

**AGENDA
TAVARES CITY COUNCIL**

**JUNE 17, 2015
4:00 P.M.**

TAVARES CITY HALL COUNCIL CHAMBERS

(Members of the public wishing to speak on an item that is on the agenda must fill out a Request to Speak form available from the City Clerk or at the Council Meeting prior to the meeting being called to order. In addition, the Mayor will ask for comment under the agenda item titled "Audience to be Heard" for matters not on the Agenda. For further information contact the City Clerk at (352) 742-6209 or nbarnett@tavares.org)

I. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church of Tavares

II. CALL TO ORDER

III. APPROVAL OF AGENDA

(The City Council Agenda is subject to change at the time of the Tavares City Council Meeting)

IV. APPROVAL OF MINUTES

Tab 1) Minutes of May 20, 2015 and June 3, 2015

V. PROCLAMATIONS/PRESENTATIONS

VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

IX. ORDINANCES/RESOLUTIONS

FIRST READING

SECOND READING

RESOLUTIONS

X. GENERAL GOVERNMENT

Tab 2) Three Party Interlocal Agreement for the Seaplane Fountain Feature for Deposit with Florida Department of Transportation Lori Houghton

Tab 3) Request for Reduction in Impact Fees Bob Tweedie
Cagan Management Group – Planned Subdivision at Huffstetler and Ann Rou Road

Tab 4) Acceptance of Grant for LifePak 15 Cardiac Monitor Richard Keith

XI. FISCAL YEAR 2016 BUDGET WORKSHOP

Tab 5) Delivery and Presentation of Proposed Fiscal Year 2016 General Fund Budget John Drury

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 6) City Administrator Report John Drury

Tab 7) Council Reports City Councilmembers

F.S. 286.0105 □ If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he 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.

Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 253-4546.

**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MAY 20, 2015
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

Kirby Smith, Mayor
Bob Grenier, Vice Mayor
Lori Pfister, Councilmember (joined the meeting at 4:17)
Lisa Johnson, Councilmember
Robert Speaks, Councilmember

STAFF PRESENT

John Drury, City Administrator
Nancy Barnett, City Clerk
Lori Houghton, Finance Director
Robert Q. Williams, City Attorney
Chris Thompson, Public Works Director
Lori Tucker, Human Resources Director
Bob Tweedie, Economic Development Director
Joyce Ross, Communications Director
Tammey Rogers, Community Services Director
Richard Keith, Fire Department
Jacques Skutt, Director of Community Development
Stoney Lubins, Police Chief

I. CALL TO ORDER

Mayor Smith called the meeting to order at 4:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church of Tavares, gave the invocation and led those present in the Pledge of Allegiance. (Pastor Fountain acknowledged the passing of former Mayor Leo Vaughn in his invocation.)

Mayor Smith noted the hearing devices available at the entrance table and requested that cell phones be silenced. He asked those who wished to speak to Council to fill out the form provided at the door.

Mayor Smith noted that Councilmember Pfister would be joining the meeting shortly as she was returning from attending her daughter's graduation from Notre Dame.

III. APPROVAL OF AGENDA

1
2 Mr. Drury requested to move Tab 8 – Ordinance #2015-09 regarding the Keeping of Chickens, to
3 be after Tab 10 in order to accommodate Ms. Pfister.

4
5 **MOTION**

6
7 **Bob Grenier moved for approval of the agenda with the proposed change, seconded by**
8 **Robert Speaks. The motion carried unanimously 4-0.**

9
10 **IV. APPROVAL OF MINUTES**

11
12 **Tab 1) Minutes of May 6, 2015 Regular Council Meeting**

13
14 **MOTION**

15
16 **Robert Speaks moved for approval of the minutes of May 6, 2015 as submitted, seconded**
17 **by Bob Grenier. The motion was approved unanimously 4-0.**

18
19 **V. PROCLAMATIONS/PRESENTATIONS**

20
21 **Tab 2) Presentation of David W. York Award to Utility Department for Reuse System of the**
22 **Year**

23
24 Mayor Smith presented the David W. York Award – Reuse System of the Year for Communities
25 between one million and five million gallons per day to Brad Hayes, Director of Utilities, noting it
26 included all of Mr. Hayes' staff. Mr. Drury added this is significant as it is a statewide award and
27 he commended the City Council for approving re-use and the Utility Department staff for their
28 excellence.

29
30 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE**
31 **COMMUNICATIONS**

32
33 Attorney Williams advised that Tabs 9 and 10 are second readings related to the rezoning and
34 Small Scale Future Land Use Amendment for properties along the north side of Caroline Street.
35 He swore in those who wished to speak. No ex parte communications were reported by City
36 Council.

37
38 **VII. READING OF ALL ORDINANCES/RESOLUTIONS**

39
40 Ms. Barnett read the following ordinances by title only:

41
42 **ORDINANCE 2015-11**

43
44 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**
45 **CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 23,**
46 **DIVISION 3, SECTION 23-14, IMPACT FEE WAIVERS; PROVIDING THAT CITY**
47 **IMPACT FEE WAIVERS MAY BE GRANTED AS AN ECONOMIC**
48 **DEVELOPMENT INCENTIVE ONLY FOR LARGE COMMERCIAL SEAPLANE**

1 ENTERPRISES; DEFINING “LARGE SEAPLANE COMMERCIAL
2 ENTERPRISES”; PROVIDING FOR SEVERABILITY; PROVIDING AN
3 EFFECTIVE DATE.
4

5 **ORDINANCE 2015-09**
6

7 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE
8 LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 3,
9 ENTITLED “DEFINITIONS” TO CREATE A DEFINITION FOR A CHICKEN
10 COOP; AMENDING THE AGRICULTURAL LAND USES ALLOWED UNDER
11 CHAPTER 8, TABLE 8-2, PERMITTED AND SPECIAL USES, BY ALLOWING
12 THE KEEPING OF CHICKENS AS A PERMITTED ACCESSORY USE TO A
13 SINGLE FAMILY DWELLING UNDER CERTAIN CONDITIONS WITHIN THE
14 RFS-A, RSF-1 and RMF-2 ZONING DISTRICTS; ADDING NOTE 31 TO TABLE
15 8-2 THAT PROVIDES THE CONDITIONS AND REGULATIONS TO BE APPLIED
16 TO THE KEEPING OF BACKYARD CHICKENS; SUBJECT TO THE RULES,
17 REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES
18 COUNCIL; PROVIDING AN EFFECTIVE DATE.
19

20
21 **ORDINANCE 2015-06**
22

23 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING A COMBINED
24 TOTAL OF APPROXIMATELY 4 ACRES OF PROPERTY GENERALLY LOCATED
25 ALONG THE NORTH SIDE OF CAROLINE STREET; FROM RESIDENTIAL MULTI-
26 FAMILY (RMF-2) TO MIXED USE (MU); SUBJECT TO THE RULES, REGULATIONS
27 AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;
28 PROVIDING FOR AN EFFECTIVE DATE.
29

30 **ORDINANCE 2015-07**
31

32 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE
33 TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,
34 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON A
35 COMBINED TOTAL OF APPROXIMATELY 2 ACRES OF PROPERTY
36 GENERALLY LOCATED ALONG THE NORTH SIDE OF CAROLINE STREET
37 FROM ALFRED STREET TO ST. CLAIR ABRAMS AVENUE; FROM MEDIUM
38 DENSITY TO MIXED USE COMMERCIAL; PROVIDING FOR SEVERABILITY
39 AND CONFLICTS; PROVIDING FORTRANSMITTAL; AND PROVIDING FOR
40 AN EFFECTIVE DATE.
41

