of way line of State Road 500 (the city limit line); thence west along the city limit line to Donnelly Street; thence south along Donnelly Street to Old Eustis Road; thence west on Old Eustis Road to Overlook Drive; thence Southwest on Overlook Drive to Crestview Drive; thence south on Crestview Drive to the Point of Beginning. Less and except those enclaves of unincorporated Lake County falling within the above described boundary.

From the intersection of CR 19A and Lake Center Drive, the Point of Beginning (P.O.B.), proceed northerly along CR 19A to the intersection of the southern boundary of Section 26 Township 19 South Range 26 East; continue east along the southern boundary of Section 26 Township 19 South Range 26 East to the eastern shore of Lake Saunders; Continue north and east following the city limits to the intersection of US Hwy. 441; thence continue east along US Hwy 441 to Gables Drive intersection; thence run east approximately 245 feet to City Limits located at the west boundary line of Lowes Home Improvement Center; thence north, following City Limits, approx. 1,250 feet; thence run east, following City Limits, approx 700 feet to SR 44; thence continue northerly along SR 44 to the intersection of Orange Avenue CR 44C/SR 44; thence run east along SR 44 to the intersection of Britt Road; thence run south along Britt Road and the Lakes of Mount Dora boundary line and following the City Limits south along the Lakes of Mount Dora boundary line to the northern boundary of the Country Club of Mount Dora (being the south line of Section 16, Township 19 South, Range 27 East); thence run west along the northern boundary line of the Country Club of Mount Dora (also the south line of Section 16, Township 19 South, Range 27 East) to the eastern shore of Loch Leven; thence run southwesterly along shore of Loch Leven Lake following the City Limits and Country Club of Mount Dora boundary to US Hwy 441; thence run northerly along US Hwy 441 to the intersection of Bristol Lakes Road; thence run south along Bristol Lakes Road.
(apartment buildings labeled as building numbers 1001, 1005, 1009, 1011, 1013, and 1015 inclusive) to the intersection of Limit Avenue; thence run west along Limit Avenue to the intersection of the North Tremain Street right-of-way (also the northwest corner of Section 29, Township 19 South, Range 27 East); thence run south along North Tremain Street right-of-way (also the western line of Section 29, Township 19 South, Range 27 East) to the intersection of Bay Street (20th Avenue); thence run west along Bay Street (20th Avenue) to the intersection of Donnelly Street; thence run north along Donnelly Street to the intersection of Old Eustis Road; thence run west along Old Eustis Road to the intersection of Shoemaker Lane; thence run north following the city limit to US Hwy 441; thence run east on Hwy 441 following the city limit to Eudora Road at the intersection of Lake Center Drive; thence run north along Eudora Road to the intersection of Northland Road; thence run west on the Northland Road Extension to the second apartment entrance at the intersection of Lake Center Drive (includes the southern 10 apartment buildings of Eudora Grove, located on north side of the Northland Road extension); thence run westerly along Lake Center Drive to CR 19A being the P.O.B.

Less and except those enclaves and unincorporated Lake County falling within the above described boundary.

SECTION 3: CONFLICTS. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

SECTION 4: SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 5: CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Mount Dora. The Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word “Ordinance”, or similar words, may be changed to “Section”, “Article”, or other appropriate word. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 6: EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.
Ordinance No. 2011-09

PASSED AND ORDAINED this 19th day of July, 2011, by the City Council of the City of Mount Dora, Florida.

