

1 TAVARES CITY COUNCIL
2 MINUTES

3
4 April 6, 2016
5 4:00 P.M.

6 TAVARES CITY HALL COUNCIL CHAMBERS

7
8 COUNCILMEMBERS PRESENT

ABSENT

9
10 Robert Wolfe, Mayor
11 Lori Pfister, Vice Mayor
12 Lisa Johnson, Councilmember
13 Kirby Smith, Councilmember

Bob Grenier, Councilmember

14
15 STAFF PRESENT

16
17 John Drury, City Administrator
18 Robert Q. Williams, City Attorney
19 Nancy A. Barnett, City Clerk
20 Lori Houghton, Finance Director
21 Lori Tucker, Human Resources Director
22 Richard Keith, Fire Department
23 Jacques Skutt, Director of Community Development
24 Stoney Lubins, Police Chief
25 Brad Hayes, Director of Utilities
26 Tammy Rogers, Director of Community Services
27 Bob Tweedie, Director of Economic Development

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29
30 I. INVOCATION

31
32 Pastor Rick Fountain, First Baptist Church of Tavares gave the invocation and led those
33 present in the Pledge of Allegiance.

34
35 II. CALL TO ORDER

Mayor Wolfe

36
37 III. APPROVAL OF AGENDA

Mayor Wolfe

38
39 Mayor Wolfe asked if staff had any changes to the agenda.

40
41 Mr. Drury said under **New Business**, staff would like to add City Attorney update regarding
42 closing out the construction contract for the Pavilion on the Lake.

43
44 MOTION

45
46 Kirby Smith moved to approve the agenda with this addition, seconded by Lori Pfister.
47 The motion carried unanimously 4-0.
48

49 **IV. APPROVAL OF MINUTES**

50

51 **Tab 1) Approval of Minutes for March 2, 2016**

52

53 **MOTION**

54

55 **Kirby Smith moved to approve the minutes of March 2, 2016 as submitted, seconded by**
56 **Lori Pfister. The motion carried unanimously 4-0.**

57

58 Mayor Wolfe advised the audience that those who wished to speak to Council should fill out a
59 form and bring it to the City Clerk.

60

61 **V. PROCLAMATIONS/PRESENTATIONS**

62

63 **Tab 2) Presentation for Rookie Teacher of the Year**

64

65 Mayor Wolfe read a proclamation for Rookie Teacher of the Year to Tabitha Abbott of Tavares
66 Elementary School.

67

68 Ms. Abbott thanked Council for this recognition. She said it is an honor to represent her school,
69 her county, and her city. She thanked her mentors, family and fellow staff as well for their
70 support.

71

72 **Tab 4) Presentation to Brad Hayes, Utility Director**

73

74 Mayor Wolfe said this is to recognize Mr. Hayes for being the first in the City of Tavares to
75 receive LEED certification (Leadership in Energy and Environmental Design) for the Utility
76 Administration Building. He said Mr. Hayes has done a great job in leading the Utility
77 Department and in securing grants for the City. He presented a plaque to Mr. Hayes in
78 recognition of this award.

79

80 **Tab 5) Proclamation to Recognize the 50th Anniversary of Flotilla 43 District 7 of the U.S.**
81 **Coastguard Auxiliary in Lake County**

82

83 Mayor Wolfe read a proclamation commemorating the 50th Anniversary of the District 7
84 Coastguard Auxiliary that designated April 16th as Coast Guard Auxiliary Flotilla 43 Day.

85

86 Mayor Wolfe invited Auxiliarists Goodwin, Gardstrom, and Litwick to receive the proclamation.
87 Commander Goodwin stated that the Coast Guard Auxiliary is the uniform civilian component of
88 the United States Coast Guard who are all volunteers committed to recreational boating safety.
89 He said they have been active locally in promoting boating safety. He thanked Council for this
90 recognition.