42 **VIII. CONSENT AGENDA**
43

44 Mayor Smith asked if anyone in the audience objected to the Consent Agenda item.
45

46 **MOTION**
47

1 **Bob Grenier moved to approve the Consent Agenda [Tab 3 – Amendment 1 to the State**
2 **Revolving Fund Loan Agreement for Time Extension for Pre-Construction Activities for the**
3 **CRA Stormwater Project; Tab 4 – Amendment 2 to the State Revolving Fund Loan**
4 **Agreement for Drinking Water Rehabilitation in the CRA; and Tab 4 – Amendment 3 to the**
5 **State Revolving Fund Loan Agreement for Wastewater Treatment & Stormwater**
6 **management for the CRA], seconded by Robert Speaks.**

7
8 **The motion carried unanimously 4-0.**

9
10 **IX. ORDINANCES/RESOLUTIONS**

11
12 **First Reading**

13
14 **Tab 7) Ordinance #2015-11 – Impact Fees Waiver for Large Commercial Seaplane**
15 **Manufacturers - Read for First Reading Only**

16
17 **Tab 9) Ordinance #2015-06 – Rezoning of 4 Acres located on the North Side of Caroline**
18 **Street West of St. Clair Abrams from RMF-2 to Mixed Use – City Initiated – Second Reading**

19
20 Mr. Skutt stated this ordinance proposes a rezoning of 14 parcels of property located on the north
21 side of Caroline Street from residential multi-family RMF-2 to Mixed Use. He summarized that
22 when the reconstruction of Caroline Street was being undertaken about a year and a half ago, the
23 City Council requested staff to initiate the rezoning when the project was complete. The Alfred
24 Street corridor is identified as a transition area in the city's Master Plan between predominantly
25 residential areas north of Caroline Street and predominantly commercial uses that are in the
26 downtown core area. He noted he had provided a chart that shows allowable uses under the
27 Land Development Regulations for the RMF-2 zoning and also the Mixed Use Zoning. Between
28 the two, certain low intensity commercial or office uses are allowed with provision that any non-
29 residential use cannot be over 5,000 square feet in area.

30
31 Mr. Skutt reviewed the notification process that had been followed and the presentation at the
32 Planning & Zoning Board meeting. Mr. Drury asked if currently along Caroline Street there is
33 Mixed Use. Mr. Skutt answered that on the south side of Caroline it is entirely Mixed Use and on
34 the north side of Caroline Street it is sporadic. Mr. Drury asked for clarification that when the
35 public meetings were held with the community, that is the use that was approved. Mr. Skutt
36 confirmed that when the Master Plan was created, this was the plan proposed by the community.

37
38 Mayor Smith asked Ms. Sheppard to come forward from the audience.

39
40 (At 4:17 p.m. Councilmember Pfister joined the meeting.)

41
42 **June Sheppard – 1980 Golden Palm Circle**

43
44 Ms. Sheppard said she also owns property on 110 E. Ianthe Street. She said she is concerned
45 that the rezoning will lower values of the residential property that is on the other side of the alley
46 that has to stay residential. In addition she said she is concerned about access by the emergency
47 vehicles on Caroline Street and at the intersections. She asked where handicapped parking
48 would be placed. She said she is concerned about the congestion in that area.

1
2 **MOTION**

3
4 **Bob Grenier moved to approve Ordinance #2015-06, seconded by Robert Speaks.**

5
6 Vice Mayor Grenier noted the city has criteria about what can be built on the vacant lots similar to
7 surrounding properties. Mr. Skutt said the LDR's specify what type of commercial uses would be
8 allowed.

9
10 Councilmember Pfister asked Mr. Drury to summarize Ms. Sheppard's objections.

11
12 Mr. Drury said there are some properties being redeveloped along Caroline Street that are of a
13 mixed use nature. The Master Plan was developed about eight years ago which identified
14 residential, transitional zone, and commercial. The transitional zone is Caroline Street and Alfred
15 Street. The transitional zone means "mixed use." He said the staff is trying to make the whole
16 corridor mixed use to allow either residential or commercial or both. He said Ms. Sheppard's
17 issue is that she has property on the next street up on lanthe and she is concerned that it could
18 devalue that property because someone may not want to live on lanthe if they are close to a
19 mixed use zoning.

20
21 Councilmember Pfister noted there are buffer regulations. Mr. Skutt confirmed and described
22 some of the typical buffers. She asked Mr. Skutt about a convenience store use. Mr. Skutt said a
23 convenience store would only be allowed as a special use that would have to be approved by City
24 Council. It was noted the current commercial use is primarily professional offices.

25
26 **The motion carried unanimously 5-0.**

27
28 **Tab 10) Ordinance #2015-07 – Small Scale Future Land Use Amendment for 2 Acres on the**
29 **North Side of Caroline Street – Second Reading**

30
31 Mr. Skutt said this amendment changes the future land use from medium density residential to
32 mixed use commercial. He said the change does not include the five properties that are between
33 New Hampshire and Sinclair because those properties already have a mixed use commercial
34 land use designation. He said the Planning & Zoning Board voted 3-2 to recommend approval at
35 their April meeting and staff recommends approval.

36
37 **MOTION**

38
39 **Bob Grenier moved to approve Ordinance #2015-07, seconded by Robert Speaks. The**
40 **motion carried unanimously 5-0.**

41
42 **Tab 9) Ordinance #2015-09 – Amendment to Land Development Regulations for the**
43 **Keeping of Chickens in Certain Residential Districts – Second Reading**

44
45 Mr. Skutt stated that on April 15, City Council requested staff to draft a proposed amendment to
46 the code to allow the keeping of chickens. The proposed ordinance mirrors Lake County's
47 regulations regarding backyard chickens. The County allows the keeping of chickens in

1
2 **Tab 11) FDOT Traffic Signal Maintenance and Compensation Agreement**
3

4 Mr. Thompson said the city receives compensation from FDOT annually for the maintenance of
5 the traffic signals that are on state highways within the city limits. The most recent agreement was
6 done in 2002. For the last several months FDOT has been working on a revision to that
7 agreement and the new 20 year agreement is included in the agenda packet that will take effect
8 July 1, 2015.
9

10 Currently Tavares receives \$15,998 a year for the maintenance of the state lights. in the new
11 agreement that will be increased to \$30,400 and will be adjusted every year thereafter. The city
12 has an Interlocal agreement with Lake County for traffic light maintenance currently and have
13 reviewed the requirements of the new agreement. Everything will be handled under the current
14 agreement however the city will probably request a revision to that agreement because the city's
15 costs will go up about \$327.00 per signalized intersection. Staff recommends that City Council
16 approve the new agreement.
17

18 **MOTION**
19

20 **Lori Pfister moved to approve the FDOT Traffic Signal Maintenance and Compensation**
21 **Agreement, seconded by Bob Grenier. The motion carried unanimously 5-0.**
22

23 **Tab 12) Lake County Clerk's Building**
24

25 Mr. Tweedie reported that Council has previously approved the purchase of the Clerk of Court's
26 Public Records Center and adjacent property from the Board of County Commissioners. The
27 closing date of that sale is scheduled for May 27th. Council has approved staff to move forward
28 with a request for proposal to redevelop that property in a manner consistent with the Downtown
29 Master Plan. The RFP should be ready sometime in July. The time frame is unknown for
30 complete redevelopment. Staff has explored the potential disposition of the building. It has been
31 determined that the estimated cost of demolition is about \$65,000 without any environmental
32 concerns or asbestos. Mr. Tweedie advised that it would be prudent for the city to do an
33 environmental asbestos assessment given the age of the building. The County has two firms
34 under contract that could be used to do the assessment. The cost would be about \$5,000.
35

36 Mr. Tweedie reviewed the various options and staff recommendation to have the city do the
37 asbestos environmental assessment report at a \$5,000 cost and report back to the Council the
38 findings for its decision.
39

