

**AGENDA
TAVARES CITY COUNCIL**

**OCTOBER 7, 2015
4:00 P.M.**

TAVARES CITY HALL COUNCIL CHAMBERS

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church of Tavares

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) City Council Regular Meeting & Public Hearing – September 3 Mayor Smith
and September 16, 2015

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Lake County Children’s Memorial Garden John Drury

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

Tab 3) Approval of Air Boss Contract for Monster Splash Bob Tweedie

IX. ORDINANCES/RESOLUTIONS

FIRST READING

SECOND READING

RESOLUTIONS

Tab 4) Resolution #2015-13 – Vacate of Old Lane & Jackson Plat of

**c. 1887 (Lots, Blocks, Roads) Superimposed Over Shanti Niketan Phase 4 –
South of Slim Haywood/North of Camp Road**

X. GENERAL GOVERNMENT

Tab 5) Jones Brothers Lease Extension Request	Bob Tweedie
Tab 6) Interlocal Agreement with Lake County for Alfred Street Stormwater & Road Maintenance	Attorney Williams
Tab 7) Tavares Square (Clerk's Building) – Project Update	Bob Tweedie
Tab 8) Authorization to Dispose of Vehicles	Lori Houghton
Tab 9) Policy on Waiving Pavilion Fees for School Fundraisers	Tammy Rogers
Tab 10) Reappointment to Lake Community Action Agency	Mayor Smith
Tab 11) Wayfinding Program – Signage Update	Jacques Skutt

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 12) City Administrator	John Drury
Tab 13) 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.

The Language of Local Government

Definition of Terms

agenda – A list of items to be brought up at a meeting.

annexation – The process by which a municipality, upon meeting certain requirements, expands its incorporated limits.

bid – Formal quotation, based on common specifications, for the provision of goods or services. Opened at public for meeting consideration and award.

budget – A comprehensive financial plan to sustain municipal operations during a given year with related explanation

buffer – A strip of land, vegetation and/or opaque wall that sufficiently minimizes the physical or visual intrusion generated by an existing or future use.

call for the question – Term used to end the discussion and vote on the motion.

capital outlay – Expenditures made to acquire fixed assets or additions to them usually made from the general fund or utility fund where the assets are to be used.

conflict of interest – A term used in connection with a public official's relationship to matters of private interest or personal gain and which prohibits participation in the discussion under decision.

consent agenda – A policy of the governing body to approve, in one motion, routine and/or non-controversial items, which can be determined prior to the meeting

contiguous – Sharing a common boundary.

contingency – An appropriation of funds to handle unexpected events and emergencies which occur during the course of the fiscal year.

DCA – Department of Community Affairs

density – The number of families, individuals, dwellings units, or housing structures per unit of land.

development – A physical change, exclusive of new construction and substantial improvement, to improved or unimproved real estate, including, but not limited to mining, dredging, filling, grading, paving, excavating or drilling operations.

easement – An interest in land owned by another that entitles its holder to a specific limited use or enjoyment

emergency measure – An ordinance recognized by the legislative body as requiring immediate passage.

FDOT – Florida Department of Transportation

general fund – The general operating fund of the municipality used to account for all financial resources except those required to be accounted for in a special fund.

impact fees – Set aside fees collected from developers to pay for infrastructure improvements. Monies used as new development further impacts the municipalities.

infrastructure – The facilities and systems shared or used by all citizens such as transportation, water supply, wastewater and solid waste disposal systems.

intergovernmental agreements – Contract between two or more public agencies for the joint exercise of powers common to the agencies.

intergovernmental revenues – Revenues from other governments in the form of grants, entitlements, shared revenues, or payments in lieu of taxes.

line item – A specific item or group of similar items defined by detail in a unique account in the financial records. Revenue, expenditure and justifications are reviewed, anticipated and appropriated at this level.

non-conforming – A use which does not comply with present

zoning conditions but which existed lawfully and was created in good faith prior to the enactment of the zoning provisions.

ordinance – An enforceable municipal law, statute or regulation which applies to all citizens within that municipality; penalty provisions may apply.

public hearing – Provides citizens the opportunity to express their position on a specific issue, both pro and con, as mandated by either statute or by order of proper authority after due notice.

PUD – Planned Unit Development

quasi-judicial – A governmental body that hears sworn testimony, obtains evidence and provides for cross examination of witnesses, with the decision based solely on the evidence presented.

quorum – The prescribed number of members of any body that must be present to legally transact business.

request for proposals – RFP – Notice and related information from a municipality requesting proposals for professional services.

resolution – A decision, opinion, policy or directive of a municipality expressed in a formally drafted document and voted upon.

right-of-way – Strip of land owned by a government agency over which the public has right of passage such as streets, parkways, medians, side walks, easements and driveways constructed thereon.

Sunshine Law – Legislation providing that all meetings of public bodies shall be open to the public (a/k/a open public meeting law).

vacate – To annul; to set aside; to cancel or rescind.

variance – Modification from the provisions of a zoning ordinance granted by a legislative body upon submission of an application and a hearing.

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CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
SEPTEMBER 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

John Drury, City Administrator
Robert Q. Williams, City Attorney
Susie Novack, Deputy City Clerk
Bob Tweedie, Economic Development Director
Brad Hayes, Utility Director
Lori Houghton, Finance Director
Lori Tucker, Human Resources Director
Chris Thompson, Public Works Director
Tammey Rogers, Community Services Director
Richard Keith, Fire Department
Jacques Skutt, Director of Community Development
Stoney Lubins, Police Chief

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Rick Fountain, Pastor, First Baptist Church of Tavares, gave the invocation and led those present in the Pledge of Allegiance.

II. CALL TO ORDER

Mayor Smith called the meeting to order at 4:00 p.m. He noted the first of two public hearings would be held at 5:05 p.m. for the Tentative Millage Rate for FY 2015-2016 (Resolution 2015-11) and the Tentative Budget for FY 2015-2016 (Resolution 2015-12). He said the public would be able to speak on those two items at that time.

Mayor Smith advised that there were hearing devices available by the front door. He asked for those who wished to speak on a specific item in the agenda to please fill out the Request to Speak forms and turn into the Police Chief or Deputy City Clerk. He asked that cell phones be muted or turned off.

III. APPROVAL OF AGENDA

1
2 Mayor Smith asked if there were changes to the agenda, there were none.

3
4 **MOTION**

5
6 **Robert Speaks moved to approve the agenda, seconded by Bob Grenier. The motion**
7 **carried unanimously 5-0.**

8
9 **IV. APPROVAL OF MINUTES**

10
11 **MOTION**

12
13 **Lori Pfister moved for approval of the August 19, 2015 City Council Regular Meeting and**
14 **Budget Workshop Minutes, seconded by Robert Speaks. The motion carried unanimously**
15 **5-0.**

16
17 **V. PROCLAMATIONS/PRESENTATIONS**

18
19 **Tab 2) Presentation on 2040 Transportation Plan by the MPO**

20
21 TJ Fish, MPO Director, provided a high level overview of the MPO 2040 (long range) Plan which
22 included an update on the Wekiva Parkway Project scheduled to open in 2019, and the SR19
23 Widening Project with a design completion in 2016 and widening placed in a 10-15 year range.
24 He said the Howey Bridge will go under design in 2015 and construction in 2016. When the
25 SR19 four lane widening occurs in 10-15 years, an additional bridge structure will go in at that
26 time for the two additional lanes. The project could get bumped up if new funding comes into play.

27
28 Mr. Fish noted that a study was conducted on Old US 441 approximately 10 years ago to widen
29 to 3 lanes with a regional trail in the corridor from Tavares to Mount Dora which could ultimately
30 link Tavares to a 250 mile coast-to-coast trail. He said the county has determined that the road is
31 in such poor condition from a pavement standpoint that they are going to resurface soon delaying
32 the 3 lane construction project unless the City pushes for it with the County. Mr. Fish said it is a
33 possible eco tourism opportunity for north Lake County if we can make those trail connections.

34
35 Mr. Fish said the MPO is asking each city to look at their 5 year capital programs to help address
36 sidewalk needs around schools. He discussed LakeXpress route changes and possible future
37 connectivity enhancements in the Golden Triangle area as well as other regional projects. Mr.
38 Fish said he is available for questions.

39
40 Mayor Smith asked for questions from Council.

41
42 Councilmember Speaks said it would be cost effective and convenient if the state would 4 lane
43 the Howey Bridge and that the City should encourage the local legislators to see if the project can
44 be changed.
45

1 Vice Mayor Grenier asked if the bridge replacement included merging. Mr. Fish confirmed. He
2 said that the bridge right of way will include the 4 lane design and the FDOT is purchasing the
3 property in front of Royal Harbor which was once considered for commercial development.
4

5 Mr. Fish said that the Tavares Chamber Board met and is interested in partnering with the City to
6 find a solution to address the tourism and visitor center needs on the weekends. He said the
7 board members would be attending the September 16 City Council Meeting.
8

9 **Tab 3) City Flags**

10 Mr. Drury said the City Council approved the city flag in 2013 with the America’s Seaplane City
11 logo. As staff has moved forward with ordering the city flags, an issue has arisen with the
12 reproduction. The primary issue is that when words are present on a flag, a double sided flag
13 with a screen in the middle and three sheets of fabric is required to be sewn together which
14 affects the cost and flying capability. Flying a flag with no words and only a symbol will result in
15 using one piece of fabric, which improves the affordability, flying, and is more consistent with
16 traditional flag design.
17

18
19 Mr. Drury provided a Ted Talk video by Roman Mars who is an authority on flags and their
20 design, and speaks on the topic of city flags in particular including recommendations by the North
21 American Vexillology Association.
22

23 Mr. Drury thanked the Mayor and City Council for letting him show the video. He said a city flag
24 is important and will be around for a hundred years, and that staff would bring back for
25 consideration in the future.
26

27 Mayor Smith asked for questions from Council.
28

29 **VI. SEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

30
31 **VII. READING OF ALL ORDINANCES/RESOLUTIONS – GENERAL GOVERNMENT**

32
33 Ms. Novack read the following Ordinance at first reading into the record. Mayor Smith noted
34 there is no discussion at first reading.
35

36
37 **ORDINANCE 2015-14**

38
39 **AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY**
40 **ANNEXING UNDER THE TERMS AND CONDITIONS OF THE INTERLOCAL**
41 **SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF TAVARES AND**
42 **LAKE COUNTY APPROXIMATELY 2.14 ACRES NON-CONTIGUOUS**
43 **PROPERTIES, CONSISTING OF THREE PARCELS OF LAND GENERALLY**
44 **LOCATED APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE**
45 **PARK ROAD AND CAMP ROAD, FROM COUNTY AGRICULTURAL TO CITY C-2**
46 **(HIGHWAY COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND**

1 OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING
2 FOR AN EFFECTIVE DATE.

3
4 ORDINANCE 2015-15

5
6 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE
7 TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,
8 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON
9 APPROXIMATELY 2.14 ACRES OF NON-CONTIGUOUS PROPERTIES,
10 CONSISTING OF THREE PARCELS OF LAND GENERALLY LOCATED
11 APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE PARK
12 ROAD AND CAMP ROAD, FROM COUNTY RURAL TRANSITION TO CITY
13 COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS;
14 PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE
15 DATE.

16
17 ORDINANCE 2015-16

18
19 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING
20 APPROXIMATELY 213 ACRES OF VACANT UNDEVELOPED PROPERTY
21 GENERALLY LOCATED AT THE WESTERLY END OF WOODLEA ROAD AND
22 EAST OF PENINSULA DRIVE FROM PLANNED DEVELOPMENT TO RFS-A
23 (RESIDENTIAL SINGLE FAMILY) WITH CERTAIN CONDITIONS; SUBJECT TO
24 THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF
25 TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

26
27 ORDINANCE 2015-17

28
29 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE
30 LAND DEVELOPMENT REGULATIONS BY ADDING A NEW ZONING
31 DESIGNATION TO BE IDENTIFIED AS RSF-2 (RESIDENTIAL SINGLE FAMILY
32 5.6 DWELLING UNITS PER ACRE) THAT MATCHES THE REGULATIONS
33 PERTAINING TO THE EXISTING RMF-2 (RESIDENTIAL MULTI-FAMILY)
34 ZONING DESIGNATION WITH THE EXCEPTION THAT TWO-FAMILY
35 DWELLINGS, DUPLEXES AND TOWNHOMES ARE EXCLUDED AS A
36 PERMITTED USE; SUBJECT TO THE RULES, REGULATIONS AND
37 OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;
38 PROVIDING AN EFFECTIVE DATE.

39
40 ORDINANCE 2015-18

41
42 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE
43 LAND DEVELOPMENT REGULATIONS BY AMENDING TABLE 8-3,
44 DEVELOPMENT STANDARDS FOR THE COMMERCIAL DOWNTOWN
45 DISTRICT, BY INCREASING THE MAXIMUM HEIGHT OF STRUCTURES TO
46 EIGHTY FOUR FEET; SUBJECT TO THE RULES, REGULATIONS AND

1 OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;
2 PROVIDING AN EFFECTIVE DATE.

3
4 ORDINANCE 2015-19

5
6 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING
7 APPROXIMATELY 2.28 ACRES OF PROPERTY GENERALLY LOCATED ON THE
8 NORTHEAST CORNER OF NELSON STREET AND U.S. HWY 441 FROM A MIX OF
9 RSF-1 (RESIDENTIAL SINGLE FAMILY) AND C-2 HIGHWAY COMMERCIAL TO C-2
10 HIGHWAY COMMERCIAL; SUBJECT TO THE RULES, REGULATIONS AND
11 OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING
12 FOR AN EFFECTIVE DATE.