91

92 **Tab 6) Proclamation for Library Week 2016**

93

94 Mayor Wolfe read a proclamation in honor of Library Week with the theme "Libraries Transform"
95 and expressed appreciation to the library staff of Tavares. Ms. Rogers asked Ken Kelly and
96 April Mazak and Library Board members to be recognized. She noted that Mr. Kelly had

97 planned to retire on February 25th but had agreed to stay on longer because of some recent
98 vacancies and she expressed appreciation to him for his willingness to assist.
99

100 **Tab 6) Tavares Chamber of Commerce Update**

101
102 Mr. Tweedie introduced J. Scott Berry, new Interim Executive Director of the Tavares Chamber
103 of Commerce. Mr. Berry stated he would be providing monthly updates to Council. Mr. Berry
104 noted the Chamber is now open on Saturdays. He discussed some of their upcoming events.
105

106 **SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE CONTACTS**

107
108 Attorney Williams noted the quasi-judicial items would not be discussed at this meeting.
109

110 **VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

111
112 Ms. Barnett read the following ordinances by title only:
113

114 **ORDINANCE 2016-07**

115
116 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING**
117 **APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ON THE**
118 **NORTH SIDE OF DEAD RIVER ROAD, ADJACENT TO TIKI VILLAGE MOBILE**
119 **HOME PARK, FROM RMF-3 (RESIDENTIAL MULTI-FAMILY) TO RMH-P**
120 **(RESIDENTIAL MANUFACTURED HOME PARK); SUBJECT TO THE RULES,**
121 **REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES**
122 **COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.**
123

124 **ORDINANCE 2016-08**

125
126 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**
127 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,**
128 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON**
129 **APPROXIMATELY 2 ACRES OF PROPERTY GENERALLY LOCATED ON**
130 **THE NORTH SIDE OF DEAD RIVER ROAD, ADJACENT TO TIKI VILLAGE**
131 **MOBILE HOME PARK FROM MEDIUM DENSITY RESIDENTIAL TO MOBILE**
132 **HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING**
133 **FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**
134

135 **ORDINANCE 2016-09**

136
137 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING**
138 **APPROXIMATELY 180 ACRES OF VACANT UNDEVELOPED PROPERTY**
139 **GENERALLY LOCATED AT THE WESTERLY END OF WOODLEA ROAD AND**
140 **EAST OF PENINSULA DRIVE FROM PLANNED DEVELOPMENT TO RSF-A**
141 **(RESIDENTIAL SINGLE FAMILY); SUBJECT TO THE RULES, REGULATIONS**
142 **AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;**
143 **PROVIDING FOR AN EFFECTIVE DATE.**
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ORDINANCE 2016-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS BY ADDING A DEFINITION FOR A BOUTIQUE HOTEL UNDER CHAPTER 3, DEFINITIONS; BY AMENDING TABLE 8-2, PERMITTED AND SPECIAL USES UNDER CHAPTER 8 BY ADDING BOUTIQUE HOTELS AS A PERMITTED USE UNDER THE MU, CD, C-1, AND C-2 ZONING DISTRICTS; BY ADDING NOTE 31 TO TABLE 8-2 PROVIDING FOR REGULATIONS APPLICABLE TO BOUTIQUE HOTELS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 2016-07

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, ADOPTING THE LAKE COUNTY LOCAL MITIGATION STRATEGY: MULTI-JURISDICTIONAL PLAN 2016-2021 AND PROVIDING AN EFFECTIVE DATE

RESOLUTION 2016-10

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION(S); AUTHORIZING THE LOAN AGREEMENT(S); AUTHORIZING LOAN AMENDMENTS; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; PROVIDING ASSURANCE; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

RESOLUTION 2016-11

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, RESPONDING TO THE CITY OF EUSTIS'S RESOLUTION 16-27 REGARDING THE NEGOTIATION OF AN INTERLOCAL SERVICE BOUNDARY AGREEMENT PURSUANT TO PART II OF CHAPTER 171 OF THE FLORIDA STATUTES; ACCEPTING THE CITY OF EUSTIS'S INVITATION TO NEGOTIATE AN INTERLOCAL SERVICE BOUNDARY AGREEMENT; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

VIII. CONSENT AGENDA

Mayor Wolfe asked if anyone in the audience opposed the item on the Consent Agenda. There was no opposition.