40 Councilmember Speaks asked about any other environmental concerns rather than just asbestos.
41 Mr. Tweedie said staff had reviewed the property and determined that there did not appear to be
42 any other issues at this time. Mayor Smith asked if there was any downfall to wait and review the
43 RFP results first.
44

45 Mr. Drury said he thought the RFP's might be incomplete because of not knowing the level of
46 asbestos. The downfall is that proposers will not be able to submit firm prices.
47

1 Attorney Williams agreed that he thought the city will be able to get a more competitive bid if the
2 information is available.
3

4 Mayor Smith asked if there were any funds elsewhere besides contingency reserves. Mr.
5 Tweedie responded that he did not have that in his budget. Mayor Smith asked about the plan to
6 sell the generator. Mr. Drury said staff will return to Council after the environmental assessment is
7 complete with a bid for demolishing the property that will include a credit for the generator in
8 addition to some credit for other items in the building.
9

10 Councilmember Pfister questioned the time frame between Option 4 and Option 5. She
11 expressed concern about having another empty building. Mr. Drury said he hoped to return the
12 first meeting in July with the final recommendation, cost and funding.
13

14 **MOTION**

15
16 **Lori Pfister moved to approve Option 5 [Have the City do the asbestos environmental
17 assessment report using one of the County's contractors and report back to the Council
18 the findings and then make a decision whether or not to have the city do the complete
19 demolition work or have the developer do the demolition work.] The motion was seconded
20 by Bob Grenier. The motion carried unanimously 5-0.**
21

22 **Tab 13) Update on Community Grant Program**

23
24 Ms. Barnett reported that the fiscal year 2015 budget included \$2500 for community grants.
25 Council approved a policy in December to allocate grants of up to \$500 each to not for profit
26 organizations with a 501C3 status for social services, senior services, and children services type
27 programs. The program was advertised in December with a deadline of February 1st and staff
28 brought those applications back to Council. On March 18th Council approved three grants: Early
29 Learning, Lifestream, and New Vision for a total of \$1500 which left \$1000 in the budget.
30

31 Ms. Barnett noted the options provided are to re-advertise for additional grants or roll over the
32 remaining funds to include in the next year so that only \$1500 would need to be budgeted to
33 create another \$2500 budget line item for this program.
34

35 **MOTION**

36
37 **Lisa Johnson moved to request staff to re-advertise the Grant Program in order to allocate
38 the remaining funds in the current fiscal year budget, seconded by Robert Speaks.**
39

40 Councilmember Pfister said she preferred to roll over the funds. She asked if there had been a
41 deadline. Mr. Drury noted there was a deadline and three awards were given and the grant
42 program ended. He said the question is whether to use the money and re-advertise or roll over
43 the money into next year's program.
44

45 **The motion failed 4 to 1 as follows:**

46
47 **Kirby Smith No**
48 **Bob Grenier No**

1 **Loti Pfister** **No**
2 **Lisa Johnson** **Yes**
3 **Robert Speaks** **No**

4
5 **MOTION**

6
7 **Lori Pfister moved to approve Option 2 [to roll over the remaining \$1000 into the next**
8 **fiscal year's budget to combine with \$1500 for a total of \$2500.00 for next year's**
9 **community grant program], seconded by Bob Grenier. The motion carried 4-1 as follows:**

10
11 **Kirby Smith** **Yes**
12 **Bob Grenier** **Yes**
13 **Loti Pfister** **Yes**
14 **Lisa Johnson** **No**
15 **Robert Speaks** **Yes**

16
17 **XII. OLD BUSINESS**

18
19 **XIII. NEW BUSINESS**

20
21 **XIV. AUDIENCE TO BE HEARD**

22
23 **Historical Report – Betty Burleigh**

24
25 Ms. Burleigh reported that on this date in 1948 in the Tavares newspaper was the headline
26 "Efficient Volunteer Fire Department under Chief Lansing Taylor and Assistant Chief Paul Reid
27 Results in Lower Insurance Rates." She said that yesterday Tammy Sue of the Police
28 Department took her on a tour and showed her historical photographs that she had enlarged and
29 framed. One of them was the Marshall Charlie Loper, the town Marshall and a civil war veteran.

30
31 Ms. Burleigh noted that she had attended the Public Works Expo on Saturday and that she won
32 the free seaplane ride.

33
34 **XV. REPORTS**

35
36 **Tab 14) City Administrator**

37
38 Mr. Drury welcomed back resident Denise Laratta after a few months absence. He noted that
39 Tavares had made the front cover of the Washington D.C. Transportation Research Board Study
40 on the practice of preserving and developing public use seaplane bases. He said it is a significant
41 recognition for Tavares and will be a tool used worldwide.

42
43 Mr. Drury said he would not be at the next meeting as his daughter is graduating from law school.
44 Lori Houghton will be at the National Government Financial Association Group, so he has asked
45 Attorney Williams to be in charge while he is gone.

46
47 **City Clerk**

48

1 **Economic Development**

2
3 **Human Resources Director**

4
5 **Public Works Director**

6
7 Mr. Thompson invited Council to come to Public Works for its third annual Hot Dog Day tomorrow
8 from noon to 1 pm.

9
10 **Finance Director**

11
12 **Community Services Director**

13
14 **Tab 15) City Council**

15
16 **Councilmember Pfister**

17
18 Councilmember Pfister announced that she had just returned from South Bend Indiana to attend
19 the graduation of her daughter Delaney Pfister from Notre Dame.

20
21 **Vice Mayor Grenier**

22
23 Vice Mayor Grenier added his congratulations to Ms. Pfister. He thanked the staff for continuing
24 to work on the restoration of Squibb Park. He invited everyone present to attend the ceremony on
25 Monday at Umatilla Glendale Cemetery where a special memorial monument was being installed
26 for Private Robert McTureous, a Medal of Honor recipient during WW II. He said he would also be
27 visiting Waldo, Florida in his Yankee uniform to celebrate the paroling of the Florida confederate
28 soldiers who fought in the civil war.

29
30 **Historical information on names of local lakes – Lake Idamere and Lake Elsie:** Vice Mayor
31 Grenier stated that Lake Idamere was identified by that name in 1937. It had originally been
32 named by Major Cooper for his wife Ida and called Lake Ida Mae. Lake Elsie was originally called
33 Hewitt Lake. The owner Sarah Hewitt sold the property to Elsie Butler and then in 1899, Elsie
34 sold several lots to a foreign investment company in Norwich, England. When Ms. Hewitt sold the
35 property to Ms. Butler, the name was changed to Lake Elsie.

36
37 **Councilmember Speaks**

38
39 Councilmember Speaks commended Mr. Thompson on the Public Works Expo on Saturday in
40 Wooton Park. He said he and his wife just visited Jerusalem and the Holy Land for 12 days and
41 he recommended everyone to visit there if they had the opportunity.

42
43 **Councilmember Johnson**

44
45 Councilmember Johnson said on May 30th she will celebrate her three month anniversary at her
46 new location. She said the growth has been phenomenal and she appreciates the support of the
47 community. She said she had a customer come in from Tampa recently who had seen her
48 business on "Yelp" and she encouraged him to take a seaplane ride.

1
2 Councilmember Johnson said her daughter Jordan was graduating from 5th grade and going into
3 6th grade and has been recognized as Student of the Year and next year she will be attending
4 Tavares Elementary School.

5
6 **Mayor Smith**

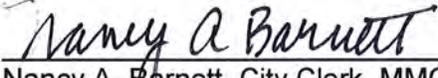
7
8 Mayor Smith commended Mr. Thompson on the Public Works Expo. He said it was very well
9 done and all the departments who participated did a great job.

10
11 Mayor Smith said on this day in history in 1927 Charles Lindbergh started off on his transatlantic
12 flight from Roosevelt Field and a few years later in 1932, Amelia Earhart left Newfoundland for
13 her solo flight.