13
14 ORDINANCE 2015-20

15
16 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE
17 TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,
18 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON
19 APPROXIMATELY 2.28 ACRES OF PROPERTY GENERALLY LOCATED ON
20 THE NORTHEAST CORNER OF NELSON STREET AND U.S. HWY 441 FROM
21 A MIX OF LOW DENSITY RESIDENTIAL AND COMMERCIAL TO WHOLLY
22 COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS;
23 PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE
24 DATE.

25
26 **VIII. CONSENT AGENDA**

27
28 Mayor Smith asked if anyone in the audience would like to speak on consent agenda item Tab 4.

29
30 **MOTION**

31
32 Robert Speaks moved for approval of the consent agenda [Tab 4) Acceptance of Justice
33 Assistance Grant to Purchase Golf Cart for Police Department], seconded by Bob Grenier.
34 The motion carried unanimously 5-0.

35
36 **X. ORDINANCES/RESOLUTIONS**

37
38 **FIRST READING**

39
40 **Tab 7) Ordinance 2015-14 – Annexation and Rezoning of 2.14 Acres – 1912 Lane Park Road**
41 **– South Side of Lane Park Road on Lake Harris**

42
43 **Tab 8) Ordinance 2015-15 – Small Scale Future Land Use Amendment – 2.14 Acres – 11912**
44 **Lane Park Road – County Rural to City Commercial**

45
46 **Tab 9) Ordinance 2015-16 – Rezoning of the Peninsula – 213 Acres – From Planned**
47 **Development Zoning to Residential Suburban RSF-A – City Initiated Rezoning**

1
2 **Tab 10) Ordinance 2015-17 – Amendment to Land Development Regulations to Create New**
3 **Zoning District – RSF-2 for Single Family with 60 Feet Lots**

4
5 **Tab 11) Ordinance 2015-18 – Amendment to Land Development Regulations – Increasing**
6 **Allowable Building Height in Commercial Downtown District to 84 Feet**

7
8 **Tab 12) Ordinance 2015-19 – Rezoning of 2.28 Acres for Flowers Food – RSF-1 (Residential**
9 **Single Family) to C-2 (Commercial) – Northeast Corner of Nelson Street and U.S. 441**

10
11 **Tab 13) Ordinance 2015-20 – Small Scale Future Land Use Amendment – 2.28 Acres – Low**
12 **Density Residential to Commercial – Northeast Corner of Nelson Street and U.S. 441**

13
14 **SECOND READING**

15
16 **RESOLUTIONS**

17
18 **XI. GENERAL GOVERNMENT**

19
20 **Tab 14) Request to Connect to City Sewer from Church of Christ**

21
22 Mr. Drury said the Church of Christ (located at Alfred Street and New Hampshire Avenue)
23 requested a waiver from sewer connection fees. City ordinances do not permit the city to waive
24 impact fees on property and it would normally be recommended that the request be denied. Staff
25 has researched the historical issues related to why this property was not connected in 1970 when
26 sewer was made available under what was referred to then as the 'Old Town Assessment.'
27 When the city acquired its first central sewer plant from Lake Francis, the city sewer service was
28 extended to the 'Old Town' area. Residents and businesses in that area were assessed based
29 on a frontage foot basis with a separate tap fee. The Old Town Assessment included the church
30 property, however, it is likely that the Church could not physically connect because the
31 connection at the time was gravity fed and not the grinder pump and pump stations that exist
32 today. Mr. Drury said that all of the residents, not for profits, and commercial businesses were
33 treated the same, and had the church been able to physically connect in the 1970's it would have
34 paid \$900.00 (\$250 to connect plus 130 feet at \$5 per foot along Alfred Street per Resolution 77-
35 1). Council has the option to charge the full impact fee in the amount of \$3130 or to charge \$900
36 that they would have paid had they been able to physically connect when it was available in the
37 '70's.

38
39 Mayor Smith asked for questions from Council.

40
41 Councilmember Pfister inquired about the billing history and asked when the church was able to
42 connect to the sewer. Mr. Drury said the church has been paying their water bill since the
43 connected, and will pay for sewer once it is connected. He said they are now able to connect to
44 the city sewer with the upgrades that have been made.

45
46 Mayor Smith asked Ms. Burleigh if she had any historical background that she could share.
47

1 Betty Burleigh said she thought everyone had to connect and were charged so much per foot.

2
3 Mayor Smith asked Attorney Williams about connections for those with failing septic tanks and if
4 anyone has gone through the process in the past.

5
6 Attorney Williams said that since he became the City Attorney in 1984 there have been a few
7 times that older homes in the old town area had not been connected to the sewer for one reason
8 or another. He said the City honored the old town tap fee from an assessment that was done in
9 1975-76.

10
11 Mayor Smith invited the representative for the Church of Christ to come forward. He asked if he
12 had any records of payment.

13
14 Carey Rada, P.A., said that they did not have record of payment toward a connection fee.

15
16 Mayor Smith and Vice Mayor Grenier stated their support for the church paying a \$900
17 assessment fee.

18
19 **MOTION**

20
21 **Bob Grenier moved to approve Option 2, staff recommendation [Charge the Church of**
22 **Christ the impact fee (assessment & connection) that they would have paid back in the**
23 **1970's had they been able to connect of \$900], seconded by Lori Pfister. The motion**
24 **carried unanimously 5-0.**

25
26 **Tab 15) Date for Coven Plaque for Pavilion on the Lake**

27
28 Ms. Rogers said that staff previously brought forward a suggestion to create a plaque
29 memorializing Mr. Coven for his contributions to building the original Pavilion on the Lake. She
30 said the city asked the Tavares Historical Society to reference their documents and come up with
31 a determination and recommendation to Council on the date that should be applied to the plaque.
32 She said the historical society has suggested that the date of 1913 be referenced on the plaque
33 for the date that the original Pavilion was built. She said that Ms. Smith is available for questions.
34

35 Mayor Smith asked for questions and comments from Council.

36
37 **MOTION**

38
39 **Bob Grenier moved to approve the wording on the historical marker, seconded by Lori**
40 **Pfister. The motion carried unanimously 5-0.**

41
42 **Tab 16) Process of Property Assessments for Lighting District**

43
44 Attorney Williams said that the city pays for most streetlights in the downtown and some
45 subdivisions. He noted that other subdivisions pay for their own street lights when they have
46 private streets or decorative lights. Attorney Williams said that street lighting is one of the

1 municipal improvements that the law (Chapter 170) allows a city to make and to assess like
2 sidewalks and sewer.

3
4 Attorney Williams said that Council asked staff for other options to pay for street lighting other
5 than funding out of the General Fund. He said the city can also fund street lights by creating
6 street lighting districts and assessing the cost among the people who will benefit. An assessment
7 has to be adopted according to law and can be collected through the property appraiser or
8 included in utility billing. There are procedures that must be followed including notifying the
9 citizens by first class mail and holding hearings. He said the procedures are similar to the city's
10 fire assessment which is included on the Utility bills and there are advantages and disadvantages
11 either way you collect the cost (property appraiser or including on a utility bill). Attorney Williams
12 said that in order to support an assessment, the city would need a basis of analysis study which
13 will determine the amount of benefit for each person. There will be a cost for a study. Attorney
14 Williams said street lighting is recognized as a valid municipal purpose and paying for lighting
15 through the General Fund is legal as well. He discussed the City of Castleberry's street light
16 assessment as an example of completing a study and implementing an assessment.

17
18 Ms. Houghton noted a handout had been provided which depicts the current costs of street
19 lighting at approximately \$320,000 per year. Mayor Smith asked what millage rate reduction the
20 amount equates to and Ms Houghton stated a ½ mil.

21
22 Mayor Smith invited Marcel DeMaria, Lake Elsie, to speak. Mr. DeMaria said that the Lake Elsie
23 community is being reviewed for lighting and when the assessment discussion came up it put
24 their community on hold. He said that an assessment would greatly affect their HOA budget
25 which includes 84 homes. He asked for Council's consideration of their upcoming budgeting time
26 requirements when making decisions. Mr. DeMaria said that he had new Century Management
27 contact information that he would provide to Ms. Houghton after the meeting.

28
29 Mayor Smith asked for questions from Council.

30
31 Attorney Williams said the city would not receive any monies through an assessment until at least
32 FY16-17 or even the following year due to the length of the process.

33
34 Mayor Smith noted that a decision regarding Lake Elsie would be made within the next few
35 weeks.

36
37 Councilmember Pfister said she did not want to keep putting the residents off and inquired about
38 going forward with a vote.

39
40 Vice Mayor Grenier said that he wished for time to review the information that has been provided.

41
42 Attorney Williams said a motion was not needed as there was a motion from a previous meeting
43 to table the item and it is still open. Discussion was held and there was a consensus that staff
44 would bring back two agenda items to the next meeting; Lake Elsie and a Lighting District.

45
46 **IX. PUBLIC HEARING – FISCAL YEAR 2015-2016 MILLAGE & BUDGET – READING OF**
47 **MILLAGE & BUDGET RESOLUTIONS – 5:05 P.M.**

1
2 Mayor Smith called the Public Hearing to order at 5:05 p.m.

3
4 Ms. Novack read Resolution 2015-11 and Resolution 2015-12 in their entirety as follows:
5

6 **RESOLUTION 2015 - 11**
7

8 **A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.6166 FOR THE**
9 **CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR FISCAL**
10 **YEAR 2015-2016; SETTING FORTH THE PERCENT BY WHICH THE**
11 **MILLAGE RATE IS GREATER THAN THE "ROLLED-BACK" RATE.**
12

13 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**
14 **TAVARES, FLORIDA:**
15

16 **WHEREAS, the City of Tavares of Lake County, Florida on**
17 **September 3, 2015, adopted the 2015-2016 Fiscal Year Tentative Millage**
18 **Rate following a public hearing as required by Florida Statute 200.065.**
19

20 **WHEREAS, the City of Tavares of Lake County, Florida, following**
21 **due public notice as required by law, held a second public hearing on**
22 **September 16, 2015, as required by Florida Statute 200.065 on the 2015-**
23 **2016 Millage Rate; and**
24

25 **WHEREAS, the gross taxable value for operating purposes not**
26 **exempt from taxation within Lake County has been certified by the County**
27 **Property Appraiser to the City of Tavares as \$675,210,640.**
28

29 **NOW THEREFORE, BE IT RESOLVED by the City of Tavares of**
30 **Lake County, Florida, that:**
31

- 32 1. **The City of Tavares Fiscal Year 2015-2016 operating millage rate to be**
33 **levied is hereby set at 6.6166 mills, which millage rate is greater than the**
34 **rolled back rate of 6.5547 by .94%.**
35
36 2. **The voted debt service millage rate is set at .4068 mills for Fiscal Year**
37 **2015-2016.**
38
39 3. **This Resolution will take effect immediately upon its adoption.**
40

41 **PASSED AND RESOLVED this 16th day of September 2015 by the**
42 **City Council of the City of Tavares, Florida.**
43

44 **RESOLUTION 2015 - 12**
45

46 **A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE CITY OF**

1 **TAVARES, FLORIDA, FOR THE FISCAL YEAR 2015 - 2016.**
2

3 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**
4 **TAVARES, FLORIDA:**
5

6 **WHEREAS, a public hearing on the proposed 2015-2016**
7 **budget was held at the Tavares City Hall Council Chambers in the City of**
8 **Tavares, Florida, Lake County, Florida on Thursday, September 3rd, 2015**
9 **at 5:05 p.m., as required by Florida Statutes 200.065; and**
10

11 **WHEREAS, the general public was given an opportunity to**
12 **express its views pertaining to the proposed budget, and**
13

14 **WHEREAS, the City Council approved the tentative budget**
15 **for 2015-2016, and**
16

17 **WHEREAS, a second public hearing on the proposed 2015-**
18 **2016 budget was held in the Council Chambers at the Tavares City Hall,**
19 **201 East Main Street in the City of Tavares, Florida, on Wednesday,**
20 **September 16, 2015, at 5:05 p.m.,**
21

22 **NOW, THEREFORE, BE IT RESOLVED that the Budget for**
23 **2015-2016 fiscal year for the City of Tavares, Florida is hereby adopted by**
24 **the Tavares City Council in the amount of \$37,006,432 at public hearing**
25 **this 16th day of September, 2015.**
26

Fund Name	Fund Number	Estimated Revenues ¹	Reserve Appropriations ³	Unappropriated Revenues ²	Estimated Appropriations/Expenditures
General Fund	001	\$ 15,643,294	\$ -	\$ (49,599)	\$ 15,593,695
Water/Wastewater Utility	401	8,680,658	-	(9,078)	8,671,580
Water/Wastewater Impacts	441	1,102,979	12,021	-	1,115,000
W/WW RR&I Fund	443	300,000	-	(2,800)	297,200
SRF Construction Fund	444	-	-	-	-
W/WW SRF Loan	445	1,802,063	-	-	1,802,063
Sunset View Fund	447	109,852	-	-	109,852
Solid Waste	402	2,770,058	-	(134,090)	2,635,968
Stomwater	403	1,064,973	-	(63,504)	1,001,469
Seaplane Base Fund	405	730,567	-	-	730,567
Pavilion Fund ⁵	406	672,647	-	(7,091)	665,556
Police Education	102	1,650	-	-	1,650
Community Redevelopment	105	170,008	-	13,992	184,000
Police Impacts	110	30,000	-	(20,000)	10,000
Fire Impacts	111	56,000	-	(46,000)	10,000
Forfeiture Fund	112	-	-	-	-
Park Impacts	114	48,000	-	(28,000)	20,000
Freedom Flag Fund	117	-	7,208	-	7,208
Fire Assessment Fund	122	1,619,134	-	-	1,619,134
Infrastructure Sales Tax	150	1,338,089	-	13,484	1,351,573
Grant Fund	151	290,000	-	-	290,000
Debt Service Fund	201	299,291	-	(8)	299,283
Capital Project Fund	301	-	-	-	-
Municipal Police Pension ⁴	601	938,000	-	(732,745)	205,255
Firefighter's Pension ⁴	602	1,507,800	-	(1,122,537)	385,263
General Employee Pension	603	-	-	-	-
Mildred Hunter Trust	605	166	-	(150)	16
Woodlea Park Playground Trust	606	133	-	(33)	100
		\$ 39,175,362	\$ 19,229	\$ (2,188,159)	\$ 37,006,432

¹ Estimated Revenues = anticipated revenue collections

Test \$ 37,006,432

² Negative Reserve Appropriations assumes unappropriated revenues

³ Positive Reserve Appropriations assumes appropriating (spending) an amount of reserves.