MOTION

Lori Pfister moved to approve the Consent Agenda, Tab 7 [Agreement with H2X Racing

193 for Hydro-X Tour Jet Ski Event in Wooton Park – April 16-17, 2016], seconded by Kirby
194 Smith. The motion carried unanimously 4-0.

195
196 **IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING**

197 **(All Ordinances under First Reading are not discussed, unless otherwise noted, until the**
198 **Second Reading)**

199
200 **Tab 12) Resolution #2016-07 – Adoption of Lake County Local Mitigation Strategy: Multi-**
201 **Jurisdictional Plan 2016-2021 & Presentation of Plan**

202
203 Chief Keith said that FEMA requires that every County have a local mitigation strategy plan and
204 the plan has to be re-adopted every five years. He noted he had provided the link to the plan
205 itself in the agenda summary (87 pages in length). The plan gives the signatories certain access
206 to federal funds which are associated with a disaster. He said the city's programs would have to
207 be on the list to obtain federal funding. One project is listed of storm hardening for City Hall. He
208 added that if Council approves the plan, it will be the first municipality to re-adopt the plan.

209
210 **MOTION**

211
212 **Lori Pfister moved to adopt the 2016-2021 Lake County Local Mitigation Strategy, Multi-**
213 **Jurisdictional Plan and authorize the signing of the Resolution document, seconded by**
214 **Kirby Smith. The motion carried unanimously 4-0.**

215
216 **Tab 13) Resolution #2016-10 – Authorization of the amended FDEP SRA CRA Wastewater**
217 **Rehabilitation Loan DP 350900**

218
219 Ms. Houghton stated this resolution provides an update to the execution and approval of the
220 loan agreements for the CRA wastewater improvement project. Previously, the Council
221 approved Resolution #2013-05 which was the original authorization for the project. Ms.
222 Houghton reviewed past actions taken by Council. She noted the final amendment was
223 \$139,670 and total loan approved to date is \$6,743,660. This resolution is an administrative
224 requirement and provides the updated authorizations for the city to execute the final and
225 updated promissory note.

226
227 **MOTION**

228
229 **Kirby Smith moved to approve Resolution #2016-10, seconded by Lori Pfister. The**
230 **motion carried unanimously 4-0.**

231
232 **Tab 14) Resolution #2016-11 – Interlocal Service Boundary Agreement between the City**
233 **of Eustis and the Government Entities Invited to Respond**

234
235 Mr. Skutt said the City of Eustis adopted an initiating resolution inviting Lake County and the
236 cities of Mt. Dora, Leesburg, Umatilla, and Tavares to begin negotiations towards the entering of
237 an Interlocal Services Boundary Agreement. The statutes require that if Tavares desires to
238 participate in the negotiations, then a resolution must be adopted accordingly. He said at this
239 point it does not appear that what Eustis is proposing would have any impact on the existing
240 ISBA but this will provide for representation at their meetings. Staff recommends approval.

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MOTION

Lori Pfister moved to approve Resolution #2016-11, seconded by Kirby Smith. The motion carried unanimously 4-0.

X. GENERAL GOVERNMENT

Tab 15) Authorization of State Revolving Fund Loan Agreement for Lake Francis Stormwater Project and Lift Station 49

Ms. Houghton said previously on December 16, 2015, Council approved Resolution #2015-18 which authorized the application to FDEP for the loan funds. The agreement provides for a disbursable amount of \$20,000. The total project is estimated to be approximately \$4,200,000 however this amount will get the City's name on the list for future funding and grants.

MOTION

Kirby Smith moved to approve the FDEP State Revolving Loan Fund Agreement for the Lake Francis/Lift Station 49 Improvement Project WW350950 in the amount of \$20,000 at a rate of 1.38% plus capitalized interest and loan service fees, and authorize the Mayor to sign the agreement. The motion was seconded by Lisa Johnson. The motion carried unanimously 4-0.