14
15 **Adjournment**

16
17 There was no further business and Mayor Smith adjourned the meeting at 5:15 p.m.

18
19 Respectfully submitted,

20
21 
22 _____
23 Nancy A. Barnett, City Clerk, MMC

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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JUNE 3, 2015
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

Kirby Smith, Mayor
Bob Grenier, Vice Mayor
Lori Pfister, Councilmember
Lisa Johnson, Councilmember
Robert Speaks, Councilmember

STAFF PRESENT

Nancy Barnett, City Clerk
Robert Q. Williams, City Attorney
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Tammey Rogers, Community Services Director
Jacques Skutt, Director of Community Development
Stoney Lubins, Police Chief

I. CALL TO ORDER

Mayor Smith called the meeting to order at 4:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Chaplain Carlos Colon, Tavares Fire Department, gave the invocation and led those present in the Pledge of Allegiance.

Mayor Smith noted the hearing devices available at the entrance table and requested that cell phones be silenced. He asked those who wished to speak to Council to fill out the form provided at the door.

III. APPROVAL OF AGENDA

Mayor Smith asked if there any changes to the agenda.

MOTION

Lori Pfister moved for approval of the agenda, seconded by Bob Grenier. The motion carried unanimously 5-0.

IV. APPROVAL OF MINUTES

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Tab 1) Minutes of May 20, 2015 Regular Council Meeting

Deferred

V. PROCLAMATIONS/PRESENTATIONS

VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE COMMUNICATIONS

Attorney Williams advised that Tabs 3 and 4 (Variance for garage apartment and for set back) are quasi judicial. He swore in those who wished to give testimony. Council indicated no ex parte communications regarding these variance applications.

VII. READING OF ALL ORDINANCES/RESOLUTIONS

Ms. Barnett read the following ordinances by title only:

ORDINANCE 2015-11

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 23, DIVISION 3, SECTION 23-14, IMPACT FEE WAIVERS; PROVIDING THAT CITY IMPACT FEE WAIVERS MAY BE GRANTED AS AN ECONOMIC DEVELOPMENT INCENTIVE ONLY FOR LARGE COMMERCIAL SEAPLANE ENTERPRISES; DEFINING "LARGE SEAPLANE COMMERCIAL ENTERPRISES"; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

RESOLUTION 2015-07

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS BY ALLOWING A SINGLE FAMILY USE TO EXTEND OVER AN EXISTING DETACHED GARAGE (IN-LAW SUITE) FOR PROPERTY LOCATED AT 939 DORA AVENUE; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

RESOLUTION 2015-08

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS, MINIMUM REAR YARD SETBACK FOR A RESIDENTIAL SINGLE FAMILY (RSF-A) ZONING FOR PROPERTY LOCATED AT 1320 LAKE DORA DRIVE, TAVARES, FL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

RESOLUTION 2015-09

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING THE EXECUTION OF A CONSERVATION EASEMENT AND ACCESS EASEMENT TO THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT; SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

VIII. CONSENT AGENDA

IX. ORDINANCES/RESOLUTIONS

Second Reading

Tab 7) Ordinance #2015-11 – Impact Fees Waiver for Large Commercial Seaplane Manufacturers

Mr. Skutt stated that City Council adopted Ordinance #2011-05 that added a new community economic development initiatives chapter to the Land Development Regulations which provided for a number of economic incentives. One of the incentives was the waiver of impact fees. The City successfully pioneered this concept and then incrementally starting re-implementing the fees to the full cost last summer. A residual general statement remains in the regulations that authorizes the City Council to waive impact fees on a case by case basis. There is a need for guidelines and criteria that would assist the Board on whether or not to waive impact fees.

He said the city first implemented this program when it was competing with other cities for a large seaplane manufacturer who desired to relocate from California to Florida. The general waiver was inserted into the regulations to specifically incentivize that company and others that might follow. Ultimately although that manufacturer chose not to relocate to Florida, Tavares, as America's Seaplane City, would realize economic benefits if a large enterprise would locate in the city.

The proposed ordinance clarifies that this incentive is applicable to a seaplane commercial enterprise that is subject to capital charges in excess of 25 ERU's or which hires 25 or more full time employees. Staff recommends approval.

MOTION

Lori Pfister moved to approve Ordinance #2015-11, seconded by Bob Grenier.

The motion carried unanimously 5-0.

Tab3) Resolution #2015-07 – Variance to Allow a Single Family Use to Extend Over an Existing Detached Garage (in-law suite) – 939 Dora Avenue

Mr. Skutt said this variance has been received from Richard Fetter to allow for the conversion of a loft over an existing detached garage to an in-laws suite at 939 Dora Avenue. He said the garage was constructed in 2008 and located in the rear yard of the property abutting the rail lines. The garage has external stairs leading to an upstairs storage loft and deck area. The applicant

1 proposes to add a dormer to the upstairs area and to convert this floor space into a dwelling suite
2 to be occupied by his in-laws during the winter months. The property is zoned RSF-1 Residential
3 Single Family and although a guest apartment is not a permitted use, a single family use is a
4 permitted use. He said provided there are no objections by existing neighbors, staff is supportive
5 of this variance.

6
7 Mr. Skutt said on the May 21st meeting, the Planning & Zoning Board suggested the proposed
8 resolution be amended by adding a condition that under no circumstances shall the dwelling suite
9 be rented out or occupied by a third party or unrelated person. This amendment was made and
10 the Board voted unanimously to recommend approval.

11
12 Councilmember Pfister asked if the owner cares about this condition as it would be attached to
13 the property going forward. She asked about the existing code.

14
15 Attorney Williams noted the code dictates that in all of the single family neighborhoods, there can
16 only be one family in that home. The home cannot be divided into a duplex and rooms are not
17 supposed to be rented (i.e. a boarding house scenario). He said this would mirror a similar law in
18 the county for a mother in law suite.

19
20 Richard Fetter – Owner – 939 Dora Avenue

21
22 Mr. Fetter said he does not have any objection to the restriction and he did not plan to sell the
23 property any time soon.

24
25 Mayor Smith asked if there would be a third vehicle trying to get access to the back of the
26 property. Mr. Fetter said it is a possibility and he was considering putting in a driveway later on.

27
28 Councilmember Pfister asked if there was a limitation on how many cars can be on the property.
29 Attorney Williams said the City dictates where cars have to be parked (i.e. not the front yard,
30 easement, etc.) Mayor Smith asked Mr. Fetter for confirmation that the proposed apartment
31 would be a mother in law suite and Mr. Fetter said that was correct.

32 Councilmember Speaks asked about the noticing and whether there had been any comments
33 from the neighbors. Mr. Skutt said there was one question at the Planning & Zoning Board but no
34 objections.