Attest:

_________________________________   ______________________________
Gwen Johns, City Clerk     Melissa DeMarco, Mayor
City of Mount Dora      City of Mount Dora

Date of First Reading:  July 5, 2011
Date of Second Reading: July 19, 2011
Duly Advertised:  July 8, 2011

Approved as to form:

_____________________________
Clifford B. Shepard, City Attorney
City of Mount Dora
City of Mount Dora
City Council Redistricting 2011
2010 Census Population Based on Age (18 and over)
Orange Ave - CR 44C

Legend
- Council Members Location
- City Limits
- Census Block - Pop. 18 yrs & Over

Proposed Districts and Population
- Persons In R/W - 48*
- Persons Not In City - 131*
- D1 - 2,473
- D2 - 2,470
- D3 - 2,476
- D4 - 2,474

Total Adjusted Population: 9,893
(* Less persons in R/W and Not in City)

District Goal: 2,473 Persons/District

Plan Version 1.0
Accepted by City Council June 7, 2011

Date: 6/15/2011
City Council - July 19, 2011
City of Mount Dora - www.cityofmountdora.com
DATE: July 19, 2011

TO: Mayor and City Council

FROM: Mark Reggentin, AICP, Planning and Development Director

VIA: Michael Quinn, City Manager

RE: Second Reading and Adoption of Ordinance No. 2011-10 Amending Section 3.5 of the Land Development Code – Garage Requirements.

Recommendation:

Staff recommends approval of the proposed Land Development Code updates as contained in the attached draft ordinance.

The Planning and Zoning Commission at their regularly scheduled June 15, 2011, meeting recommended unanimous approval (6-0; one member was absent) of the changes contained in the proposed ordinance.

City Council, at their regularly scheduled meeting on July 5, 2011, recommended approval of First Reading of Ordinance 2011-10 and hold for Second Reading and Final Adoption on July 19, 2011.

References/Support:

City's Land Development Code (LDC)

Background/Information:

As recommended by the City Attorney, the attached minor Land Development Code amendment provides a new sub-section to further define "garage" requirements for single-family and duplex structures. Currently, garages are listed in the residential zoning districts and under the definitions. The new language removes any ambiguities as to when "garages" are required for all zoning districts. Below is the definition for garages as listed in the Land Development Code.

There are no changes to this definition, only a new sub-section under “Supplemental Regulations” as proposed in the attached ordinance.

“Garage: As required for residential structures, a garage shall be a structure consisting of three solid walls and one door of appropriate size to allow parking of at least one standard size automobile. Minimum garage size shall be 12 feet
by 20 feet. Garages shall not extend into any setback. Garages must also be architecturally similar to the primary structure in design and materials.”

Schedule/Notification:

Planning and Zoning Commission: June 15, 2011
City Council First Reading: July 5, 2011
Duly Advertised (Legal Enactment Ad): July 8, 2011
City Council Second Reading and Adoption: July 19, 2011

Attachments:

Ordinance No.: 2011-10
ORDINANCE NO: 2011-10

AN ORDINANCE OF THE CITY OF MOUNT DORA, LAKE COUNTY, FLORIDA, AMENDING SECTION 3.5 “SUPPLEMENTAL REGULATIONS” OF THE CITY OF MOUNT DORA LAND DEVELOPMENT CODE BY CREATING SECTION 3.5.28 “REQUIRED GARAGE” REQUIRING ALL SINGLE FAMILY AND DUPEX RESIDENTIAL STRUCTURES TO HAVE A GARAGE REGARDLESS OF ZONING DISTRICT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Mount Dora regulates site standards by exercising its home rule powers in the best interest of the health, safety, welfare, and enjoyment of its citizens; and

WHEREAS, the Land Use Code currently requires all single-family and duplex residential structures in single family residential and duplex residential districts; and

WHEREAS, single-family residential and duplex residential structures may at times be constructed in districts other than single-family residential districts and duplex residential districts; and

WHEREAS, the City Council for the City of Mount Dora has determined it to be in the best interest of the health, safety and welfare of the residents of the City of Mount Dora to require all single-family and duplex residential structures to include a garage regardless of the zoning district in which such structures are constructed; and

WHEREAS, the Planning and Zoning Commission of the City of Mount Dora has considered this amendment at a public meeting and determined it to be consistent with the Comprehensive Plan of the City of Mount Dora and recommended approval by the City Council.

NOTE: Underlined words constitute the additions to the existing text of the Land Development Code, strikethroughs constitute deletions to the existing text of the Land Development Code, and asterisks (***)) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mount Dora, Florida, as follows:

SECTION 1: The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Mount Dora.