Tab 18) Discussion on Options for Replacing the Roof at Fire Station #28

Mr. Thompson stated that \$36,000 was approved in the current budget to replace the roof on Station 28 (future site of the Historical Museum). This was for a standing seam metal roof similar to that on the new train depot on St. Clair Abrams and Main Street. Staff received a quote for \$31,000.

Subsequently, the City Administrator directed staff to form a committee made up of staff members and members of the Tavares Historical Society. The committee researched the topic and determined that a barrel style metal roof material would be the more historically correct and would be the preference of the Historical Society. The city received a quote in the amount of \$49,900 to do this type of roof which is staff's recommendation. It will require \$36,000 from the budget and \$13,900 from reserves which will still keep the city at GFOA recommended reserve levels.

Councilmember Smith asked if the standing seamed roof is proposed to be red or gray. Mr. Thompson said the Historical Society did not want the standing seamed roof. Mr. Drury said if standing seamed were approved the city would ask the Historical Society for input on the color. Councilmember Smith asked the condition of the roof and did it need to be done immediately or could the city budget the \$13,900 in next year's budget.

Mr. Thompson said the roof is leaking. Mr. Drury said when it was being budgeted the Historical Society should have been consulted and it would have been appropriately budgeted. He said there were two mold issues which required remediation.

289
290 Councilmember Smith asked if there was a source of funds to transfer in the current budget. He
291 expressed his concern about going into reserves.
292

293 Councilmember Pfister asked if there would be any changes to the building that the Historical
294 Society would be wanting in the future that would affect the roof. Ms. Smith, President of the
295 Historical Society, said the roof will stay the same. Councilmember Smith asked if this would be
296 coming out of contingency reserves. Ms. Houghton said \$103,134 will be left in contingency
297 reserves once this amount is transferred.
298

299 **MOTION**

300
301 **Lori Pfister moved to approve the additional money for the barrel shingles, seconded by**
302 **Lisa Johnson. The motion carried 3-1 as follows:**

303
304 **Robert Wolfe Yes**
305 **Lori Pfister Yes**
306 **Lisa Johnson Yes**
307 **Kirby Smith No**
308

309 **Tab 17) Selection of Commercial Real Estate Broker for the Tavares Square Project**

310
311 Mr. Tweedie summarized that in November staff had recommended that the city go out for a
312 Request for Proposals for a commercial real estate broker to represent the city on its sale and
313 future redevelopment of the Tavares Square property. Proposals were due on March 15th and
314 three proposals were received which were reviewed and ranked by the Tavares Square Horizon
315 Team. The three proposals were from Caldwell Banker, Commercial Crown Group of Mt. Dora;
316 Colliers International of Central Florida from Orlando; and Redevelopment Management
317 Associates (RMA) of Pompano Beach and Winter Springs. The committee recommends RMA.
318

319 Mayor Wolfe said he had received a request to speak from Travis Sawchuk on behalf of
320 Caldwell Commercial Group. Mr. Sawchuk said they had given a proposal and they wanted
321 Council to have the full picture. He said they represent money in perpetuity and they did not
322 think just selling the property was what was right. He said they represent international
323 companies who would do an infrastructure and a ground lease.
324

325 Mr. Tweedie noted there are representatives also from RMA.
326

327 Mayor Wolfe said he appreciated Mr. Sawchuck attending the meeting however the reason a
328 committee was appointed was to have them evaluate the responses and then determine a
329 recommendation based on the committee's due diligence.
330

331 **MOTION**

332
333 **Kirby Smith moved to approve the recommendation of RMA, seconded by Lori Pfister.**
334 **The motion carried unanimously 4-0.**
335

336 **Tab 18) Ribbon Cutting Ceremony for Limelight Project**

337
338 Ms. Rogers said this was a request for Council to consider a proposal to open the Limelight
339 project to the community through a mini-event with ribbon cutting. The plan is to have the
340 ceremony on May 13th between 7:00 pm and 10:00 p.m. She noted the costs would be
341 absorbed through the art show line item and program costs through recreation.
342