35
36 **MOTION**

37
38 **Robert Speaks moved to approve Resolution #2015-07, seconded by Bob Grenier. The**
39 **motion carried unanimously 5-0.**

40
41 **Tab 4) Resolution #2015-08 – Variance for Setback of 44 Feet from Edge for Construction**
42 **of Sunroom at 1320 Lake Dora Drive**

43
44 Mr. Skutt said this is a variance application from Barry Ward for reduction of the required
45 minimum rear yard setback of 50 feet to a natural body of water for property located at 1320 Lake
46 Dora Drive. The owner wishes to demolish an existing wooden screen room and replace it with a
47 new aluminum screen room located in the rear of the home. The proposed rear yard of the new

1 room will be 44 feet from the rear yard lot line. This property is a legal non-conforming undersized
2 lot for the RSF-A zoning district. The city has approved other setback variances in this area.
3

4 On May 21st the Planning & Zoning Board voted unanimously to recommend approval and staff
5 recommends approval.
6

7 **MOTION**

8
9 **Lori Pfister moved to approve Resolution #2015-08, seconded by Robert Speaks. The**
10 **motion carried unanimously 5-0.**

11
12 **Tab 6) Resolution #2015-09 – Dedication of Conservation Easement and Access Easement**
13 **to St. Johns Water Authority for Squibb Park Property and Property at US 441 adjacent to**
14 **Squibb Park off Dead River Road**

15
16 Attorney Williams advised that this matter is in conjunction with the Master Stormwater Plan for
17 the pond that is in the process of being permitted located behind the jail. Because the wetlands
18 are being disturbed the city must provide mitigation and the consultants have recommended that
19 the city grant a conservation easement over existing city-owned property generally known as
20 Squibb Park and the McLeod property. These were large pieces of property donated to the city
21 years ago. He noted the property is already being maintained in a natural state and there are no
22 plans to utilize it otherwise. He said Exhibit A which is in the packet depicts the access to Squibb
23 Park where it comes off of Dead River Road. There is a small parking area and a small finger of
24 easement that runs into the park. The parking area is being exempted from the easement in case
25 the city decided to make improvements to the parking area. An access easement will be granted
26 over the cross hatched area where the parking is located.
27

28 Councilmember Speaks asked about any other deed restrictions. Attorney Williams said the deed
29 restrictions were to leave the property in its natural state.
30

31 **MOTION**

32
33 **Lori Pfister moved to approve Resolution #2015-09, seconded by Bob Grenier. The motion**
34 **carried unanimously 5-0.**
35

36 **XI. GENERAL GOVERNMENT**

37
38 **Tab 6) Library Board Appointments**

39
40 Mayor Smith requested to appoint Duane Demente to the Library Board and to re-appoint Martha
41 Wilkins, Doris Ragan, and Martha Drees to the Library Board for the term 2015-2017.
42

43 **MOTION**

44
45 **Robert Speaks moved to accept the Mayor's appointments, seconded by Bob Grenier. The**
46 **motion carried unanimously 5-0.**
47

48 **XII. OLD BUSINESS**

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XIII. NEW BUSINESS

XIV. AUDIENCE TO BE HEARD

Betty Burleigh – 214 N. New Hampshire

Ms. Burleigh reported that last month the Historical Society lost a life member, Leo Vaughn. She said that Mr. Vaughn was a Senior Chief Petty Officer, having served 30 years in the Navy during World War II, Korea, and Viet Nam. He was a former Mayor and President of the City Council and a proud member of the Cherokee Nation.

Historical Report:

Ms. Burleigh said that in 1985, Jack Smith, son of Gene and Brenda Smith, was selected by the Cincinnati Reds in the Junior College draft. He attended Seminole College on a baseball scholarship for three years.

XV. REPORTS

Tab 14) City Administrator

Attorney Williams said his first day as “Acting City Administrator” has been uneventful. He noted Mr. Drury’s daughter is graduating from the Cardozo Law School in New York City.

Ms. Barnett noted the events are listed through November in the City Administrator report.

City Clerk

Economic Development

Human Resources Director

Public Works Director

Finance Director

Community Services Director

Tab 15) City Council

Councilmember Pfister

Vice Mayor Grenier

Vice Mayor Grenier commented that the Chicago Black Hawks are in the Stanley Club and the first game is tonight.

1 Vice Mayor Grenier said he would not be present for the next City Council meeting as he would
2 be visiting his father.

3
4 Historical: Mr. Grenier said that Doris Ragan holds the keys to the city of Tavares and twice has
5 had Doris Ragan Day proclaimed by the Mayor. The first time was on June 2, 1981 by Mayor
6 Eugene W. Glenn and then again on June 20, 2002 by Mayor Robert Speaks. In 2009 Ms. Ragan
7 was inducted into the Lake County Women's Hall of Fame. In addition yesterday 135 years ago,
8 Major Alexander t. Clair Abrams brought his first parcel of property that would become the City of
9 Tavares. He added that 50 years ago today in 1965 on Gemini IV, Astronaut Ed White, was the
10 first person to do a space walk.

11
12 Councilmember Speaks

13
14 Councilmember Speaks said 50 years ago this Friday he graduated from high school and he will
15 not be at the next meeting as he will be in Ohio at his 50th reunion. He noted that Cincinnati Reds
16 was a great team.

17
18 Councilmember Johnson

19
20 Councilmember Johnson said there was an error on the City Administrator's report in the events
21 list: The Hydro Cross Finals should be changed to June 13 and 14th. She applauded the Tavares
22 Police Department for capturing the driver recently arrested in a high speed chase that had the
23 potential for harming many individuals.

24
25 Mayor Smith

26
27 Mayor said that on this day in 1539 Hernando De Soto claimed Florida for Spain and that in 1888
28 the poem "Casey Strikes Out" was written.

29
30 He added that today is National Repeat Day.

31
32 Adjournment

33
34 There was no further business and the meeting was adjourned at 4:32 p.m.

35
36 Respectfully submitted,

37
38 

39
40 Nancy A. Barnett, City Clerk, MMC

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
June 17, 2015**

AGENDA TAB NO. 2

SUBJECT TITLE: Three Party Escrow Agreement with FDOT for Community Aesthetic Feature Escrow Deposit

OBJECTIVE:

To request authorization for the City Administrator to sign the Three Party Escrow Agreement between the City of Tavares and the Florida Department of Transportation (FDOT).

SUMMARY:

Previously, the Council, approved Resolution Number 2014-25 authorizing a Community Aesthetic Feature Agreement with the Florida Department of Transportation for a stand-alone Seaplane Marker to be located in the Daniels Pond on the corner of SR441 and SR 19.

Currently the permit for the stand-alone Seaplane Marker is in progress. As part of the permit package, the FDOT required an initial deposit of \$2,500 to be held indefinitely for the placement of the Seaplane feature. (*The deposit will be held until the removal of the Seaplane Feature.*)

So that the City may receive interest on the escrowed deposit, the FDOT has requested that the City execute a "Three Party Escrow Agreement" which provides a mechanism for the City to request and to receive interest on the funds held.

OPTIONS:

1. Move to approve the Three Party Escrow Agreement with FDOT and authorize the City Administrator to sign and execute the agreement.
2. Do not approve the Three Party Escrow Agreement.

STAFF RECOMMENDATION:

Option 1: Move to approve the Three Party Escrow Agreement with FDOT and authorize the City Administrator to sign and execute the agreement.

FISCAL IMPACT: There are no costs associated with this agreement.

Funding Source: N/A

LEGAL SUFFICIENCY: Legally sufficient.

Lori Houghton

From: LoPiccolo, Victor [Victor.LoPiccolo@dot.state.fl.us]
Sent: Monday, June 08, 2015 10:57 AM
To: Lori Houghton
Subject: three party escrow agreement
Attachments: Tavares Three Party Escrow Agreement.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Follow-up Needed

Good Morning Lori,

I have attached a [Tree Party Escrow Agreement](#), which pertains to the Community Aesthetics Feature (Seaplane). This agreement is for the purpose of establishing an account for the City and to pay interest payments on the deposit. Kindly complete the 'participant' section and email the agreement back to me as soon as possible.

Please note that if the City wishes to receive annual interest payments, you will need to email me annually to request the payment. Of course, the City also has the option to let the interest accumulate until the deposit is returned (when the structure is removed).

If you have any questions, please feel free to contact me, thank you!

Victor A. LoPiccolo

Project Manager, Special Projects
FDOT District Maintenance
719 South Woodland Blvd.
DeLand, Florida 32720
(386) 943-5287

THREE PARTY ESCROW AGREEMENT

THIS AGREEMENT is made and entered into by and between the State of Florida, Department of Transportation ("FDOT"), City of Tavares ("Participant"), and the State of Florida, Department of Financial Services, Division of Treasury ("Escrow Agent"), and shall become effective upon the Agreement's execution by Escrow Agent.