SECTION 2: Section 3.5 “Supplemental Regulations” of the City of Mount Dora Land Development Code is hereby amended by creating Section 3.5.28 as follows:

3.5.28. Garage Required.

All single-family and duplex residential structures constructed in any zoning district within the City shall include a garage consistent with the definition of “garage” provided in this Land Development Code.
SECTION 3: **Conflicts.** All ordinances that are in conflict with this Ordinance are hereby repealed.

SECTION 4: **Severability.** If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 5: **Codification.** The provisions of this Ordinance shall be codified as and become and be made a part of the Land Development Code of the City of Mount Dora. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word “Ordinance”, or similar words, may be changed to “Section,” “Article,” or other appropriate word. The code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 6: **Effective Date.** This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED this 19th day of July, 2011, by the City Council of the City of Mount Dora, Florida.

Melissa DeMarco, Mayor  
City of Mount Dora

Attest:

Gwen Keough-Johns, City Clerk  
City of Mount Dora

First Reading: July 5, 2011  
Second Reading: July 19, 2011  
Duly Advertised: July 8, 2011

Approved as to form:

Clifford B. Shepard  
City Attorney
DATE:    July 19, 2011

TO:      Mayor and City Council

FROM:    Mark Reggentin, AICP, Planning and Development Director

VIA:     Michael Quinn, City Manager

RE:      Second Reading and Adoption of Ordinance No. 2011-11 Amending Section 2.7 of the Land Development Code – Sign Permit Fees.

Recommendation:

Staff recommends approval of the proposed Land Development Code updates as contained in the attached draft ordinance.

The Planning and Zoning Commission at their regularly scheduled June 15, 2011, meeting recommended unanimous approval (6-0; one member was absent) of the changes contained in the proposed ordinance.

City Council, at their regularly scheduled meeting on July 5, 2011, recommended approval of First Reading of Ordinance 2011-11 and hold for Second Reading and Final Adoption on July 19, 2011.

References/Support:

City's Land Development Code (LDC)

Background/Information:

As recommended by the City Attorney, the attached minor Land Development Code amendment updates and clarifies the sign fee schedule to ensure proper permitting cost.

Schedule/Notification:

Planning and Zoning Commission: June 15, 2011
City Council First Reading: July 5, 2011
Duly Advertised (Legal Enactment Ad): July 8, 2011
City Council Second Reading and Adoption: July 19, 2011

Attachments:

Ordinance No.: 2011-11
ORDINANCE NO: 2011-11

AN ORDINANCE OF THE CITY OF MOUNT DORA, LAKE COUNTY, FLORIDA, AMENDING SECTION 2.7 “FEE SCHEDULE” OF THE CITY OF MOUNT DORA LAND DEVELOPMENT CODE BY CLARIFYING THAT SIGN PERMIT FEES TO BE COLLECTED BY THE CITY SHALL INCLUDE PERMIT FEES FOR PERMITS ISSUED FOR ALTERATION AND REPAIR OF EXISTING SIGNS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, pursuant to the Land Development Code, all signs being constructed, altered or repaired require a permit to be issued prior to the construction, alteration or repair; and

WHEREAS, the City of Mount Dora building department must process all sign permit applications regardless of whether the permit is for construction, alteration or repair; and

WHEREAS, the City of Mount Dora incurs a cost in processing sign permit applications for alteration or repair of existing signs equal to the cost incurred in processing sign permit applications for construction of new signs; and

WHEREAS, the City Council desires to clarify the language of Section 2.7 (10) relating to sign permit fees to expressly provide that sign permit fees are due for sign permits sought to perform alteration or repair of existing signs.

NOTE: Underlined words constitute the additions to the existing text of the Land Development Code, strikethroughs constitute deletions to the existing text of the Land Development Code, and asterisks (***)) indicate an omission from the existing text which is intended to remain unchanged.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mount Dora, Florida, as follows:

SECTION 1: The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Mount Dora.