⁴ Needs Pension Board approval.

⁵ Special Revenue Fund.

This resolution will take effect immediately upon its adoption.

PASSED AND RESOLVED this 16th day of September, 2015, by the City Council of the City of Tavares, Florida.

Mr. Drury said both Resolutions will be voted on during the September 16, 2015 hearing.

Tab 5) Resolution 2015-11 – Tentative Millage Rate – FY 2015-2016

Ms. Houghton said this is the first public hearing for the Fiscal Year 2015-2016 Millage Rate and Budget. She said the Tentative Millage is required by law to be approved first, and then the Tentative Budget. She said that according to statute she is required to provide some salient points that support the Tentative Millage Rate that will be adopted tonight. She said the Tentative

1 Budget for the general fund provides for a Tentative Millage of 6.6166 mils and the Budget will be
2 balanced at \$15,593,695. The following assumptions are taken into effect:
3

- 4 • Ad valorem millage rate of 6.6166 mils which is .94% above the roll back rate of 6.5547
5 mil. It is .1117 mils less than the current millage rate of 6.7283 mils or 1.66% less than
6 the current millage rate.
- 7 • Although the millage rate is less we do have to advertise it as a millage rate increase
8 because it does exceed the rollback rate by .94%.
- 9 • The assessed taxable value of \$675,210,640 which was certified by the Property
10 Appraiser office, a 6.22% in a value unadjusted for the TIF Funds.
- 11 • The budget does include a fire assessment at 100% of assessable cost, rates remain
12 unchanged from the prior year.
- 13 • The budget is balanced at \$15,593,695 which includes
14 ○ A 5% pay increase for employees
15 ○ FRS employer rates as published by the state of Florida Department of Retirement
16 ○ Staffing level increase of 1 new Police Officer at mid-year
17 ○ Full time Pavilion Coordinator and part time Pavilion Associate positions
18

19 Ms. Houghton said she read the salient points for the Tentative Millage and wanted to state for
20 the record that budget workshops were held with City Council on July 1, July 15, July 15 when the
21 Tentative Maximum Millage was set by Council, August 5, and August 19. The Tentative Budget
22 has been prepared for the City Council based on all of the discussions at the workshops held to
23 date. Staff recommends approval of Option #1, to approve Resolution 2015-11 as presented to
24 Council.
25

26 Attorney Williams confirmed that Council will approve a Tentative Millage Rate during this
27 meeting, and then again September 16, 2015. He said it cannot be raised higher than the
28 advertised notice without re advertising.
29

30 Mayor Smith opened up the hearing to the public and asked if anyone wished to speak to Council
31 on the Tentative Millage Rate or budget. There was none.
32

33 MOTION

34
35 **Robert Speaks moved for approval of Option 1 [Take Public input and approve the**
36 **Tentative Millage for Fiscal Year 2016 as reflected in Resolution 2015-11], seconded by**
37 **Lori Pfister. The motion carried unanimously 5-0.**
38

39 Tab 6) Resolution 2015-12 – Tentative Budget – FY 2015-2016

40
41 Ms. Houghton said the budget of \$15,593,695 is based on the Tentative Millage of 6.6166. She
42 said the salient points remain the same. Staff recommends Option #1 – take public input and
43 approve the Tentative Budget for Fiscal Year 2016 as reflected in Resolution 2015-12.
44

45 Mayor Smith asked for comments and questions from Council.
46

1 Councilmember Pfister inquired about the employee fitness program. Mr. Drury said there is a
2 budgeted amount and a program will be developed for the employees where the city will
3 contribute up to 1/3 of the cost of an annual membership up to a set amount.

4
5 Mayor Smith asked if \$7500 for the Chamber is still included in the budget. Mr. Drury confirmed,
6 and said the funds will not be released to the Chamber until such a time that they provide the
7 documentation that they are open on the weekends as conditioned. Councilmember Pfister
8 inquired if the city could ask for a refund if they do not continue. Mr. Drury confirmed.

9
10 Mayor Smith opened up the hearing to the public and asked if anyone wished to speak to Council
11 on the Budget.

12
13 Lou Buigas, Hoity Toity Mercantile, 206 W Main Street

14
15 Ms Buigas said that as a merchant having the Chamber open on weekends would be beneficial.

16
17 Ms. Buigas noted that there are 6 donation drop boxes by the Hardees on US441, and it is
18 beginning to look unsightly. Mr. Drury said that staff will look into drop boxes in the future.

19
20 Councilmember Pfister asked how much was included in the Budget for the Wayfinding program.

21
22 Mr. Drury said Wayfinding is included in the 5 Year Capital Program and funded in FY17 but not
23 the next fiscal year. He said there are 6 new wayfinding signs along US 441 and the entrance
24 wayfinding sign at the hospital is under design; the old sign has been removed. He said there are
25 signs at the parking garage and the kiosk signs at O'Keefe and across from City Hall have been
26 completed. He said the project is 60% complete.

27
28 Councilmember Pfister inquired about the gateway signs. Mr. Drury said one gateway sign will
29 be completed this year by the hospital. Ms. Pfister asked about the seaplane at the fountain. Mr.
30 Drury said the design is completed, the permitting is in place (two year process), and staff is
31 working on obtaining a donated seaplane as well as funding for the bottom portion. He said staff
32 will come back to Council with the modeling in a month.

33
34 **MOTION**

35
36 **Lori Pfister moved to approve the Tentative Budget for FY2016, seconded by Bob Grenier.**
37 **The motion carried unanimously 5-0.**

38
39 **XII. OLD BUSINESS**

40
41 Vice Mayor Grenier asked how often signs are updated with new business establishment
42 information. Mr. Drury said once a year and staff plans to recommend a digital sign next year.

43
44 **XIII. NEW BUSINESS**

45
46 None.

47

1 **XIV. AUDIENCE TO BE HEARD**

2
3 **Betty Burleigh**

4
5 Ms. Burleigh said that in 1973 the City Council approved a record high budget of \$573,636 for the
6 1973-1974 FY. Council also voted to keep the millage for taxpayers at 8 mils. Included in the
7 expenditures were funds for a fire department including a salary for a Chief and money for
8 equipment. Prior to that it was volunteer.
9

10 **XV. REPORTS**

11
12 **Tab 17) City Administrator**

13
14 Mr. Drury said that after two years of applying for the rights to become an air carrier airport, the
15 Tavares Seaplane Based Jones Brothers (JB SPB, Inc.) has received an Air Carrier Certificate
16 from the FAA. He spoke about the significance of this achievement.
17

18 **City Clerk**

19
20 None.

21
22 **Human Resources**

23
24 None.

25
26 **Public Works**

27
28 None.

29
30 **Utilities**

31
32 Mr. Hayes said his daughter is in the audience visiting from up North.
33

34 **Police Chief**

35
36 None.

37
38 **Fire Chief**

39
40 None

41
42 **Community Services Director**

43
44 None.

45
46 **Finance Director**

47

1 Ms. Houghton said the final Millage and Budget Hearing will be held on September 16, 2015
2 during the next Council Meeting. She said the city will be advertising a half page ad on Sunday
3 September 13 to present the budget as required by the Florida Statutes.

4
5 **Community Services**

6
7 None.

8
9 **Economic Development**

10
11 **City Attorney**

12
13 None.

14
15 **Tab 18) City Council**

16
17 **Councilmember Pfister**

18
19 Councilmember Pfister noted the first football games of the season begin at 6:00 p.m.

20
21 **Vice Mayor Grenier**

22
23 **Plaques and Historical Markers**

24
25 Vice Mayor Grenier noted that the memorial plaque to be placed at Pavilion on the Lake will be
26 the 37th memorial plaque in Wooton Park. He said there are currently 36 memorial plaques
27 including the 17 benches. He mentioned the bench dedications to Mrs. Bennye J. Kinsler
28 (educator) and George Namlik Jr. Mr. Grenier said some of the civic organizations are
29 represented through the Liberty Tree by the Azalea Garden Club, an old stone fountain plaque by
30 the Kiwanis Club, the Tavares Womens Club, the Rotary, and the Playground Partners from
31 Wooton Wonderland. He said the Wooton family has a dedication on the flagpole, Mayor Eugene
32 Glenn is dedicated on the Little Free Library, and Babe Coven is dedicated on the large gazebo.

33
34 Vice Mayor Grenier noted there are two historical markers on the base of the flagpole at the
35 Clerk's building for William Rogers (Bank President who was married to a Duncan), and Slim
36 Haywood. He asked that the city know what will be done with those markers before the building
37 is demolished.

38
39 **VJ Day**

40
41 Vice Mayor Genier noted that the anniversary of VJ Day (Victory over Japan in WWII) was
42 September 2nd. He said that he spent the day in Kissimmee speaking to eight 90+ year old
43 veterans of WWII.

44
45 **Councilmember Speaks**

46

1 Councilmember Speaks said the 50 star American Flag was designed by a gentleman that
2 graduated from his high school in his home town; Robert Heft. He said that Mr. Heft was the
3 Mayor of Napoleon, Ohio. Mr. Heft designed the flag as part of a history project where he had a
4 B+ grade in his history class. He went back after congress adopted the flag and design and his
5 teacher changed his grade to an A.

6
7 **Councilmember Johnson**

8
9 Councilmember Johnson said she wanted to remind everyone to wear blue on Friday in support
10 of our fallen Police Officers.

11
12 Councilmember Johnson thanked Chief Keith for reviewing and educating her on the City's
13 emergency storm procedures. She said that if the city is ever in an emergency situation she feels
14 very protected.

15
16 **Mayor Smith**

17
18 Mayor Smith welcomed Mr. Hayes daughter to Tavares.

19
20 Mayor Smith asked Chief Lubins to relay a message to the Police Officers that he appreciates
21 everything that they do, their professionalism, and that he knows the rest of the Council and
22 community appreciate them.

23
24 Mayor Smith said that in 1752 the British empire, including the colony of America, adopted the
25 Gregorian calendar. He said that when the calendar was adopted there were wild riots because
26 the people thought that the calendar took away 11 days of their lives.

27
28 Mayor Smith noted it is National Bowling League Day.

29
30 **Adjournment**

31
32 There was no further business and Mayor Smith adjourned the meeting at 5:44.

33
34 Respectfully submitted,

35 
36 _____
37 Susie Novack, M.M.C.
38 Deputy City Clerk

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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
SEPTEMBER 16, 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

John Drury, City Administrator
Nancy Barnett, City Clerk
Robert Q. Williams, City Attorney
Tammey Rogers, Community Services Director
Jacques Skutt, Director of Community Development
Lt. Jayson Paynter, Police Department
Richard Keith, Fire Chief
Bob Tweedie, Economic Development Director
Lori Tucker, Human Resources Director
Brad Hayes, Director of Utilities
Chris Thompson, Director of Public Works

I. CALL TO ORDER

Mayor Smith called the meeting to order at 4:02 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Assistant Pastor Jessie Ernst, Liberty Baptist Church, gave the invocation and led those present in the Pledge of Allegiance.

Mayor Smith announced that this was the second and last Public Hearing with regard to the budget and millage rate which will begin at 5:05 p.m. The General Government section of the meeting will be held up until 5:05 p.m. He advised that there were hearing devices available by the front door. He asked for those who wished to speak on a specific item in the agenda to please fill out the Request to Speak forms and turn into the Police Chief or City Clerk. He asked that cell phones be muted or turned off.

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III. APPROVAL OF AGENDA

Mayor Smith asked if there were any changes. Mr. Drury responded that staff had no changes.