WHEREAS, FDOT and Participant are engaged in the following project ("Project"):

Project Name: City of Tavares Sea Plane
Project #: 2014-M-592-1
County: Lake

WHEREAS, FDOT and Participant desire to establish an escrow account for the project.

NOW THEREFORE, in consideration of the premises and the covenants contained herein, the parties agree to the following:

1. An initial deposit will be made into an interest bearing escrow account established hereunder for the purposes of the Project. The escrow account will be opened with the Escrow Agent on behalf of FDOT upon Escrow Agent's receipt and execution of this Agreement.
2. Other deposits to the escrow account may be made during the life of this agreement.
3. Deposits will be delivered in accordance with instructions provided by the Escrow Agent to the FDOT for deposit into the escrow account. A wire transfer or ACH deposit is the preferred method of payment and should be used whenever possible.
4. FDOT's Comptroller or designee shall be the sole signatory on the escrow account with the Escrow Agent and shall have sole authority to authorize withdrawals from the account. Withdrawals will only be made to FDOT or the Participant in accordance with the instructions provided to the Escrow Agent by FDOT's Comptroller or designee.
5. Moneys in the escrow account will be invested in accordance with section 17.61, Florida Statutes. The Escrow Agent will invest the moneys expeditiously. Income is only earned on the moneys while invested. There is no guaranteed rate of return. Investments in the escrow account will be assessed a fee in accordance with Section 17.61(4)(b), Florida Statutes. All income of the investments shall accrue to the escrow account.
6. Unless instructed otherwise by FDOT, all interest accumulated in the escrow account shall remain in the account for the purposes of the Project.

7. The Escrow Agent agrees to provide written confirmation of receipt of funds to FDOT. FDOT agrees to provide a copy of such written confirmation to Participant upon request.
8. The Escrow Agent further agrees to provide quarterly reports to FDOT concerning the escrow account. FDOT agrees to provide a copy of such quarterly reports to Participant upon request.
9. The Escrow Agent shall not be liable for any error of judgment or for any act done or omitted by it in good faith, or for anything which it may in good faith do or refrain from doing in connection herewith.
10. Escrow Agent shall have no liability for any claim, cost, expense, damage or loss due to the acts or omissions of FDOT and Participant, nor from any separate agreements between FDOT and Participant and shall have no responsibility to monitor or enforce any responsibilities herein or in any separate agreements associated with this Agreement between FDOT and Participant.
11. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Florida.
12. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.
13. This Agreement shall terminate upon disbursement by the Escrow Agent of all money held by it in the escrow account in accordance with the instructions given by FDOT's Comptroller or designee and notification from FDOT to Escrow Agent that the account is to be closed.

The remainder of this page is blank.

IN WITNESS WHEREOF, the parties have duly executed the Agreement on the date(s) below.

For FDOT-OOC (signature)

Name and Title

59-3024028

Federal Employer I.D. Number

Date

FDOT Legal Review:

For Escrow Agent (signature)

Name and Title

Date

City of Tavares

For PARTICIPANT (signature)

Name and Title

Federal Employer I.D. Number

Date

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 17, 2015**

AGENDA TAB NO: 3

**SUBJECT TITLE: Request for Reduction in Impact Fees
Cagan Management Group – Planned Subdivision at Huffstetler and
Ann Rou Road**

OBJECTIVE:

For City Council to review and decide upon an impact fee reduction request for a proposed 516 unit phased apartment complex development from Cagan Management Group.

SUMMARY

Staff has received a request from Mr. Jeff Cagan of Cagan Management group (see attached letter to Mr. Drury dated May 20, 2015) for a reduction of impact fees from the currently applicable rate of \$4,406.01 per apartment unit to \$1,468.52 per unit, which was the applicable impact fee rate in 2013 at the time when the Cagan Group had originally anticipated moving forward with the project development, which was delayed due to unforeseen issues (please see attached impact fee abatement summary for additional background).

OPTIONS:

1. To approve the requested impact fee reduction.
2. To not approve the request.

STAFF RECOMMENDATION:

Staff recommends that the Council moves to not approve the requested impact fee reduction.

FISCAL IMPACT:

Approval of the requested impact fee reduction will result in the City receiving only \$757,756.32 in impact fee revenue or \$1,515,744.84 less than the full current rate impact fee revenue of \$2,273,501.16, for the entire 516 unit development.

- Water Wastewater - \$1,857,600
- Fire - \$173,210.88
- Police - \$158,133.36
- Parks - \$84,556.92
- TOTAL: \$2,273,501.16

LEGALLY SUFFICIENT

Legally sufficient.



responsive. proactive. experienced.

www.cagan.com

May 20, 2015

Mr. John Drury
City Manager
201 E. Main Street
Tavares, FL 32778

VIA ELECTRONIC MAIL

RE: Ann Rou Road/Huffstetler Drive – Impact Fee Abatement

Dear John,

As you are aware our firm is in the process of developing the first phase of a 516-unit apartment complex at the intersection of Huffstetler and Ann Rou Road. The first phase is scheduled to be 240-units with a planned occupancy of the fall of 2016.

Our firm has been operating in Lake County since the mid-1990's with the development of Cagan Crossings in Clermont and Bristol Lakes in Mount Dora. With our knowledge and operating experience in the area and preference for the County we identified a need for additional housing units in 2012 and began a search for a suitable site.

In early 2013 we were introduced to the site at Huffstetler and Ann Rou Road, which peaked our interest as we were familiar with the area due to Bristol Lakes in Mount Dora. As we began the site evaluation process of the various sites that we identified during our search we eventually agreed to the Tavares site primarily due to the waiver of impact fees. We then entered into a contract to acquire the site in May of 2013 with an expectation to close and break ground soon thereafter. At the time the contract was entered into there were zero impact fees.

As we began the 'closing process' we soon experienced various difficult and unexpected hurdles that were beyond our immediate control that greatly delayed the closing and our ability to pull permits. The complications surrounded the desired use and the seller's ability to provide marketable title. While these obstacles seemed impossible to solve we remained committed to the site and the City and endeavored on what concluded to be a two year process to cure and close the site.

With the matters cured we executed the closing and commenced the final design process to begin construction. While the matters were cured the correction period exceeded anyone's

Illinois 3856 Oakton Street Skokie, IL 60076 ph: 847.679.5512 f: 847.679.5516

Florida 16554 Cagan Crossings Blvd Clermont, FL 34714 ph: 352.242.2444





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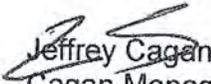
expectation and during this period of time that was beyond our control the impact fee waivers were rescinded, which is one of the primary reasons we initially chose the site in 2013.

Presently, the impact fees are \$4,406.01 per unit, while they were \$1,468.52 per unit at that time we anticipated pulling the necessary permits in the fall of 2013. We are requesting the City's consideration in honoring the impact fees in the fall of 2013 of \$1,468.52 per unit for both phases of the project for up to a two year period as we were unable to acquire the necessary permits in 2013 due to matters beyond our control. With full impact fees the feasibility of the project may be called into question.

We were drawn to the site initially due to the lower impact fees and we believe that there is an immediate need for this housing due to the City's aggressive expansion for new employers in the area as they evaluate the availability of housing for their workers. Additionally, during our market research we learned that many workers are leaving the City for housing needs and this would provide them an opportunity to live and work within the City which will provide for additional spending at local businesses and attract new retailers due to the additional rooftops.

We appreciate the City's consideration on this matter.

Sincerely,


Jeffrey Cagan
Cagan Management Group

Illinois 3856 Oakton Street Skokie, IL 60076 ph: 847.679.5512 f: 847.679.5516

Florida 16554 Cagan Crossings Blvd Clermont, FL 34714 ph: 352.242.2444



IMPACT FEE ABATEMENT SUMMARY

Early in 2013 the subject property was reviewed as a potential multi-family project. Cagan Management has a history of constructing, owning and operating successful projects in the Golden Triangle area.