SECTION 2: Section 2.7 “Fee Schedule” of the City of Mount Dora Land Development Code is hereby amended as follows:

***

2.7. Fee schedule.

Prior to the issuance of a building permit, all appropriate fees and charges must be paid in full, including, but not limited to, impact fees, sewer connection charges, utility meter connection charges and building permit fees. The following fees are hereby assessed:

***
Ordinance No. 2011-11

10. Sign permits.

a. A fee of $75.00 shall be charged for each sign whose construction value for which the cost of construction, alteration or repair is $501.00 or less.

b. A fee of $75.00 plus $5.00 per $1,000.00 or fraction thereof of construction value construction, alteration or repair cost shall be charged for each sign for which the cost of construction, alteration or repair whose construction value is greater than $501.00.

c. A fee of $25.00 shall be charged for each sandwich board sign.

***

SECTION 3: Conflicts. All ordinances that are in conflict with this Ordinance are hereby repealed.

SECTION 4: Severability. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 5: Codification. The provisions of this Ordinance shall be codified as and become and be made a part of the Land Development Code of the City of Mount Dora. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word “Ordinance”, or similar words, may be changed to “Section,” “Article,” or other appropriate word. The code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 6: Effective Date. This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED this 19th day of July, 2011, by the City Council of the City of Mount Dora, Florida.

Melissa DeMarco, Mayor
City of Mount Dora

Attest:

Gwen Keough-Johns, City Clerk
City of Mount Dora

First Reading: July 5, 2011
Second Reading: July 19, 2011
Duly Advertised: July 8, 2011

Approved as to form:

Clifford B. Shepard
City Attorney
DATE: July 19, 2011

TO: Mike Quinn, City Manager

FROM: Roy Hughes, Parks and Recreation Director

RE: Parks and Recreation Advisory Board Meetings

---

Recommendation:

At the last meeting of the Parks and Recreation Advisory Board meeting a request was made and voted upon by all members to seek changes to the current ordinance regarding the required scheduling of their meetings. On a unanimous vote the board voted to seek the changes that would allow for it to meet less than once a month during the year. This would allow for breaks during the summer months or during holidays and not have an impact on the work done by this group. It is my recommendation that council approve the revised ordinance.

References/Support:

See Attached ordinance.

Background/Information:

The current ordinance mandates that the Parks and Recreation Advisory Board must meet monthly.
ORDINANCE NO: 2011-14

AN ORDINANCE OF THE CITY OF MOUNT DORA, LAKE COUNTY, FLORIDA, AMENDING CHAPTER 2, PART VIII, SUBPART 3, SECTION 2.1410 OF THE MOUNT DORA CODE OF ORDINANCES TO REVISE THE PARK AND RECREATION REGULARLY SCHEDULED MEETINGS FROM MONTHLY TO QUARTERLY; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND CODIFICATION; AND SETTING AN EFFECTIVE DATE.

WHEREAS, in the exercise of its home rule powers, and in the best interest of the health, safety, welfare, and enjoyment of its citizens, the City has created boards and committees to oversee and provide recommendations on recreation activities and programs; and

WHEREAS, the City's Park and Recreation Board conducts recreation and park needs at the pleasure of the City Council; and

WHEREAS, in order to provide flexibility in the Park and Recreation Board meetings it is necessary to revise the meetings from monthly to quarterly; and

WHEREAS, The City Council of Mount Dora, Florida finds it appropriate to amend the schedule for the Park and Recreation Board.

NOTE: Underlined words constitute additions to the original text of the Code of Ordinances; strikethroughs constitute deletions to the original text of the Code of Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Mount Dora, Florida, as follows:

SECTION 1: Legislative Findings and Intent. The recitals set forth above are hereby adopted as legislative findings of the City Council of the City of Mount Dora.