MOTION

Lori Pfister moved to approve the agenda, seconded by Bob Grenier. The motion carried unanimously 5-0.

IV. APPROVAL OF MINUTES

Tab 1) Minutes of September 3, 2015 Regular Council Meeting - Deferred to the next meeting.

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) Proclamation for National Day of the Republic of China (Taiwan) – October 10, 2015

Mayor Smith read a proclamation recognizing National Day on October 10, 2015 for the Republic of China (Taiwan) and New Taipei City, the City's Sister City.

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

Attorney Williams sworn in those who wished to give testimony on Tabs 5-11. He then asked Council if they wished to declare any ex parte communications on these ordinances. Mayor Smith said he had spoken with an employee of the Hideway concerning the annexation. .

VII. READING OF ALL ORDINANCES/RESOLUTIONS

Ms. Barnett read the following ordinances by title only:

ORDINANCE 2015-14

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING UNDER THE TERMS AND CONDITIONS OF THE INTERLOCAL SERVICE BOUNDARY AGREEMENT BETWEEN THE CITY OF TAVARES AND LAKE COUNTY APPROXIMATELY 2.14 ACRES NON-CONTIGUOUS PROPERTIES, CONSISTING OF THREE PARCELS OF LAND GENERALLY LOCATED APROXIMATELY 400 FEET WEST OF THE INTERSECTION OF LANE PARK ROAD AND CAMP ROAD, FROM COUNTY AGRICULTURAL TO CITY C-2 (HIGHWAY COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

1 Florida Statute 200.065.
2

3 **WHEREAS**, the City of Tavares of Lake County, Florida, following due public notice as
4 required by law, held a second public hearing on September 16, 2015, as required by Florida
5 Statute 200.065 on the 2015-2016 Millage Rate; and
6

7 **WHEREAS**, the gross taxable value for operating purposes not exempt from taxation
8 within Lake County has been certified by the County Property Appraiser to the City of Tavares as
9 \$675,210,640.
10

11 **NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County, Florida,
12 that:
13

- 14 1. The City of Tavares Fiscal Year 2015-2016 operating millage rate to be levied is
15 hereby set at 6.6166 mills, which millage rate is greater than the rolled back rate of
16 6.5547 by .94%.
17
- 18 2. The voted debt service millage rate is set at .4068 mills for Fiscal Year 2015-
19 2016.
20
- 21 3. This Resolution will take effect immediately upon its adoption.
22

23 **PASSED AND RESOLVED** this 16th day of September 2015 by the City Council of the
24 City of Tavares, Florida. Time Adopted: _____.
25

26 **RESOLUTION 2015 - 12**
27

28 **A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE**
29 **CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2015 -**
30 **2016.**
31

32 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**
33

34 **WHEREAS**, a public hearing on the proposed 2015-2016 budget was held at the
35 Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on
36 Thursday, September 3rd, 2015 at 5:05 p.m., as required by Florida Statutes 200.065; and
37

38 **WHEREAS**, the general public was given an opportunity to express its views
39 pertaining to the proposed budget, and
40

41 **WHEREAS**, the City Council approved the tentative budget for 2015-2016, and
42

43 **WHEREAS**, a second public hearing on the proposed 2015-2016 budget was held
44 in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares,
45 Florida, on Wednesday, September 16, 2015, at 5:05 p.m.,

1
2 NOW, THEREFORE, BE IT RESOLVED that the Budget for 2015-2016 fiscal year
3 for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of
4 \$37,006,432 at public hearing this 16th day of September, 2015.

5
6 This resolution will take effect immediately upon its adoption.

7
8 **PASSED AND RESOLVED this 16th day of September, 2015, by the City Council of the City**
9 **of Tavares, Florida. Time Adopted: _____ P.M.**

10
11 **Tab 3) Resolution #2015-11 – Final Millage Rate FY 2015-2016**

12
13 Ms. Houghton noted this is the second public hearing for the millage rate. The millage rate is
14 supported by the following assumptions and details:

- 15
16 • Ad valorem millage rate of 6.6166 mills which is .94% above the rollback rate of 6.5547
17 mills, and .1117 mills less than the current millage rate of 6.7283 mills or 1.66% less than
18 the current millage rate.
19 • An assessed taxable property value of \$675,210,640 which is an increase of 6.22% in
20 value (unadjusted for TIF) from the prior year.
21 • A Fire Assessment at 100% of assessed costs. Rates remain unchanged from the prior
22 year.
23 • A balanced Proposed General Fund Budget of \$15,593,695.
24 • 5% Pay Increase for all employees
25 • One new Police Officer at mid-year,
26 • An overall workers' compensation rate increase of 5%.
27 • An overall general liability rate increase of 15%.
28 • The Proposed Budget maintains a similar level of service.

29
30 Advertising occurred to meet the TRIM requirements on September 13.

31
32 Mayor Smith asked for audience comment.

33
34 **MOTION**

35
36 **Lori Pfister moved to adopt the proposed operating millage rate and proposed voted debt**
37 **service millage rate for Fiscal Year 2016 as reflected in Resolution 2015-11. The motion**
38 **was seconded by Bob Grenier. The motion carried unanimously 5-0.**

39
40 **Tab 4) Resolution #2015-12 – Final Budget FY 2015-2016**

41
42 Ms. Houghton advised that the total General Fund Budget is \$15,592,695 supported by the
43 approved millage rates. The total budget for all city funds is \$37,006,432. She said the same
44 salient points listed for the millage are applicable to the budget.
45

1 Mr. Drury thanked the Finance Department and specifically CharLynn Woods, Budget Specialist
2 and Lori Houghton, Finance Director, for working with each department head to put the budget
3 together. He thanked Council for holding the eight public workshops and working together with
4 staff and the public in preparation of the budget.
5

6 Mayor Smith asked for public comment.
7

8 **Brenda Smith, 1250 Smith Avenue**
9

10 Ms. Smith thanked the City and City Council and the financial advisors for working hard to keep
11 the budget and millage rate as low as possible. She said as a volunteer with the Tavares
12 Historical Society, she wished to relay that they consider that they are partners with the City and
13 they wanted to thank the City for everything it does.
14

15 **MOTION**
16

17 **Robert Speaks moved to adopt the proposed operating budget for Fiscal Year 2016 as**
18 **reflected in Resolution 2015-12 and any additional changes, seconded by Lori Pfister. The**
19 **motion carried unanimously 5-0.**
20

21 **X. ORDINANCES/RESOLUTIONS**
22

23 **Tab 5) Ordinance #2015-14 – Annexation and Rezoning of 2.14 Acres at 11912 Lane Park**
24 **Road – South Side of Lane Park Road on Lake Harris**
25

26 Mr. Skutt stated this is an application to rezone and annex 2.14 acres on property that is
27 generally located at the intersection of Lane Park Road and Camp Road. The property is owned
28 by Hideway Ventures. There are three parcels: Little Joe's Hideway Bar and Grill located on the
29 south side (consisting of two parcels) and a third parcel across the road that is utilized for parking.
30 The property is within the City's Interlocal Services Boundary Area (ISBA). Under the terms of the
31 ISBA the property owner must also concurrently enter into a Water and Sewer Utility Agreement
32 to extend utility infrastructure to the subject property. The owner has agreed to design, permit and
33 contribute to the cost of the infrastructure. They also agree to provide land for a new city lift
34 station and to pay all impact fees. They will also participate in a pioneer agreement in the future.
35 They are requesting a C-2 zoning designation as they are operating under a state quota license
36 as a bar. Under the city's Land Development Regulations, bars are only allowed in a C-2 or
37 Commercial Downtown zoning district. It was therefore felt that a C-2 designation would be
38 appropriate.
39

40 At the August 20th meeting the Planning & Zoning Board voted to recommend approval and staff
41 recommends approval.
42

43 **MOTION**
44

1 Lori Pfister moved to approve Ordinance #2015-14 [annexation, rezoning, and Utility Agreement],
2 seconded by Robert Speaks. The motion carried unanimously.

3
4 Councilmember Pfister welcomed the owner to the City.

5
6 **Tab 6) Ordinance 2015-15 – Small Scale Future Land Use Amendment – 2.14 Acres – 11912**
7 **Lane Park Road – County Rural to City Commercial**

8
9 Mr. Skutt said this was the corresponding Future Land Use Map Amendment that accompanies
10 the annexation just approved. The Commercial Land Use designation is most appropriate. The
11 impacts of the proposed development on the surrounding properties will be monitored by the
12 City's Concurrency Management system. At the August 20th meeting, the Planning and Zoning
13 Board recommended approval and staff is recommending approval.

14
15 **MOTION**

16
17 **Robert Speaks moved for approval of Ordinance #2015-15 [Future Land Use Amendment**
18 **from County Rural Transition to City Commercial], seconded by Lori Pfister. The motion**
19 **carried unanimously 5-0.**

20
21 **Tab 7 – Ordinance #2015-16 – Rezoning of the Peninsula Property**

22
23 Mr. Skutt stated this is a city initiated action to revoke the old PUD ordinance from 1993 and
24 assign the subject property a zoning designation with a lowest intensity and density that is
25 consistent with the Comprehensive Plan. In 2014 the City adopted Ordinance #2014-15 that
26 created a time limit for the development of Planned Developments. It also provided for the
27 automatic revocation of PD's that failed to develop within prescribed deadlines and provided for
28 City Council to take action to rezone the property to the lowest intensity and density zoning
29 designation that is consistent with the overlying Comprehensive Plan designation. The Peninsula
30 PUD consisted of 500 homes of varying types. Other than the 18 lakefront lots developed under
31 Phase 1, the project was not constructed. Portions of the land have now been sold. The PUD
32 time limit has expired and the original owner no longer has unified control over the entire parcel.
33 City staff has had several meetings with the owners of Gorgeous Groves who have consented in
34 writing for the rezoning of this property to RSF-A designation (three dwelling units per acre). The
35 original PUD had a minimum lot size of 140 feet wide and 170 feet deep and required that all
36 homes built on lots adjacent to that project would be at least 3000 square feet in size. The owners
37 requested that the city honor this commitment to the owners in Phase One by adding that
38 condition into the rezoning map application. This condition and rezoning will have no time limit if
39 approved.

40
41 At the August 20th meeting the Planning & Zoning Board recommended approval and staff
42 recommends approval.

43
44 **MOTION**

45

1 **Lori Pfister moved to approve Option 1 [Revoke PUD Ordinance #93-37 as amended and**
2 **assign the subject property a zoning designation with the lowest intensity and density**
3 **consistent with the Comprehensive Plan--RFS-0A, Residential Single Family 3/du/acre,**
4 **with a condition that honors commitments made to property owners in Phase 1 regarding**
5 **minimum lot and house sizes on those lands that abut Phase 1], seconded by Robert**
6 **Speaks.**

7
8 Councilmember Pfister commented that she appreciates the review that is done by the Planning
9 & Zoning Board regarding land issues which makes it easier for Council to move through the
10 process.

11
12 **The motion carried unanimously 5-0.**

13
14 **Tab 9) Ordinance #2015-17 – Amendment to Land Development Regulations to Create New**
15 **Zoning District – RSF-2 for Single Family with 60 Ft. Lots**

16
17 Mr. Skutt stated this new zoning district RSF-2 (Residential Single Family) will allow exclusively
18 single family detached dwellings on 60 ft. wide lots on 6500 sq. ft. lots. Other than site specific
19 time limited Planned Developments, the only residential zoning district currently that allows single
20 family detached development on 60 ft. wide lots is an RMF-2 residential multi-family zoning. This
21 also allows duplexes and townhomes subject to certain design criteria. The inherent variation for
22 allowable dwelling types in this zoning lends uncertainty to the rezoning process for neighboring
23 impacted communities when applications are received to rezone to this designation. This was
24 seen recently with the rezoning application on Old 441. He noted single family detached
25 development on 60 ft. wide lots is a housing industry standard and prevalent in many residential
26 subdivisions within Tavares. The proposed ordinance adds text amendments to the Land
27 Development Ordinance to appropriately modify the regulations to accept this new designation.

28
29 The Planning & Zoning Board voted unanimously to recommend approval and staff recommends
30 approval.

31
32 **MOTION**

33
34 **Lori Pfister moved to approve Ordinance #2015-17 to create a new residential zoning**
35 **district (RSF-2) that allows exclusively single family detached dwellings on 60 ft. wide lots,**
36 **seconded by Bob Grenier.**

37
38 Mayor Smith thanked Mr. Skutt for his work on this ordinance.