Due diligence was performed and a complete site evaluation was conducted. The project site was selected based upon a number of positive factors, including the City Waiver of Impact Fees that was in effect at that time. A Contract was entered into in May 2013 to purchase the property.

The "closing process" was begun immediately and difficulties were encountered. The difficulties included marketable title issues, obstacles created by the Seller including future development issues.

The required rezoning of the property was pursued including preliminary meetings with City Staff and the submittal of applications and supporting information. The second reading of the rezoning petition was heard by the City Council on October 15, 2014. Resistance from the Seller continued to be encountered including a request that the City table the rezoning petition to allow further discussion between the Seller and Cagan regarding future development of the Seller's remaining property. This request was denied by the City and the rezoning was approved as requested.

Although the obstacles were seemingly impossible to solve, Cagan Management remained committed to developing in the City based upon an unmet need for multi-family residential apartments. The matters were eventually cured and the purchase proceeded to closing. As part of the remedy of the matters encountered, an additional 20 acres of land was included in the purchase from the Seller. The total property purchased was 43+ acres and the additional land was petitioned for rezoning to the RMF-3 district, which allow for medium density residential at 12 dwelling units per acre. The rezoning was subsequently approved by the City. The total project is now planned for 516 apartment units.

Based upon these circumstances, and primarily due to the delays encountered that prevented development of the project plans and subsequent permitting for construction, a request has been submitted to honor the collection of impact fees based on rates that were in place in the fall of 2013.

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: JUNE 17, 2015**

AGENDA TAB NO. 4

SUBJECT TITLE: Acceptance of Grant for LifePak 15 for Cardiac Monitor

OBJECTIVE:

To present City Council with a request to accept a State of Florida Grant from the Department of Health for a LifePak 15 Cardiac Monitor in the amount of \$26,250.00 with 25% grant match which is included in the FY2016 Proposed Budget.

SUMMARY:

The City of Tavares became an Advanced Life Support (A.L.S.) provider through its Fire Department on October 1, 2013. One crucial and required piece of equipment required by an A.L.S. provider is the cardiac monitor. The cardiac monitor accepted in the Lake County emergency medical system is the Physio-Control LifePak 15. The LifePak 15 should remain the standard cardiac monitor for the next 10 to 12 years. At \$35,000 per unit, the cardiac monitor is the most expensive piece of equipment in an A.L.S. program.

In 2013, the City of Tavares received a Florida Department of Health grant toward the purchase of a cardiac monitor in the amount of \$26,250. This monitor is currently used at Station 1 in the City's ALS Program.

This second monitor will be used at Station 29 and will also serve as a back-up monitor and for events.

The fiscal year 2015-2016 proposed budget includes a grant match of \$8,750 for this grant.

The City has received notification that upon acceptance of the grant, the City will receive a check in the amount of \$26,250 for the purchase.

Option 1:

Move to accept the State of Florida Department of Health grant of \$26,250 for a cardiac monitor, with the understanding that the cardiac monitor will not be

purchased until after October 1, 2015, when the 25% grant match funds (\$8,750) are available in the Fire Department's budget.

Option 2:

Do not accept the grant of \$26,250.

STAFF RECOMMENDATION:

Move to accept the State of Florida Department of Health grant of \$26,250 for a cardiac monitor, with the understanding that the cardiac monitor will not be purchased until after October 1, 2015, when the 25% grant match funds (\$8,750) are available in the Fire Department's budget.

FISCAL IMPACT:

\$8,750 from the FY 15/16 Fire Department budget for LifePak 15 Grant Match.

LEGAL SUFFICIENCY:

City Attorney Robert Q. Williams has reviewed the issue for legal sufficiency.

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.

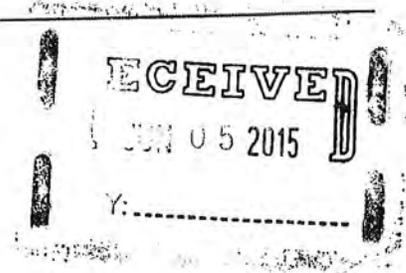


Vision: To be the Healthiest State in the Nation

Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

June 1, 2015



Richard Keith, Fire Chief
City of Tavares, Fire Department
424 East Alfred Street
Tavares, Florida 32778

Dear Chief Keith:

I am pleased to award Emergency Medical Services (EMS) Matching Grant, ID Code M4073 in the amount of \$26,250.00 to Tavares Fire Department. Your required local cash match is \$8,750.00, with a total budget of \$35,000.00. The purpose of this grant is to improve and expand EMS by assisting your organization in the purchase of one 12 lead ECG cardiac monitor with maintenance. Section 401.113(2) (b), Florida Statutes, authorizes and requires this grant program (number 64.003 in the Florida Catalog of State Financial Assistance), which is funded through the Florida Department of Health's EMS Trust Fund. There are no federal funds involved.

Your funds for the state amount will be sent in full, in advance, within approximately 30 days. The grant begins the date of this letter and ends June 30, 2016. Please note it is a requirement that you report grant activities and purchases to the state by the third week of November 2015, March 2016, and July 2016 (which will be your final report). Your signed grant application affirms you have read, understand and will comply with the conditions and requirements in the "Florida EMS Matching Grant Program Application Packet, December 2008." You can obtain a copy from your identified contact person.

Thank you for your participation in this state EMS grant program. If you need assistance, you may contact Mr. Alan Van Lewen, Health Services and Facilities Consultant in the Bureau of Emergency Medical Oversight, Emergency Medical Services Section at (850) 245-4440, extension 2734.

Sincerely,

Cindy E. Dick, MBA, EFO
Division Director
Emergency Preparedness and Community Support

CED/avl

cc: Helen Vilissov, Administrative Officer

Florida Department of Health
Division of Emergency Preparedness and Community Support
4052 Bald Cypress Way, Bin A-22 • Tallahassee, FL 32399-1722
PHONE: 850/245-4440 • FAX 850/921-8162

www.FloridaHealth.gov
TWITTER: HealthyFLA
FACEBOOK: FLDepartmentofHealth
YOUTUBE: fldoh
FLICKR: HealthyFla
PINTEREST: HealthyFla

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: June 17, 2015**

AGENDA TAB NO. 5

SUBJECT TITLE: Budget Workshop – General Fund Presentation

OBJECTIVE: To discuss the Fiscal Year 2016 Budget (October 1, 2015 through September 30, 2016) General Fund.

SUMMARY:

Council previously discussed the broad budget priorities for the City Administrator to use as guiding principles in developing a budget (see attached minutes from February 4, 2015 City Council Meeting). The City Administrator has incorporated those discussions into the draft budget for all funds.

The draft budget reflects a millage rate decrease from 6.7283 mills to 6.6166 for FY 2016 for the General Fund and a millage rate decrease for the Debt Service millage rate from 0.4286 down to 0.40675.

This first budget workshop (June 17th) is to present the General Fund and the second budget work shop on July 1st is to present the enterprise funds (Water, Wastewater, Reclamation, Stormwater, Solid Waste, Seaplane Base/Marina, and the Pavilion on the Lake.

The Five Year Capital Plan will be presented at the July 17, 2015 workshop, and the maximum millage rate will be set at the July 17, 2015 workshop as well as. Two additional Council workshops are scheduled for August followed by two Public Hearings on the budget in September.