SECTION 2: Amendment. Chapter 2, Part VIII, Subpart 3, Section 2.1410 of the City of Mount Dora Code of Ordinances is hereby amended as follows:

***

(1) Meetings. The park and recreation board shall hold one regularly scheduled meeting each month quarter. Special meetings may be called by the chairman, when necessary.

***
SECTION 3: CONFLICTS. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other ordinance of this City, the provision which establishes the higher standards for the promotion and protection of the health and safety of the people shall prevail.

SECTION 4: SEVERABILITY. If any section, sentence, phrase, word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any other section, sentence, phrase, word or portion of this Ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

SECTION 5: CODIFICATION. The provisions of this Ordinance shall be codified as and become and be made a part of the Code of Ordinances of the City of Mount Dora. The Sections of this Ordinance may be renumbered or re-lettered to accomplish such intention and the word “Ordinance”, or similar words, may be changed to “Section”, “Article”, or other appropriate word. The Code codifier is granted liberal authority to codify the provisions of this Ordinance.

SECTION 6: EFFECTIVE DATE. This Ordinance shall become effective immediately upon adoption.

PASSED AND ORDAINED this ______ day of __________, 2011, by the City Council of the City of Mount Dora, Florida.

Attest:

_________________________________   ______________________________
Gwen Johns, City Clerk     Melissa DeMarco, Mayor
City of Mount Dora      City of Mount Dora

Date of First Reading:
Date of Second Reading:
Duly Advertised:

Approved as to form:

_________________________________
Clifford B. Shepard, City Attorney
City of Mount Dora
DATE:    July 19, 2011

TO:      Mayor and City Council

FROM:    Gary Hammond, Director Public Works & Utilities

VIA:     Michael Quinn, City Manager

RE:      Street Resurfacing

**Recommendation:**
Approval to award Asphalt Paving Systems the contract to resurface City streets at various locations using the micro-surfacing method for a total of $249,831.65. See attached proposed list of streets.

**References/Support:**
We will piggyback the contract with Marion County, Contract ITB 10B-238.

$250,000 was budgeted under Account 111-4105-541-6300 (CP0809) for resurfacing.

**Background/Information**
Micro-surfacing is a modern technique using a slurry mix with granite chips and Portland cement for strength. Milling the existing roadway is not required as the micro-surfacing does not take away from the height of the curb. Additionally, manholes and storm sewer grates do not have to be raised or adjusted. This method enables us to cover twice the area as conventional hot-mix asphalt.

A requisition has been entered in the P/I system pending City Council approval.

**Attachments:**
List of Streets
Quote
2011 PROPOSED RESURFACING LIST

• 3rd Avenue from Clayton Street to Donnelly Street/ 1972 feet
• 20th Avenue from Donnelly Street to dead-end. 482 feet
• Baker Street from Lincoln Avenue to 11th Avenue. 700 feet
• Chautauqua Subdivision – all streets. 2850 feet
• Clayton Street from Lincoln Avenue to Orange County Line. 7928 feet
• Donnelly Street from 5th Avenue to Limit Avenue. 5350 feet
• Highland Street from 11th Avenue to Lincoln Avenue. 625 feet
• King Center Parking Lot – all. 600 feet
• Lake Center Drive from Eudora Rd to end of apartment complex. 1700 feet
• Shoemaker Lane from Old Eustis Road to dead-end. 670 feet
• Simpson Street from 8th Avenue to 11th Avenue. 980 feet
• Unser Street from 8th Avenue to 11th Avenue. 1000 feet
• Wedgewood Drive from Clayton Street to dead-end. 588 feet
TO: Mt Dora Public Works
Dennis Huett

FROM: Asphalt Paving Systems, Inc.

RE: MicroSurfacing Project Proposal

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Thank you for considering Asphalt Paving Systems for your resurfacing needs.