39
40 **The motion carried unanimously 5-0.**

41
42 **Tab 9) Ordinance #2015-18 – Amendment to City’s Land Development Regulations –**
43 **Increase of Maximum Building Height in Commercial Downtown**

44

1 Mr. Skutt said this amendment will increase the allowable maximum building height in the
2 Commercial Downtown District from 60 ft. to 84 ft. to correspond with the recommendations of the
3 City's adopted Downtown Master Plan. In 2008 the City adopted the Downtown Master Plan. The
4 City has since implemented action strategies necessary to ensure redevelopment progresses in
5 the manner specified in the plan. In the downtown core the plan recommends stepped building
6 envelope forms that gradually increase in height to 84 feet in the middle of the blocks along Main,
7 Maud and Ruby Streets. This stepped building design has been added to Chapter 9, Architectural
8 and Site Design Standards in the Land Development Regulations, however, City staff missed
9 increasing the maximum height in the Commercial Downtown District when the architectural
10 design standards were done. In comparison, the County's downtown parking garage is 78 feet in
11 height; the Judicial Center is 108 ft. in height; the Round Building is 82 ft. in height. The four story
12 hotel on Ruby Street is 70 feet in height and City Hall at its highest point is 55 ft. in height. The
13 proposed ordinance implements an action strategy of the Downtown Master Plan and it is
14 consistent with a lot of the buildings that exist in the downtown. The Planning & Zoning Board
15 voted 4-1 to recommend approval. The only question that the Board had was for the Fire Chief
16 and whether he was in agreement. Staff recommends approval of Option 1 to increase the
17 maximum building height in the Commercial Downtown District to 84 ft. in height.

18
19 Vice Mayor Grenier asked Chief Keith if he needed to expand on his written comments.

20
21 Chief Keith said the letter that he had written was a response to the question posed by the
22 Planning & Zoning Board. He said high rise buildings are provided for through building codes.
23 The ground ladder will cover up to about three stories. The aerial ladder will cover up to about six
24 stories. Anything beyond that becomes a high rise but building codes take over and provide a
25 safe building through engineering practices such as alarm systems, exit stairwells, etc.

26
27 Councilmember Pfister said this will support green space by allowing the City to grow but still
28 keep its green space.

29
30 **MOTION**

31
32 **Lori Pfister moved to approve Option 1, to approve Ordinance #2015-18 to increase the**
33 **maximum allowable building height in the Commercial Downtown District to 84 feet to**
34 **correspond with the recommendation of the City's adopted Downtown Master Plan. The**
35 **motion was seconded by Robert Speaks.**

36
37 Councilmember Speaks asked for confirmation that this change was for the downtown area only.
38 Mr. Skutt confirmed. He asked if there were any other height restrictions in the rest of the city. Mr.
39 Skutt said there are height restrictions throughout the city that vary from zone to zone.
40 Councilmember Speaks said this issue had arisen in Mt. Dora with building a theater and he
41 wanted to ensure that the City had some room to be flexible.

42
43 **The motion carried unanimously 5-0.**
44

1 **Tab 10) Ordinance #2015-19 – Rezoning of 2.28 Acres of Property on the NE Corner of**
2 **Nelson Street and US 441**
3

4 Mr. Skutt said this property is presently owned by Church Extension Plan. A prospective
5 purchaser of the property would like to construct a wholesale distribution facility for baked goods
6 with a retail sales component. The zoning of the property (which is being split off from a larger
7 parcel) is shown on the city's zoning map as being half residential and half commercial. Under the
8 LDR's, zoning lines are to run either along the center of a street or along a parcel line. It appears
9 that the zoning line has been erroneously drawn on the zoning map and the property should be
10 either wholly residential or wholly commercial. Since the parcel fronts on US 441, it is staff's
11 opinion that it is most appropriate for the parcel to be zoned C-2 highway commercial. The
12 applicant has requested that the zoning be confirmed through an amendment to the zoning map
13 and the Land Development Regulations. The owner agrees that there will be no access
14 driveways to the property off Texas Avenue and that the frontage along Texas Avenue will be
15 heavily buffered through a continuous hedge or berm, etc.
16

17 The Planning and Zoning Board voted unanimously to recommend approval and staff
18 recommends approval.
19

20 Councilmember Pfister asked how many jobs would be created. Mr. Hiott from BESH, 902 N.
21 Sinclair Avenue, stated that it would create about 30 jobs.
22

23 **MOTION**
24

25 **Lori Pfister moved to approve Option 1 to approve Ordinance #2015-19 for the rezoning of**
26 **approximately 2.28 acres of property located on the northeast corner of Nelson Street and**
27 **US Highway 441 from a mix of RSF-1 and C-2 to wholly C-2. The motion was seconded by**
28 **Bob Grenier. The motion carried unanimously 5-0.**
29

30 **Tab 11) Ordinance #2015-20 – Small Scale Future Land Use Amendment – NE Corner of**
31 **Nelson Street and US 441**
32

33 Mr. Skutt reported that this is the FLUM that corresponds with the zoning application just
34 reviewed. The request is for a Commercial Future Land Use designation which is the most
35 appropriate. The impacts will be monitored through the concurrency management system. The
36 Planning and Zoning Board voted unanimously to recommend approval and staff recommends
37 approval.
38

39 **MOTION**
40

41 **Lori Pfister moved to approve Option 1, to approve Ordinance #2015-20 for the Future**
42 **Land Use Map amendment for approximately 2.28 acres of property located on the**
43 **northeast corner of Nelson Street and US 441 from a mix of Low Density Residential and**
44 **Commercial to wholly Commercial. The motion was seconded by Bob Grenier. The motion**
45 **carried unanimously 5-0.**

1
2 **XI. GENERAL GOVERNMENT**

3
4 **Tab 12) Chamber of Commerce Request to Discuss the Annual Grant**

5
6 Ms. Houghton stated this was a request from the Chamber to discuss the conditions on the City's
7 FY 2016 Chamber grant funding in the amount of \$7500. She stated that on July 15, 2015 the
8 Chamber requested the city to include the \$7500 in support of the Chamber's FY 2016 budget.
9 She said at the August 19th Budget Workshop, City Council approved the funding request
10 contingent on the Chamber being open six hours on Saturdays to assist visitors. She said the
11 Chamber has requested an opportunity to discuss this condition with the City Council.

12
13 Mayor Smith recognized Orin Owen of the Chamber of Commerce.

14
15 Mr. Owen said he lives in Eustis and is present to represent the Tavares Chamber Board. He said
16 the Chamber would like to request that the City keep the line item in the budget for the grant. He
17 said they would like to come back and propose a solution on October 21st as to the City's
18 suggestion for keeping the office open on Saturdays.

19
20 Mayor Smith asked for confirmation that Mr. Owen wished to keep the line item with the
21 contingency until October 21st when the Chamber would come back with either approval or
22 disapproval. Mr. Owen said they would come back with a proposed solution.

23
24 Mayor Smith said he was concerned because the City and the Chamber had always had a good
25 relationship. He said the Chamber does two events that have been on the calendar for several
26 years. One of those events is Hallo-O-Fest or Trunk or Treat. He said it is his impression that
27 Trunk or Treat has been growing in participation by the children every year. He said it had been
28 relayed to him through Mr. Tweedie, the City's liaison to the Chamber, that the Chamber has
29 decided to cancel Hallo-O-Fest. Discussion followed on the timing of the Chamber's decision and
30 communication issues.

31
32 Mayor Smith asked Ms. Rogers if her department had the capacity to take on the Trunk or Treat
33 event. Ms. Rogers answered in the affirmative. Mr. Drury said the city would need to allocate
34 about \$5000 to this event. He said he would hold off on hiring the Public Communications
35 Director vacancy in order to do it within the budget.

36
37 Councilmember Speaks spoke in support of the Trunk or Treat event. He said he was on City
38 Council when the Chamber came years ago asking for financial help to keep the Chamber open.
39 He said at that time he had requested a partnership that could be expanded in order to work with
40 the City. He said he would like to see more of a partnership. He said there are a lot of people
41 visiting on the weekend during events and it would be helpful to have the Chamber office open for
42 people to go in and receive information on the area.

43
44 Vice Mayor Grenier said he still wanted to keep the line item in the budget. He said his preference
45 is that the Chamber office be open at least on Saturdays during events.

1
2 Councilmember Pfister reiterated her desire to have the Chamber be open six hours on
3 Saturdays. Mr. Owen discussed a past survey done by the Chamber to determine the traffic on
4 Saturdays of visitors to the Chamber, the outcome of which determined that they felt did not
5 justify having it open on Saturdays.

6
7 Councilmember Johnson spoke in support of having the Chamber be open on Saturdays.

8
9 Mr. Drury said this was an opportunity to have the Chamber present and they will be returning on
10 October 21st to make their presentation. The money will stay in the budget until that time and until
11 they meet the Council conditions.

12
13 Mayor Smith asked for a motion on Trunk or Treat.

14
15 **MOTION**

16
17 **Lori Pfister moved that the City of Tavares take on Trunk or Treat and use the funds that**
18 **are needed to make it happen, seconded by Robert Speaks. The motion carried**
19 **unanimously 5-0.**

20
21 Councilmember Grenier asked for confirmation that the motion only applied to the current year.
22 Mr. Drury confirmed. He commended Ms. Rogers for agreeing to take on the event on short
23 notice. Mayor Smith noted that he hoped the Chamber would consider the opportunity to take the
24 event back next year.

25
26 **Tab 13) Request to Accept Streetlights in Lake Elsie Subdivision**

27
28 Ms. Houghton stated that Lake Elsie Subdivision Homeowners Association has asked the City to
29 consider accepting monthly electric charges for their streetlights. On August 19th City Council
30 discussed this request and then asked staff to provide information on streetlight assessments.
31 Staff subsequently presented preliminary findings to Council.

32
33 Ms. Houghton said it has been the practice of the City to assume standard costs on monthly
34 streetlight charges for a new subdivision once the public infrastructure has been accepted by the
35 City Council and upon receiving a written request by the HOA. Duke Energy reports that the
36 subdivision is currently billed for 27 lights and 27 poles at a monthly cost of \$793.20. The lighting
37 is considered "fancy" and not standard. Ms. Houghton said she has provided to Council a
38 summary of costs for streetlights throughout the City. Currently the cost for the lights is \$21.85 for
39 27 lights. If the City was just to pay for standard poles it would be a cost of \$5.81 per pole.

40
41 Mayor Smith asked for clarification on "standard" and "fancy." Mr. Drury said the standard cost
42 that the City will pay is \$5.81. The HOA will pay \$15.99 per light pole. Mayor Smith asked that this
43 not include anything retroactive. Ms. Houghton said that staff recommends the billing period to
44 begin October 1st.

45

1 **MOTION**

2
3 **Lori Pfister moved to approve Option 1, to accept the Lake Elsie Reserve Homeowner's**
4 **Association request to assume monthly electrical charges for street lights at the standard**
5 **cost with the subdivision paying the increase over the standard cost with an effective date**
6 **of October 1, 2015. The motion was seconded by Robert Speaks. The motion carried**
7 **unanimously 5-0.**

8
9 **Tab 14) Collective Bargaining Agreement between the City of Tavares and the Tavares**
10 **Police Benevolent Association**

11
12 Lt. Paynter reported that the management team of Councilmember Speaks, Mr. Drury, and Chief
13 Lubins met with Officer Baugh, Officer Harper, and Mr. Micciche of the PBA. The main points are
14 noted in the agenda summary. The contract has been ratified by all parties. Lt. Paynter thanked
15 Councilmember Speaks for participating in the bargaining.

16
17 **MOTION**

18
19 **Robert Speaks moved for approval of the Collective Bargaining Agreement, seconded by**
20 **Lori Pfister. The motion carried unanimously 5-0.**

21
22 **Tab 15) Approval of Contract with International Association of Firefighters, Tavares Local**
23 **3245**

24
25 Chief Keith reported that over the last few months the city and union has been meeting with Mr.
26 Drury being the chief negotiator and Vice Mayor Grenier representing the Council. He thanked
27 Vice Mayor Grenier, Mr. Drury and the Union executive board for their assistance in negotiations.
28 Chief Keith noted Lt. Kidd, the President of the Local, was in attendance as well as Engineer
29 Bringard, Vice President of the Local.

30
31 He noted the salient points are as follows:

- 32
- 33 • It is a 3 year full contract
 - 34 • The COLA is the standard 5% that is going to all city employees
 - 35 • Working out of classification – previously the employee received .75 an hour. This has
 - 36 been increased to \$2.50 an hour.
 - 37 • Changes to the pension – included in the contract is language that provides a re-opener
 - 38 for pension language for the next year if needed
- 39

40 Vice Mayor Grenier said it was his first time being a part of negotiations and it was a pleasure to
41 participate and witness the process.

42
43 **MOTION**

44

1 **Bob Grenier moved to approve the proposed Collective Bargaining Agreement as**
2 **presented between the Tavares Professional Firefighters Local 3245 and the City of**
3 **Tavares and authorize City Administrator John Drury to sign the contract on behalf of the**
4 **City. The motion was seconded by Lori Pfister. The motion carried unanimously 5-0.**

5
6 **AUDIENCE TO BE HEARD**

7
8 **XII. OLD BUSINESS**

9
10 **Tab 16) Follow-Up Discussion on City Assessments**

11
12 Attorney Williams said information was presented at the last meeting regarding the methods for
13 collecting for streetlights. Currently the City pays for streetlights out of the General Fund which is
14 an authorized use of public funds. He discussed the provision under Chapter 170 for doing an
15 assessment. He said some cities are doing assessments in order to shift ad valorem taxes into
16 non-ad valorem assessments where it is a fee as opposed to a tax. He noted that he had
17 provided information from the City of Casselberry regarding their streetlight assessment. It must
18 be based on a study that determines the benefit group and the way that people are benefitted.
19 The firm GSG provided a quote for doing the study at a cost of approximately \$15,000 to
20 \$18,000. The assessment can either be collected by the City through the utility bill or through the
21 uniform method shown on the tax bill. He discussed the advantages and disadvantages.