343 **MOTION**

344
345 **Kirby Smith moved to support a robust ribbon cutting for the Limelight project that does**
346 **not cost the citizens any more money, seconded by Lisa Johnson. The motion carried**
347 **unanimously 4-0.**
348

349 **XI. OLD BUSINESS**

350 **Update on Closing Out the Construction Project for the Pavilion on the Lake**

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352
353 Attorney Williams explained the closing out process. Staff and the city's design team (BESH and
354 Blaise and Fiebach architects) have recently reviewed the final payout submitted by the
355 contractor of about \$235,000. Some deductions from that amount were made by the city related
356 to liquidated damages due to the delay in completion, and other matters. The contractor has
357 responded and rejected the new number after the deductions. They have asked the City under
358 the contract if we would agree to mediate with them which is an alternative resolution dispute
359 form, short of litigation. Attorney Williams recommended that Council approve this process even
360 though the city is not compelled to do this under the contract. He said the vendor has asked that
361 the city include in the mediation team, Mr. Drury, himself, the design engineers, and
362 Councilmember Pfister who was the liaison to the pavilion. She has stated she is willing to do
363 that if she is appointed.
364

365 Attorney Williams said if a proposed settlement is reached through mediation then that will be
366 reported back to Council and Council would have the final approval.
367

368 **MOTION**

369
370 **Kirby Smith moved to approve a mediation with Vice Mayor Lori Pfister as the liaison**
371 **during the mediation, seconded by Lisa Johnson. The motion carried unanimously 4-0.**
372

373 Attorney Williams asked Council to not speak to Mr. Sapp about this issue outside this meeting
374 as all discussion should be held at mediation.
375

376 **XII. NEW BUSINESS**

377 378 **XIII. AUDIENCE TO BE HEARD**

379 Betty Burleigh, 214 N. Hampshire Avenue, stated that there was a newspaper headline in 1993
380 that stated "Florida's Seaplane Business Takes off." She read from the article regarding a
381 seaplane taxi service that was located at the Dead River Bridge that offered tours. The pilot was
382 Jim Strong. Mayor Wolfe said he had flown with the pilot.
383

384 **XIV. REPORTS**

385 **Tab 14) City Administrator**

- 386 • Mr. Drury congratulated Mr. Hayes on his LEED recognition and his leadership.
387 • He noted the steamboats are in town with 1920's parasols and their wood burning
388 historic engines
389

390 **Economic Development Director**

391 Mr. Tweedie said the seaplanes are also here this weekend. This week is the second largest
392 airshow in the United States being held at the Lakeland Regional airport (Sun and Fun). The city
393 is receiving air traffic passing through enroute. There will be a group flying up for a luncheon in
394 Tavares weather permitting.
395

396 **Community Development Director**

397 Mr. Skutt introduced the new Planning Coordinator, Dawn McDonald. He said she will be
398 undertaking the updating of the planning studies and implementing new planning development
399 which is a critical role for the city.
400

401 **City Attorney**

402 Attorney Williams stated he had been directed at the last meeting to make a counter offer to the
403 owner of the Quonset hut property which has been accepted. The closing will take place at the
404 end of April.
405

406 He noted that this month's Florida Trend has an article about the Golden Triangle.
407

408 **Tab 15) Council Reports**

409 **Councilmember Johnson**

- 410 • Congratulated Mr. Hayes on his award
411 • Stated she had been invited to a soft opening for Lago Dora restaurant. She said it is a
412 very unique restaurant and she encouraged everyone to check out this local business
413
414

415 **Councilmember Smith**

- 416 • Noted he had heard a commercial on Pandora radio (national circulation) about Tavares
417 • Commented to Ms. Rogers, that he liked the monthly report on the pavilion and he asked
418 that the expenses be included.
419 • Today is National Carmel Popcorn Day
420 • On this day in 1889 George Eastman placed the Kodak camera on sale
421

422 **Mayor Wolfe**

423 Mayor Wolfe wished everyone a good evening.
424

425 **ADJOURNMENT**

426 There was no further business and the meeting was adjourned at 5:12 p.m.
427

428 Respectfully submitted,

429
430 Nancy A. Barnett, MMC
431 City Clerk