Respectfully Submitted,

Asphalt Paving Systems, Inc.
MOUNT DORA CITY COUNCIL REGULAR MEETING
July 19, 2011 at 7:00 p.m.
City Hall Board Room, 510 North Baker Street

AGENDA

CALL TO ORDER:
INVOCATION:
PLEDGE OF ALLEGIANCE:
ROLL CALL:
PUBLIC APPEARANCES (7:00 - 7:30 p.m.)
ADJUSTMENTS TO AGENDA

CONSENT AGENDA

1. Approval of Agreement for purchase of public computers
2. Approval of 2011 Labor Day Special Event Street Closures
3. Approval of City Council Meeting Minutes dated June 21, 2011
4. Approval of City Council Workshop Minutes dated July 5, 2011
5. Approval of City Council Meeting Minutes dated July 5, 2011

PUBLIC HEARINGS

ORDINANCES

1. Final Reading and Adoption of Ordinance 2011-09, City Council Redistricting
2. Final Reading and Adoption of Ordinance 2011-10, Amendment to Land Development Code, Garage Definition
3. Final Reading and Adoption of Ordinance 2011-11, Amendment to Land Development Code, Sign Permit Fees
4. First Reading of Ordinance 2011-14, Parks and Recreation Advisory Board Frequency of Meetings
COUNCIL CONSIDERATION/DISCUSSION OF DEPARTMENTAL TOPICS  PAGE

CITY MANAGER

PUBLIC WORKS

1. Street Resurfacing  64

PARKS & RECREATION

1. Agreement for Baseball Field Usage – Little League  67

BOARD APPOINTMENTS

If you or someone you know is interested in supporting the City through service on a Board or Committee, please contact Gwen Keough-Johns, City Clerk at (352) 735-7126 or complete an application online at http://www.ci.mount-dora.fl.us/vertical/Sites/%7BB57363BB-8A05-49A7-AE31-DBFCAAAA4A5EF%7D/uploads/%7BCE77DD52-3768-4733-9A4F-3B6C0B84B1CF6%7D.PDF

CITY ATTORNEY INFORMATION/REPORTS

OTHER BUSINESS

MEETING NOTICES

ADJOURNMENT

NOTICE: If any person decides to appeal any decisions made at this meeting with respect to any matter considered at this meeting, such person may need a record of these proceedings. For such purpose, a person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE: In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact Gwen Keough-Johns, City Clerk no later than seven (7) days prior to the proceedings. Telephone (352) 735-7126 for assistance. If hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.
MOUNT DORA CITY COUNCIL SPECIAL WORKSHOP
July 19, 2011 -- 5:30 p.m.
City Hall Board Room, 510 N. Baker Street

AGENDA

CALL TO ORDER:
ROLL CALL:

DISCUSSION

1. Downtown Streetscape Walking Tour

OTHER BUSINESS

ADJOURNMENT

NOTICE: If any person decides to appeal any decisions made at this meeting with respect to any matter considered at this meeting, such person may need a record of these proceedings. For such purpose, a person may need to ensure that a verbatim record of the proceedings is made which record includes the testimony and evidence upon which the appeal is to be based.

NOTICE: In accordance with the Americans with Disabilities Act of 1990, persons needing a special accommodation to participate in this proceeding should contact Gwen Keough no later than seven (7) days prior to the proceedings. Telephone (352) 735-7126 for assistance. If hearing impaired, telephone the Florida Relay Service numbers, (800) 955-8771 (TDD) or (800) 955-8770 (Voice) for assistance.
DATE: July 19, 2011

TO: Mike Quinn, City Manager

FROM: Roy Hughes, Parks and Recreation Director

RE: Little League Agreement Renewal

Recommendation:

Over the past three years the city has entered into an agreement with the Mount Dora Little League to help offset cost associated with maintaining the Lincoln Park fields. The signing of this agreement is in keeping with that practice and it is my recommendation that we continue this mutually beneficial agreement.

References/Support:

See Attached contract.