22
23 **MOTION**

24
25 **Lori Pfister moved to not conduct a streetlight assessment study, seconded by Robert**
26 **Speaks. The motion carried unanimously 5-0.**

27
28 Mayor Smith thanked staff for providing the information.

29
30 **XIII. NEW BUSINESS**

31
32 **XIV. AUDIENCE TO BE HEARD**

33
34 **Bill Stomp, Royal Harbor**

35
36 Mr. Stomp said that the residents of Royal Harbor appreciate the work done by the staff. He said
37 recently a contractor working on his home told him he preferred to do work in Tavares because of
38 the excellent service of the staff.

39
40 Mr. Stomp said he had three items to bring forward:

- 41
42
43
44
45
- Noted the substation on US 441 was to have been heavily landscaped however it does not appear to be so, and needs to be more attractive as the City's main thoroughfare
 - Stated there are two four lane highways that intersect with medians—US 441 and SR 19. There are a number of grassed areas in those medians; some have plantings of trees and

1 minimal shrubs. He said he understood that the availability of irrigation is the deciding
2 factor as to whether or not they can put in more landscaping in some of the other areas.
3 He asked for a review or confirmation that irrigation is or is not available in those medians
4 that are not planted and a determination of the process to extend irrigation to all or some
5 of the unserved medians and a determination of very drought resistant plantings for
6 unserved medians. He encouraged beautification of the medians.

- 7 • He asked Council to focus on the city debt. He said he was not bringing this to Council as
8 a complaint or concern but would like Council to focus on reducing the city's debt
9

10 Mr. Drury said he would provide a written response by the end of the week on these matters.
11

12 Betty Burleigh, Tavares
13

14 Ms. Burleigh gave the history on Little Joe's Hideaway. In 1973 the fish camp was transformed
15 into a quaint restaurant and tavern. There was a juke box and a piano and entertainment by a 76
16 year old pianist. It was best known for its food. They had docking space for boaters and an
17 outdoor deck. In 2001 it was purchased and became "Big Johns." Then in 2004 Dan Kellyman
18 purchased it and it is now called Lake Harris Hideaway.
19

20 **XV. REPORTS**
21

22 **Tab 14) City Administrator**
23

24 Mr. Drury said he had updated his list of events including "Rocktober Fest" coming up on
25 October 10th.
26

27 Public Works Director
28

29 Mr. Thompson thanked Council for compensating the staff during a hard budget year.
30

31 Utility Director
32

33 Mr. Hayes said his staff appreciates the increase.
34

35 Fire Chief
36

37 Chief Keith reiterated the previous comments and thanked Council for approving the Union
38 Contract.
39

40 **City Attorney**
41

42 **Tab 15) City Council**
43

44 **Councilmember Pfister**
45

1 **Vice Mayor Grenier**

2
3 Vice Mayor Grenier noted Ordinance #2015-16 covered the rezoning [of the Peninsula]. He said
4 the original owner was Captain Melton Haynes who purchased it in 1868 for \$5.00 down for 160
5 acres through the Homestead Act of 1862. After five years he received a patent after paying a
6 total of \$18.00. The grant was signed by Ulysses S. Grant.

7
8 Reminded everyone that next weekend is Rifles, Rails and History at Wooton Park. He said it is
9 the third year and people are coming from four different states to participate. He said Sorrento
10 Elementary will be busing students and parents on Friday.

11
12 Stated that he will be unable to attend the first meeting in October.

13
14 **Councilmember Speaks**

15
16 Councilmember Speaks commended Mr. Stump on his presentation. He noted as a retired
17 banker he is also concerned about debt but he thinks the City's debt is in line. He said it was a
18 pleasure to negotiate the Police Union contract and it had been a good bargaining session. He
19 commended the staff for their business friendly services and said he was glad to be able to
20 provide the 5% increase. He commended Mr. Drury for his leadership.

21
22 **Councilmember Johnson**

23
24 Councilmember Johnson said the budget meetings had been exciting and educational. She
25 commended the department heads for their assistance and for her answering her questions. She
26 said Mr. Drury has been helpful to her in providing explanations and information. She said she is
27 glad about the Hallo-O-Fest being assumed by the City and that she will happy to help out.

28
29 **Mayor Smith**

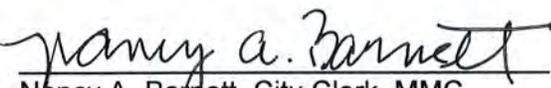
30
31 Mayor Smith thanked the Historical Society for attending every Council Meeting. He said it is
32 helpful to have their resources available. He commended Ms. Rogers for accepting the Main
33 Street Hallo-O-Fest event.

34
35 Mayor Smith said on this day in 1782 the U.S. Seal was used for the first time. He added that
36 today is National Monte Cristo day for those who like sandwiches.

37
38 **Adjournment**

39 There was no further business and the meeting was adjourned at 5:48 p.m.

40
41 Respectfully submitted,

42
43 
44 _____
45 Nancy A. Barnett, City Clerk, MMC

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: October 7, 2015**

AGENDA TAB NO. 2

SUBJECT TITLE: Lake County Children's Memorial Garden

OBJECTIVE:

To provide Jennifer Dempsey an opportunity to present plans for the Lake County Children's Memorial park located on the shore of Lake Idamere in Tavares.

SUMMARY:

The 1.5 acre Lake County Children's Living Memorial Garden is to become a beautiful oasis of life created in memory of the beloved children in our community who have left this earth too soon.

Jennifer Dempsey would like an opportunity to share the plans with the City on what is proposed to be created.

OPTIONS:

- 1) Provide an opportunity for the presentation.
- 2) Do not provide an opportunity for the presentation.

STAFF RECOMMENDATION:

Provide an opportunity for the presentation.

FISCAL IMPACT: N/A

LEGAL SUFFICIENCY: YES



LAKE COUNTY CHILDREN'S MEMORIAL GARDEN

PROJECT OVERVIEW | GARDEN VISION



LOCATION Tavares, FL
DATES OF SERVICE Ongoing
PROJECT SIZE 1.5 acres

CLIENT

Jennifer Dempsey
Coordinator
352.360.5981

Nick Buchholz
Executive Director
Cornerstone Hospice
2445 Lane Park Rd
Tavares, FL 32778
352.343.1341

AWARDS

2015 Award of Honor,
Florida ASLA

“SUPPORTING GRIEVING FAMILIES AND LOVED ONES ON THEIR JOURNEY TO EMOTIONAL HEALING; INSPIRING CONNECTION TO THE WORLD AROUND AND BEYOND THEM.”

The Lake County Children's Memorial Garden, located on the shore Lake Idamere in Tavares, Florida, is to be a beautiful oasis of life created in memory of the beloved children in our community who have left this earth too soon. This 1.5 acre living memorial will provide a peaceful sanctuary for bereaved parents and families to remember and celebrate the life of their precious child while assisting them with their own journey toward healing.

Nestled within Lake Idamere Park, a popular 45 acre park rich in biodiversity located off State Road 19 at 12335 County Road 448, the Lake County Children's Memorial Garden will provide Lake County residents and visitors with an alluringly unique space for quiet meditation and contemplation. The location is close to

Cornerstone Hospice and will provide the opportunity for existing bereavement groups to use the garden on a regular basis.

Just beyond the borders of the Memorial Garden is the Boundless Playground, a unique play area specifically designed for children with special needs. This one of a kind facility in Central Florida offers specialized playground equipment and a pour-in-place rubber foundation that can be enjoyed by children with physical challenges without leaving their support equipment. The Lake County Children's Memorial Garden will offer these special children the chance to interact with a variety of plants and animals and other garden elements that stimulate the senses of sight, sound, smell and touch.

As the sound of children's laughter echoes from the playground through the bald cypress trees, bereaved parents, siblings, family members and friends will be reminded of their own precious children, not just with sorrowful hearts but also with gratitude for the life they lived.





As long as I can I will look at this world for both of us. As long as I can I will laugh with the birds, I will sing with the flowers, I will pray to the stars, for both of us. -Sascha



ACTIVE HEALING GARDEN



REFLECTION ALCOVE



MEMORIAL TERRACE



LAKE IDAMERE

20' 40' CONSERVATION BUFFER

MEMORIAL TERRACE

VIEWING GARDEN

OBSERVATION BOARDWALK

RESTORATION OUTLOOK

REFLECTION ALCOVE

OBSERVATION BOARDWALK

GARDEN OF REMEMBRANCE



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**AGENDA SUMMARY
TAVARES CITY COUNCIL
DATE OF MEETING: October 7, 2015**

AGENDA TAB NO: 3

SUBJECT TITLE: Approval of Agreement with Air Boss Solutions for the Monster Splash Seaplane Fly-In

OBJECTIVE:

To have City Council approve the attached Agreement with Air Boss Solutions for the 2015 Monster Splash seaplane fly-in event for a total estimated expenses of \$2,000.

SUMMARY:

The City of Tavares has hosted Fall and Spring Seaplane Fly-In events at Wooton Park since 2012. In order to safely conduct these events the services of professional "Air Boss" to direct the fly-in activities, contests and proof of Air Boss operations insurance is required and has been contracted for all previous fly in events. This year's fall Monster Splash Fly In is scheduled for October 24, 2015. The estimated cost for an Air Boss for this event is \$2,000.

City expenses would be covered by FY 2016 CRA-TIF revenues and have been included in the City's approved FY 2016 budget.

Staff is requesting that Council approve the attached Agreement to have an Air Boss for the 2016 Monster Splash Fly in.

OPTIONS:

1. To approve the attached Agreement to have an Air Boss for the 2015 Monster Splash seaplane fly-in.
2. To not approve the attached Agreement to have an Air Boss for the 2015 Monster Splash seaplane fly-in.

STAFF RECOMMENDATION:

Staff recommends that the Council moves to approve the attached Agreement to have an Air Boss for the 2015 Monster Splash fly in.

FISCAL IMPACT:

The estimated City out-of-pocket expenditures of \$3,000 will be covered by FY 2016 CRA – TIF revenues contained in the City approved FY 2016 budget.

LEGAL CONSIDERATIONS:

The City Attorney has reviewed and approved the attached Agreement.

AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2015, between the City of Tavares, Florida (hereinafter referred to as "the City") and Air Boss Solutions, LLC (hereinafter referred to as "Vendor").

RECITALS

1. The City desires to enter into an agreement with Vendor for the provision of Air Boss services at The Halloween Seaplane Fly-In at Wooton Park and The Seaplane Fly-In at Wooton Park.

2. Vendor desires to enter into an agreement with the City to provide said services, and further agrees to be bound by the terms and conditions of this Agreement.

THEREFORE, in consideration of the foregoing recitals and for other good and valuable consideration, receipt of which is hereby acknowledged, the City and Vendor hereby covenant and agree as follows:

1. The Vendor agrees to provide Air Boss services at The Halloween Seaplane Fly-In at Wooton Park. Air Boss services include coordinating the event's competitions, pilot briefings, all related safety guidance and working with the City on event ideas and development.

2. The Halloween Seaplane Fly-In is to be held on the Tavares Waterfront on October 24, 2015.

3. In addition to providing The Halloween Seaplane Fly-In Air Boss services as described in Paragraph 1, Vendor shall be responsible for the following:

a. Provide all necessary equipment related to providing Air

Boss services.

b. Employ a Qualified "Air Boss" (as that phrase is generally understood) to supervise The Halloween Seaplane Fly-In and The Seaplane Fly-In.

c. Provide insurance as agreed to and approved by the City's Risk Manager as described in Attachment A to this Agreement. Vendor shall provide the City with the Certificate of Insurance as described in Attachment A at least fifteen (15) days prior to the event.

4. In exchange for the Vendor's obligations, the City shall pay Vendor TWO THOUSAND DOLLARS (\$2,000) on October 24, 2015.

5. Vendor agrees to indemnify the City and hold it harmless from any claims or damages (including attorney's fees) that it may incur by reason of the operation of The Halloween Seaplane Fly-In and The Seaplane Fly-In services provided by Vendor.

6. The parties agree that if Vendor violates the terms and conditions of this Agreement, or violates any other applicable state, county or municipal ordinances, the City shall have the option to immediately terminate this Agreement.

7. Vendor shall be responsible for obtaining any and all necessary licenses, health certificates, permits, or other documents required to provide Air Boss services.

8. Vendor shall not be permitted to sublet or assign any part of the Air Boss services as set forth in this Agreement without first obtaining the written consent of the City.

9. Should Vendor breach the terms of this agreement, causing the City

to employ an attorney for the enforcement of the provisions hereof, or for the collection of damages as a result of a breach, then the City's attorney's fees and court costs shall be paid by the Vendor.

Dated this ___ day of _____, 2015.