GENERAL FUND BUDGET:

The City Administrator and his staff have developed a General Fund budget for Fiscal Year 2015 for Councils consideration totaling \$14,107,361 that is fully balanced. It is 3.18% higher than prior year budget. It includes, among many other items, the following:

1. Similar Level of Service
2. Increase Reserves by \$25,332 (non-appropriated revenue)
3. Estimated Reserves 8.72 (90% for emergency and 10% for contingency)
4. Employee raises of 5%
5. One new position (Police Officer – mid-year hire).
6. Employee fitness program
7. Signature fall event
8. Wooton Park Memorial
9. Street Resurfacing Program
10. Fire Assessment level funded
11. Fire Truck Purchase with Capital Lease

- 12. City Hall Chiller with Capital Lease Purchase
- 13. Debt Service millage rate down 0.02185 mills
- 14. General Fund millage rate down 0.1117 mills
- 15. Increase reserves

The impact of these millage rate decreases on a homesteaded property valued at \$150,000 is as follows:

General Fund millage decrease = \$11.17 per year (\$.93 per month) – *with homestead exemption*
Debt Service millage decrease = \$ 2.19 per year (\$.18 per month) – *with homestead exemption*
Total millage decrease = \$13.36 per year (\$1.11 per month)

RECOMMENDATION:

It is recommended that the Finance Director present the General Fund budget (Expenses and Revenues), department by department during which and/or after which the Council can ask pertinent questions or make pertinent comments.

1 **Lori Pfister moved for approval of Richard Keith to the Fire Pension Board, seconded by**
2 **Bob Grenier. The motion carried unanimously 5-0.**

3
4 **Tab 8) Council Representation in Police & Fire Union Bargaining Sessions**

5
6 Mr. Drury noted each year the City's Management Union Bargaining Team negotiates and
7 bargains its labor agreements with the Police and Fire Labor Bargaining Teams. Mr. Drury said
8 the city is seeking Council replacements. He said there are approximately 5 bargaining meetings
9 before an agreement is brought back to Council and the Union members for approval.

10
11 Vice Mayor Grenier volunteered for the Fire Union Negotiation Bargaining Team.

12
13 Councilmember Speaks volunteered for the Police Union Negotiations Bargaining Team.

14
15 **Tab 9) Council Budget Priorities & Goals for Fiscal Year 2016 Budgeting Process**

16
17 Mr. Drury said he will begin the budget process at the end of the month and asked for Council to
18 provide broad/high level budget goals for the next fiscal year October 1, 2015 to September 30,
19 2016. He said that he will incorporate the broad budget goals into the discussions with the
20 management team and develop a line item detailed budget. The budget will be brought back
21 before Council for review and discussion at public meetings that are held throughout the
22 budgeting process.

23
24 The following were broad budget goals identified by each Councilmember:

25
26 Councilmember Pfister

- 27 • Alfred Street Landscaping
- 28 • More funding for Library Expansion

29
30 Vice Mayor Grenier (he said he would provide ideas and thoughts throughout the next few
31 months)

- 32 • Old 441 Corridor from Mt. Dora Gateway Improvements
- 33 • New Phase of Tavares (Lane Park Side of Tavares) well planned with a balance between
34 conservation green space and commercial businesses like Publix

35
36 Councilmember Speaks

- 37 • Implement and Fund for Street and Road Improvements/Repair 5 Year Plan
- 38 • Maintain Level of Service for Utilities and Services
- 39 • Budget Numbers for Clerk of Court Recording Building – Line items to maintain until it is
40 sold.
- 41 • Stay on top of income, expenses, and debt service coverage.

42
43 Councilmember Johnson

- 44 • Compensation for Employees
- 45 • Maintain same Level of Service
- 46 • Continue growth downtown for Small Businesses

1
2 Mayor Smith

- 3 • Do what we can to reduce millage rate while keeping same level of service – making
- 4 marina and pavilion self sufficient and returning monies back into the General Fund
- 5 • Increase Economic Development Impact – New Economic Development Director –
- 6 someone who can continue to grow the city so that we can continue to have our small
- 7 town feel but enjoy some of the niceties of larger cities
- 8

9 Mr. Drury thanked Council. Mayor Smith thanked the Department Directors.

10
11 **Tab 10) Discussion on Request to Waive Deposit for Sunset View/Three Lakes Utility**
12 **Accounts**

13
14 Mayor Smith said that during the January 21, 2015 City Council Meeting a request was made by
15 a citizen regarding waiving the deposits for the Sunset View/Three Lakes Utility accounts.

16
17 Ms. Houghton said the current rate Ordinance (Ordinance 2009-22) states that residential
18 deposits shall be \$175.00. On January 20, 2010 Council adopted Ordinance 2009-36 which
19 provides utility deposit waivers with specific waiver criteria for existing customers in good
20 standing. Should Council elect to grant deposit waivers for new connections at Sunset
21 View/Three Lakes Mobile Home Park community, an amendment to the current rate Ordinance
22 2009-22 would be required. Staff does not recommend waiving the deposits and to return said
23 deposits to each account holder after one year of on-time payments per the current ordinance.

24
25 Mayor Smith asked for comments from Council.

26
27 **MOTION**

28
29 **Robert Speaks moved to approve Option 2 of the staff recommendation [Do not waive**
30 **deposits for Sunset View/Three lakes Mobile Home Park Assessed Properties and return**
31 **said deposits to each account holder after one year of on time payments per current**
32 **ordinance], seconded by Bob Grenier. The motion carried unanimously 5-0.**

33
34 **Tab 11) Update on Interlocal Services Boundary Agreement (ISBA)**

35
36 Mr. Drury said the Interlocal Service Boundary Agreement (ISBA) is being negotiated with Lake
37 County, Mount Dora, Leesburg, Astatula, Eustis, and Tavares which will define the city's future
38 incorporated area for the next 20-50 years. He said Mayor Smith and the City Attorney have
39 attended the meetings and negotiated a good boundary. A map has been developed to identify
40 the future ISBA. Leesburg, Mount Dora, Eustis, and Astatula have agreed to the boundary line.
41 He said all of the cities are in concert and Lake County will craft an ISBA agreement. Once the
42 agreement is adopted by the County then it will come before Council for approval.

43
44 Mr. Drury said the agreement includes that Lake County will reimburse the city for fire responses
45 for the first time in the city's history.

46
47 Mayor Smith asked for comments and questions from Council. There were none.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 17, 2015**

AGENDA TAB NO. 6

SUBJECT TITLE: City Administrator Report

OBJECTIVE: To inform Council on city related matters.

SUMMARY: Will be presented at meeting

UPCOMING MEETINGS: (check with Susie Novack for any last minute changes)

- Regular City Council Meeting – July 1, 2015 – 4:00 p.m.
And Budget Workshop –Presentation on Enterprise Funds
- Regular City Council Meeting – July 15, 2015 – 4:00 pm.
And Budget Workshop – Presentation on Utility Funds & Special Funds and
Set Maximum Tentative Millage Rate
- Code Enforcement Special Magistrate Hearing – June 23, 2015 - CANCELLED
- Library Board – June 17, 2015 - Library Conference Room – 2:00 p.m.
- Planning & Zoning Board – June 18, 2015 – City Council Chambers – 3:00 p.m.
- Lake Sumter MPO – June 24, 2015 – 2 p.m. MPO Board Room, Leesburg
- Lake County League of Cities Luncheon Meeting – July 10, 2015 – 12:00

EVENTS

- July 4, 2015 – “Celebrating the American Dream” – At Wooton Park – Parade
Begins at 5:00 p.m.
- September 10 - Tavares Chamber of Commerce Red Gala Event
- September 25-27 – Rifles, Rails & History
- October 24, 2015 – Monster Splash
- October 23-24, 2015 – Howl-o-Fest
- October 31 – November 1 2015 – HydroDrags World Championships
- Z- Fest 2015
- November 13-15 – CRA Fall Thunder Regatta

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
JUNE 17, 2015**

AGENDA TAB NO. 7

SUBJECT TITLE: City Councilmembers Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

Council will be offered an opportunity to provide a report at the meeting.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

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