Background/Information:

This agreement has worked for both the city and the association so much so that this year we were able to agree upon an increase of fees from $10,000 per calendar year to $12,000 per calendar year. In addition to the fees, the organization has continued to make improvements to the fields and facility which have helped to reduce cost and add to the value of the property.
AGREEMENT FOR BASEBALL FIELD USAGE

The Agreement, made and entered into this ___5th____ day of July, 2011 by and between the City of Mount Dora (hereinafter referred to as the “City”), a Florida municipal corporation and Mount Dora Little League (hereinafter referred to as the “League”), a Florida non-profit corporation, for the term of August 2011 to July 2012.

SECTION 1: Purpose and Subject Matter

The Mount Dora Little League is desirous of using the baseball and softball fields for games and practice, along with the concession stand and the storage facility located therein, at the Lincoln Avenue Community Park, and the City is willing to reserve field time and the concession stand and the storage facility located therein for the League, under certain conditions.

SECTION 2: Scheduling and Use

a. The Mount Dora Parks & Recreation Department (hereinafter referred to as the Department) agrees that the League shall become the scheduling coordinator for all League practices, regular season and post season field use. The League will be required to discuss any field scheduling done outside the scope of normal League scheduling with the Department. The Department retains the right to restrict/grant the use of the fields for activity outside the normal scheduling agreement contained in this contract. The League without the permission of the Department cannot sublet or charge a fee for field use.

b. The League agrees to provide a general field use schedule of practices and games to the City as soon as possible as part of this agreement.

c. The term of this agreement shall be based on the approved regular season and post-season schedule as submitted by the League.

d. The Department reserves the right to determine field and facility usability and to cancel any scheduled activities that may potentially cause damage or injury to the users or to the sports fields or facilities. The Department shall notify the League at the earliest opportunity and the League will be responsible for relaying that notice to all scheduled users.

e. A League Board Member shall be present on site at all games and practices where more than two fields are being used by the League, and shall be the designated representative, responsible for monitoring the spectators, coaches, players and officials to ensure proper conduct and sportsmanship and to make sure that all areas of this agreement are being complied with.

f. The League shall cooperate and assist the City so that its spectators, coaches, players and officials park in the designated parking areas only and that there shall be no parking in any of the emergency access areas.
SECTION 3: Fees & Charges

a. The League agrees to pay to the City a flat fee of $12,000.00 yearly to be paid out over a monthly period of time for the use of the Lincoln Park Baseball and Softball complex for the Fall 2011 and Spring 2012 seasons. Payments shall be paid monthly based on the City budget cycle beginning October 2011 and thru to September 2012. Monthly fees shall be paid in full on the first of each month.

b. The League agrees to provide the Department a monthly financial statement that contains detailed information regarding all revenues received and all costs expended, no later than the 15th of the following month. The League shall provide the Department a participation breakdown at the end of each season which shall consist of a listing of the number of teams, players and resident and non resident participants as well as an end of season financial summary.

SECTION 4: Field Signage

a. The League agrees that all desired baseball field site signage will be approved by the City prior to installation.

b. The League agrees that signage may need to be removed due to potential storms to prevent fence damage and that all signs will be removed at the end of the approved agreement.

SECTION 5: Concession Stand

a. The League agrees that they will maintain the concession stand in a clean and sanitary manner, clean out the concession stand of all perishable food and drink product at the end of the approved agreement, as appropriate, and properly dispose of waste products.

SECTION 6: Storage

a. The City agrees that the storage area shall be used by the League.

b. The League will organize the storage area so it is accessible and functional and that only field maintenance equipment and necessary game equipment will be stored, and that it will be kept in proper order.

SECTION 7: Lights

a. The lights will be controlled by timer based on the scheduled provided to the City.

b. The League agrees to make every effort to conserve light usage in order to keep cost down.

c. Lights will be set to turn off no later than 11pm unless otherwise agreed upon by the Department.

SECTION 8: Keys

a. The City will provide __5___ sets of keys to individuals approved by the League, who must sign key forms from the City at the preseason walkthrough.

b. No keys are to be duplicated by any representative of the League. If additional keys are required the League must make that request to the City.
c. Keys will be rechecked at the postseason walkthrough. Keys which are not accounted for will be charged at a rate of $25.00 per missing key.