CITY

VENDOR

John Drury, City Administrator
City of Tavares, Florida

Air Boss Solutions, LLC
By: Jon Pawelkop, Owner

Attest:

Attest:

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**AGENDA SUMMARY
TAVARES CITY COUNCIL
OCTOBER 7, 2015**

AGENDA TAB NO. 4

SUBJECT TITLE: Resolution 2015-13 Vacation of a portion of the Plat of "PLAT OF LAND OF LANE AND JACKSON AND OTHERS" and a portion of the Plat of "TOWN PLAT OF LANE PARK"

OBJECTIVE:

To consider the partial vacation of the "PLAT OF LAND OF LANE AND JACKSON AND OTHERS" and "TOWN PLAT OF LANE PARK"

SUMMARY:

This is a request to vacate a portion the "PLAT OF LAND OF LANE AND JACKSON AND OTHERS" and "TOWN PLAT OF LANE PARK" lying south of Slim Haywood Ave., north of Camp Road. The owner of property that includes the portions of said Plats, Shantiniketan-FL, LLC, would like to construct a multi-family residential condominium complex. Prior to development the owner must vacate any Public interest in the property. City staff has verified with BESH Engineering and the City of Tavares Utility Department that no public utilities exist in any right-of-way proposed to be vacated. All platted roads within the Shantiniketan-FL, LLC property appear to be unopened and unused. This vacate will remove the city's public interest in this land, thus allowing the applicant to pursue options to secure title to this property.

OPTIONS:

1. That City Council moves to approve Resolution 2015-13.
2. That City Council moves to deny Resolution 2015-13.

PLANNING & ZONING BOARD RECOMMENDATION:

At its September 17th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Resolution 2015-13.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Resolution 2015-13.

FISCAL IMPACT: N/A.

LEGAL SUFFICIENCY:

This resolution has been reviewed by the City Attorney and approved for legal sufficiency.

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RESOLUTION 2015-13

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, VACATING ALL LOTS, BLOCKS, STREETS, ROADS, AND RIGHTS-OF-WAY FOR A PORTION OF THE PLAT OF "PLAT OF LAND OF LANE AND JACKSON AND OTHERS" AS RECORDED IN PLAT BOOK 7, PAGE 52 PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; TOGETHER WITH ALL LOTS, BLOCKS, STREETS, ROADS, AND RIGHTS-OF-WAY FOR A PORTION OF THE PLAT OF "TOWN PLAT OF LANE PARK" AS RECORDED IN PLAT BOOK 1, PAGE 39, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owner of property that includes those portions of said Plats described in Exhibits "A" and "B" attached and incorporated herein has petitioned for a vacation of those portions of said Plats; and

WHEREAS, the applicant desires to develop the property as a multi-family residential condominium complex; and

WHEREAS, the applicant must secure title to vacated rights-of-way to develop the property; and

WHEREAS, this proposed vacate will remove the City's public interest in this property thus enabling the applicant to pursue options to gain title to this property; and

WHEREAS, the petition to vacate said portions of Plats has been duly noticed as required by law; and

WHEREAS, the abutting property owners have been notified per the requirements of the City of Tavares Land Development Regulations; and,

WHEREAS, the City of Tavares has reviewed the vacate request and determined no conflicts in the vacation with regard to utilities, traffic, health, safety, or welfare,

NOW, THEREFORE, be it resolved by the City Council of the City of Tavares, Florida as follows:

The City of Tavares hereby vacates any and all interest in the aforesaid Plats, as described in Exhibits "A" and "B" attached and incorporated herein, and made part of this resolution.

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PASSED AND RESOLVED this 7th day of October, 2015 by the Tavares City Council.

Kirby Smith, Mayor
Tavares City Council

ATTEST

Nancy A. Barnett, City Clerk
Approved as to form and legality:

Robert Q. Williams, City Attorney

Exhibit "A"**LEGAL DESCRIPTION: PARCEL "A"**

THAT PORTION OF THE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4087, PAGES 1957 THROUGH 1963, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AND BEING THAT PORTION OF LOTS 7 THROUGH 10 AND 14 THROUGH 24, ALONG WITH THE VACATED UNNAMED ROADS LYING BETWEEN SAID LOTS, BEING VACATED PER RESOLUTION 2007-30 AS RECORDED IN OFFICIAL RECORDS BOOK 3793, PAGES 817 THROUGH 821, AND AS SHOWN ON THE PLAT OF "PLAT OF LAND OF LANE AND JACKSON AND OTHERS" AS RECORDED IN PLAT BOOK 7, PAGE 52, BOTH BEING RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF BLOCKS 2 THROUGH 7, BLOCKS 9 THROUGH 14, BLOCKS 16 THROUGH 21, BLOCKS 25 THROUGH 29 AND BLOCKS 32 THROUGH 34 AS SHOWN ON THE PLAT OF "TOWN PLAT OF LANE PARK" AS RECORDED IN PLAT BOOK 1, PAGE 39, PUBLIC RECORDS OF SUMTER COUNTY, FLORIDA, AND ALSO SAID BLOCKS BEING SHOWN ON THE LAKE COUNTY TAX MAP, ALONG WITH THE VACATED ROADS LYING BETWEEN SAID BLOCKS, BEING VACATED PER RESOLUTION, AS RECORDED IN OFFICIAL RECORDS BOOK 54, PAGES 93 THROUGH 95, BOTH BEING RECORDED IN THE PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF GOVERNMENT LOT 10 OF SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST LAKE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF THE ABANDONED ATLANTIC COAST LINE RAILROAD LYING IN SAID GOVERNMENT LOT 10, ALL BEING IN SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST AND SECTION 6, TOWNSHIP 20 SOUTH, RANGE 26 EAST LAKE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 SECTION CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA, BEING MONUMENTED WITH A FIVE (5) INCH ROUND CONCRETE MONUMENT; THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, N00°59'22"E A DISTANCE OF 1081.87 FEET TO THE SOUTH RIGHT OF WAY LINE OF SLIM HAYWOOD AVENUE AS SHOWN ON THE PLAT OF "PLAT OF LANE PARK RIDGE PHASE A" AS RECORDED IN PLAT BOOK 59, PAGES 52 THROUGH 54, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING THE POINT OF BEGINNING; THENCE RUN ALONG SAID SOUTH RIGHT OF WAY LINE THE FOLLOWING EIGHT (8) COURSES, S89°12'04"E A DISTANCE OF 288.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 165.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°46'38" AN ARC DISTANCE OF 117.43 FEET TO THE POINT OF TANGENCY; THENCE RUN N50°01'18"E A DISTANCE OF 81.14 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 200.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°32'23" AN ARC

DISTANCE OF 141.51 FEET TO THE POINT OF TANGENCY; THENCE RUN S89°26'19"E A DISTANCE OF 245.86 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 250.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°02'20" AN ARC DISTANCE OF 165.98 FEET TO THE POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 175.00 FEET; THENCE RUN EASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°25'45" AN ARC DISTANCE OF 117.38 FEET; THENCE RUN S89°13'56"E A DISTANCE OF 95.51 FEET TO THE WEST SUBDIVISION LINE OF THE PLAT OF "FOXBOROUGH" AS RECORDED IN PLAT BOOK 54, PAGES 33 THROUGH 34, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN S00°49'02"W ALONG SAID WEST SUBDIVISION LINE A DISTANCE OF 470.08 FEET TO THE POINT OF INTERSECTION OF SAID WEST SUBDIVISION LINE WITH THE WEST RIGHT OF WAY LINE OF THE UNNAMED ROAD AS SHOWN ON THE AFORESAID PLAT OF "PLAT OF LAND OF LANE AND JACKSON AND OTHERS"; THENCE RUN S01°03'31"W ALONG SAID WEST RIGHT OF WAY LINE A DISTANCE OF 1256.29 FEET TO THE WESTERLY RIGHT OF WAY LINE OF THE AFORESAID ABANDONED ATLANTIC COAST LINE RAILROAD AS SHOWN ON THE "RIGHT OF WAY AND TRACK MAP, ATLANTIC COAST LINE R.R. CO., LANE PARK BRANCH, STATION 422+40 TO STATION 500+56, DATED REVISED JUNE 30, 1920", AND BEING ON FILE AT C.S.X. RAILROAD, JACKSONVILLE, FLORIDA; THENCE RUN S54°00'47"W ALONG SAID WESTERLY RIGHT OF WAY LINE A DISTANCE OF 374.63 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 1482.68 FEET; THENCE CONTINUE ALONG SAID WESTERLY RIGHT OF WAY LINE, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 24°15'10", AN ARC DISTANCE OF 627.61 FEET, TO THE INTERSECTION OF SAID WESTERLY RIGHT OF WAY LINE WITH THE NORTH LINE OF AFORESAID GOVERNMENT LOT 10; THENCE RUN S89°17'00"E ALONG SAID NORTH LINE A DISTANCE OF 115.69 FEET TO THE EASTERLY RIGHT OF WAY LINE OF SAID ABANDONED ATLANTIC COAST LINE RAILROAD, SAID POINT BEING SITUATED ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 1382.68 FEET, TO WHICH A RADIAL LINE BEARS N57°54'43"W; THENCE RUN SOUTHWESTERLY ALONG SAID EASTERLY RIGHT OF WAY LINE AND THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 07°24'12", AN ARC DISTANCE OF 178.66 FEET, TO THE INTERSECTION OF SAID EASTERLY RIGHT OF WAY LINE WITH THE WESTERLY RIGHT OF WAY LINE OF MAINTENANCE OF CAMP ROAD AS SHOWN ON THE "LAKE COUNTY CAMP ROAD 3-3442 MAINTENANCE RIGHT OF WAY MAP, DATED OCTOBER 19, 2004" RECORDED IN MAINTENANCE MAP BOOK 9, PAGES 64 THROUGH 67, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, SAID POINT BEING SITUATED ON A NON TANGENT CURVE CONCAVE SOUTHEASTERLY WITH A RADIUS OF 881.20 FEET, TO WHICH A RADIAL LINE BEARS N62°01'10"W; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE

OF MAINTENANCE THE FOLLOWING FOUR (4) COURSES, SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 09°06'50", AN ARC DISTANCE OF 140.17 FEET; THENCE RUN S19°56'21"W A DISTANCE OF 181.79 FEET; THENCE RUN S19°05'05"W A DISTANCE OF 87.95 FEET TO A POINT SITUATED ON A NON TANGENT CURVE CONCAVE WESTERLY WITH A RADIUS OF 1190.34 FEET, TO WHICH A RADIAL LINE BEARS S73°30'54"E; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 08°19'14", AN ARC DISTANCE OF 172.87 FEET, TO THE EASTERLY EXTENSION OF THE SOUTH LINE OF THE AFORESAID LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 4087, PAGES 1957 THROUGH 1963, PARCEL 6; THENCE RUN ALONG SAID EASTERLY EXTENSION AND PARCEL 6 ALONG WITH THE SOUTH LINE OF PARCEL 2 OF SAID OFFICIAL RECORDS BOOK 4087, PAGES 1957 THROUGH 1963, N89°17'00"W A DISTANCE OF 317.85 FEET TO THE WEST LINE OF AFORESAID SECTION 6, SAID LINE ALSO BEING THE WEST LINES OF SAID PARCEL 2 AND AFORESAID GOVERNMENT LOT 10; THENCE RUN ALONG SAID WEST LINES N00°54'50"E A DISTANCE OF 192.80 FEET TO THE NORTH RIGHT OF WAY LINE OF VACATED ASTATULA STREET AS SHOWN ON THE AFORESAID PLAT OF "TOWN PLAT OF LANE PARK" SAID LINE ALSO BEING THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 685, PAGES 2436 THROUGH 2438, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN N89°15'38"W ALONG SAID NORTH RIGHT OF WAY LINE AND SOUTH LINE A DISTANCE OF 784.72 FEET TO A POINT THAT LIES 372.50 FEET EAST OF THE FIELD MONUMENTED WEST LINE OF SAID PLAT OF "TOWN PLAT OF LANE PARK", SAID POINT ALSO BEING ON THE WEST LINE OF THE LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 4087, PAGES 1957 THROUGH 1963, PARCEL 3; THENCE RUN N00°31'03"E ALONG SAID WEST LINE OF PARCEL 3 A DISTANCE OF 862.68 FEET; THENCE CONTINUE ALONG SAID WEST LINE OF PARCEL 3, AND ALONG WITH THE WEST LINE OF THE LANDS DESCRIBED IN SAID OFFICIAL RECORDS BOOK 4087, PAGES 1957 THROUGH 1963, PARCEL 5, N00°52'02"E A DISTANCE OF 461.83 FEET TO THE SOUTHERLY LINE OF THE AFORESAID PLAT OF "PLAT OF LANE PARK RIDGE PHASE A"; THENCE RUN ALONG SAID SOUTHERLY LINE, AND ALONG WITH THE EASTERLY LINE OF SAID PLAT OF "PLAT OF LANE PARK RIDGE PHASE A" THE FOLLOWING NINE (9) COURSES, N70°21'18"E A DISTANCE OF 383.50 FEET; THENCE RUN N00°55'58"E A DISTANCE OF 153.40 FEET; THENCE RUN N89°11'24"W A DISTANCE OF 195.00 FEET; THENCE RUN N00°58'06"E A DISTANCE OF 89.62 FEET; THENCE RUN N02°03'22"E A DISTANCE OF 348.70 FEET; THENCE RUN N05°44'42"E A DISTANCE OF 222.47 FEET; THENCE RUN S89°11'36"E A DISTANCE OF 570.22 FEET; THENCE RUN N01°00'00"E A DISTANCE OF 428.00 FEET, SAID POINT ALSO BEING SITUATED ON THE AFORESAID SOUTH RIGHT OF WAY LINE OF SLIM HAYWOOD AVENUE; THENCE RUN S89°12'04"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 33.13 FEET; TO THE POINT OF BEGINNING.

CONTAINING 4405

SQUARE FEET OR 101.14 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RIGHT OF WAYS AND MATTERS OF RECORD.

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Exhibit "B"

LEGAL DESCRIPTION: PARCEL "B"

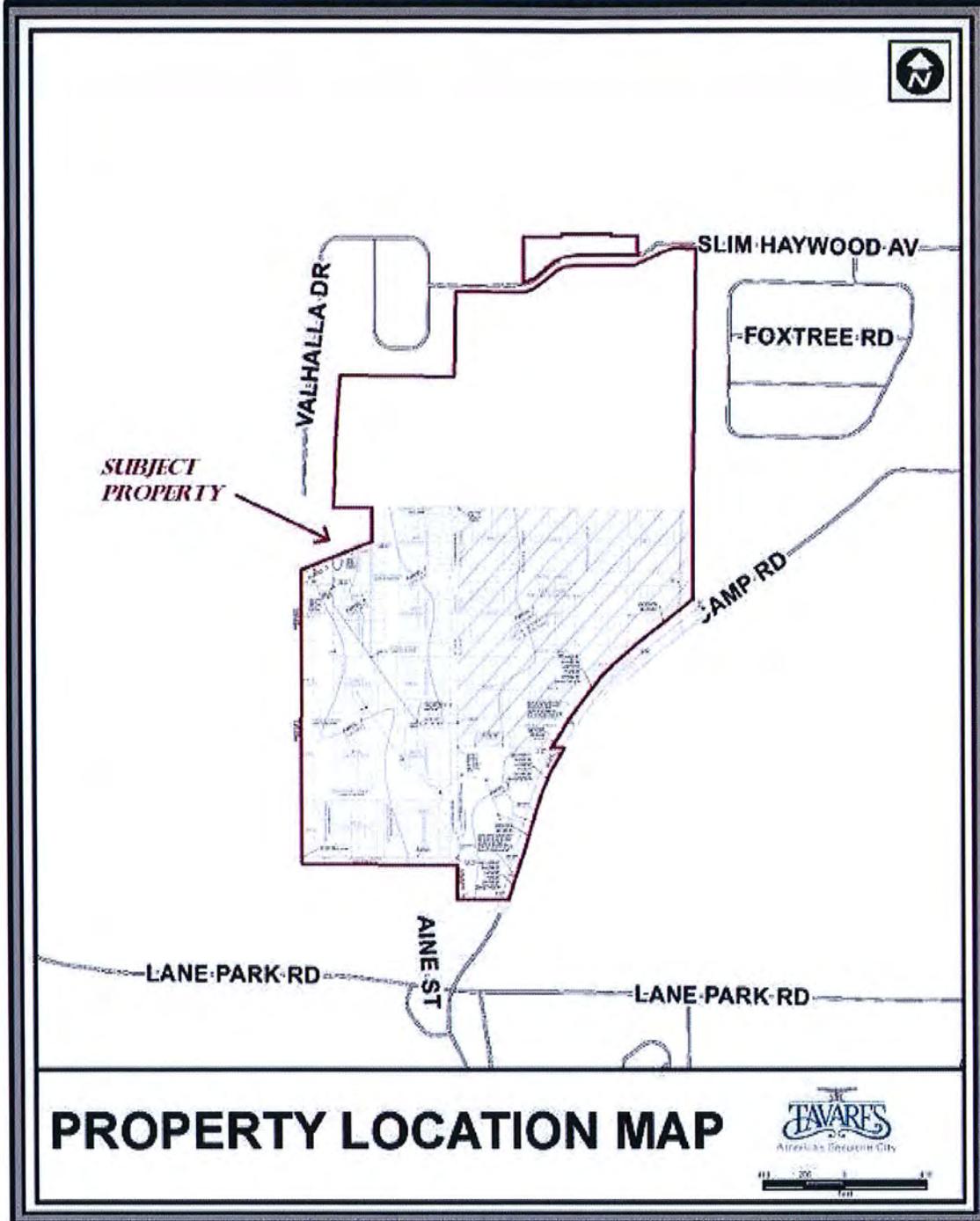
THAT PORTION OF THE LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 4087, PAGES 1957 THROUGH 1963, PARCEL 9, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; AND BEING THAT PORTION OF LOT 14 AS SHOWN ON THE PLAT OF "PLAT OF LAND OF LANE AND JACKSON AND OTHERS" AS RECORDED IN PLAT BOOK 7, PAGE 52, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 SECTION CORNER OF SECTION 1, TOWNSHIP 20 SOUTH, RANGE 25 EAST LAKE COUNTY, FLORIDA, BEING MONUMENTED WITH A FIVE (5) INCH ROUND CONCRETE MONUMENT; THENCE RUN ON A BEARING RELATED TO FLORIDA STATE PLANE COORDINATES, EAST ZONE, N00°59'22"E A DISTANCE OF 1081.87 FEET TO THE SOUTH RIGHT OF WAY LINE OF SLIM HAYWOOD AVENUE AS SHOWN ON THE PLAT OF "PLAT OF LANE PARK RIDGE PHASE A" AS RECORDED IN PLAT BOOK 59, PAGES 52 THROUGH 54, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN S89°12'04"E ALONG SAID SOUTH RIGHT OF WAY LINE A DISTANCE OF 288.12 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 165.00 FEET; THENCE DEPARTING SAID SOUTH RIGHT OF WAY LINE RUN ALONG A RADIAL BEARING, N00°47'56"E A DISTANCE OF 50.00 FEET TO THE NORTH RIGHT OF WAY LINE OF SAID SLIM HAYWOOD AVENUE, SAID POINT BEING SITUATED ON A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 115.00 FEET, TO WHICH A RADIAL LINE BEARS S00°47'56"W ; THENCE RUN EASTERLY ALONG SAID NORTH RIGHT OF WAY LINE AND ARC OF CURVE THROUGH A CENTRAL ANGLE OF 10°01'31", AN ARC DISTANCE OF 20.12 FEET, FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID NORTH RIGHT OF WAY LINE RUN N00°59'22"E A DISTANCE OF 240.27 FEET TO THE SOUTH LINE OF THE LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 1147, PAGES 1958 THROUGH 1959, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA; THENCE RUN ALONG SAID SOUTH LINE THE FOLLOWING THREE (3) COURSES, S89°26'32"E A DISTANCE OF 183.01 FEET; THENCE RUN N00°59'49"E A DISTANCE OF 8.63 FEET; THENCE RUN S89°22'48"E A DISTANCE OF 392.31 FEET TO THE WEST LINE OF TRACT "F" AS SHOWN ON AFORESAID PLAT OF "PLAT OF LANE PARK RIDGE PHASE A", SAID POINT LYING 0.15 FEET SOUTH OF THE NORTHWEST CORNER OF SAID TRACT "F"; THENCE RUN S00°55'58"W ALONG SAID WEST LINE A DISTANCE OF 103.14 FEET TO THE AFORESAID NORTH RIGHT OF WAY LINE OF SLIM HAYWOOD AVENUE, SAID POINT BEING SITUATED ON A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 200.00 FEET, TO WHICH A RADIAL LINE BEARS S14°18'09"E; THENCE RUN ALONG SAID NORTH RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES, WESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 14°51'50", AN ARC DISTANCE OF 51.88 FEET, TO THE POINT OF TANGENCY; THENCE RUN N89°26'19"W A DISTANCE OF 245.86 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE SOUTHERLY WITH A RADIUS OF 250.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 40°32'23", AN ARC DISTANCE OF 176.89 FEET, TO THE POINT OF TANGENCY; THENCE RUN S50°01'18"W A DISTANCE OF 81.14 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY WITH A RADIUS OF 115.00 FEET; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 30°45'07", AN ARC DISTANCE OF 61.72 FEET, TO THE POINT OF BEGINNING.

CONTAINING 77089.23 SQUARE FEET OR 1.77 ACRES MORE OR LESS

SUBJECT TO EASEMENTS, RIGHT OF WAYS AND MATTERS OF RECORD

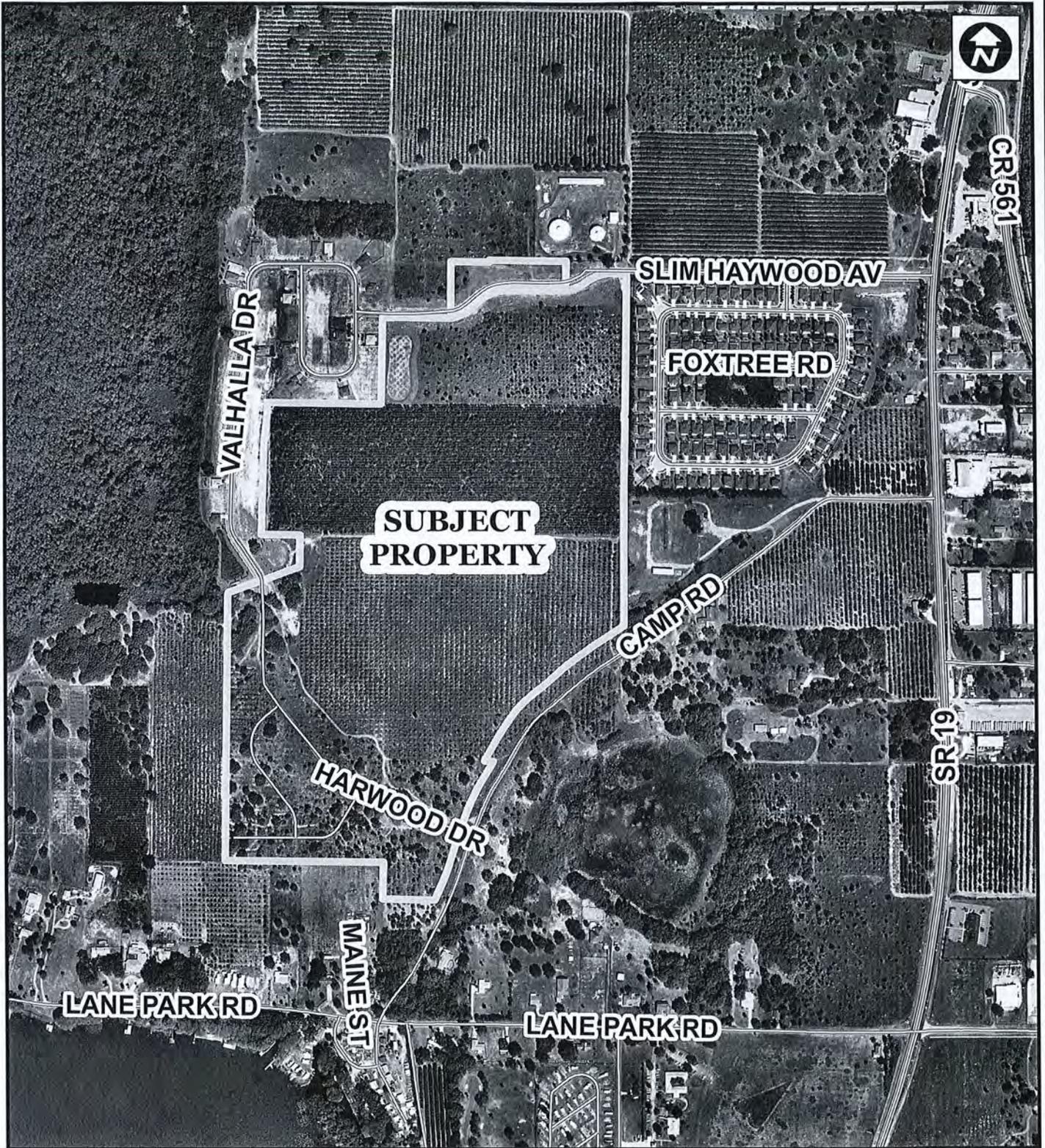
CITY OF TAVARES



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CITY OF TAVARES



PROPERTY LOCATION MAP



From P&Z Minutes of September 17, 2015

CASE HEARD

- 1) **Resolution 2015-13 – Vacate - Portion of the Plat of “PLAT OF LAND OF LANE AND JACKSON AND OTHERS” and a portion of the Plat of “TOWN PLAT OF LANE PARK”**

Jacques Skutt, Community Development Director provided the following staff report;

This is a request to vacate a portion the “PLAT OF LAND OF LANE AND JACKSON AND OTHERS” and “TOWN PLAT OF LANE PARK” lying south of Slim Haywood Ave., north of Camp Road. The owner of property that includes the portions of said Plats, Shantiniketan-FL, LLC, would like to construct a multi-family residential condominium complex. Prior to development the owner must vacate any Public interest in the property. City staff has verified with BESH Engineering and the City of Tavares Utility Department that no public utilities exist in any right-of-way proposed to be vacated. All platted roads within the Shantiniketan-FL, LLC property appear to be unopened and unused. This vacate will remove the city's public interest in this land, thus allowing the applicant to pursue options to secure title to this property.

MOTION

Mr. Stevenson made a motion to recommend approval of Ordinance 2015-13. Mr. Stomp seconded the motion. The motion passed 4-0.

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