**SECTION 9: Clean-up/Maintenance and Improvements**

a. Trash and garbage cleanup of facilities is the responsibility of the party using the property. The **League** shall ensure that fields, spectator areas, concessions, and restrooms are left clean immediately after use.

b. The **City** reserves the right to improve, renovate and install equipment as necessary to support its athletics, recreation, and education programs without restriction. The **City** will keep the **League** informed of significant improvements prior to their occurrence.

c. Any improvements or major repairs intended by the **League** must be authorized by the **City** prior to any action. The **League** shall have the ability to negotiate with sponsors and vendors to secure score boards and provide capital improvements and agrees to accept all cost associated with their installation and operation. The **League** agrees to submit all plans for review and approval by the appropriate **City** Departments.

d. The **City** will retain ownership of all authorized fixed improvements made to the baseball fields at the Lincoln Avenue Baseball Complex by the **League** and will be allowed use of any **League** owned equipment outside of the regular **League** season, with advance approval, which is stored at the Lincoln Avenue Baseball Complex.

e. The **City** agrees to provide basic sports field maintenance at the facility during a normal work week (Monday-Friday) and will coordinate with the **League** for more specific and detailed work as desired by the **League**. The **League** will be required to perform specific pre and post game preparation and maintenance as coordinated with the **Department**.

**SECTION 10: Prescison & Postseason Walkthrough**

a. The **City** and the **League** agree to have a preseason walkthrough of all areas used by the **League** before the beginning of the program starting.

b. It is the **League’s** responsibility to contact the **City** 60 days prior to the season, to schedule this meeting. This meeting will assist in getting the facility ready for the coming season, allow time for ordering materials, and scheduling repairs, and allow the **City** to coordinate these activities.

c. The **City** and the **League** agree to have a postseason walkthrough of all areas used by the **League** 5 days after the end of **League’s** program.

**Section 11: Minimum Standards**

a. The **League** agrees to comply with all the standards set forth in accordance to the accepted and signed **Department** Minimum Standards agreement.

**Section 12: Assignment**

a. The **League** agrees that they will not assign or sublet its rights or responsibilities under this Agreement without written authorization of the **City**.
Section 13: Indemnification and Insurance

a. The League agrees to protect, defend, indemnify, and save harmless the City, its officers, employees, and agents from any costs, claims, judgments, and/or awards for damages, arising out of or in any way resulting from the League’s use, maintenance or operation of the baseball fields and concession stand at the Lincoln Avenue Community Park.

b. The League also agrees to additionally insure the City with a limit of not less than: $1,000,000 combined single limit per occurrence, $2,000,000 aggregate and shall provide proof of this insurance to the City.

Section 14: Notice

a. Each notice or other communication which may be or is required to be given under this Agreement, shall be in writing and shall be deemed to have been properly given when delivered personally during normal working hours to the party to whom such communication is directed, or three (3) working days after being sent by regular mail, to the appropriate one of the following addresses as may be designated by the appropriate party.

b. A breach of any convents or conditions of this agreement by the League may result in loss of their facility usage privileges.

c. The City agrees to provide the League with sixty (60) days advance notice of any proposed changes to the agreement, or as they are being considered by the City.

If to the City:

Parks & Recreation Director  
900 N. Donnelly Street  
Mount Dora, Florida 32757  
Business Phone: 352-735-7183  
Fax: 352-735-3681

If to the League:

______________________________  
______________________________

Phone: ________________________

Section 15: Integration

a. This writing contains all terms of the parties’ agreement on this subject matter. It replaces all prior negotiations and agreements, subject to the provisions of Section 1 herein above. Modification must be in writing and be signed by each party’s representative.

IN WITNESS WHEREOF the parties hereto have caused this Agreement to be executed on their behalf.

City Manager  Date  President, Mount Dora Little League  Date
City of Mount Dora

Parks & Recreation Director  Date  Secretary, Mount Dora Little League  Date
City of Mount Dora