

1 TAVARES CITY COUNCIL
2 MINUTES

3
4 August 3, 2016
5 4:00 P.M.

6 TAVARES CITY HALL COUNCIL CHAMBERS

7
8 **COUNCILMEMBERS PRESENT**

ABSENT

9
10 Lori Pfister, Mayor
11 Kirby Smith, Vice Mayor
12 Bob Grenier, Councilmember
13 Lisa Johnson, Councilmember
14 Troy Singer, Councilmember

15
16 **STAFF PRESENT**

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

28
29 **I. INVOCATION**

30
31 Pastor Eric Filkin of Bridges Covenant Church, gave the invocation and led those present
32 in the Pledge of Allegiance.

33
34 **II. CALL TO ORDER**

35
36 **III. APPROVAL OF AGENDA**

37
38 Mr. Drury requested to remove Tab 3, Interlocal Fire Services Agreement with the City of Eustis.

39
40 **MOTION**

41
42 Bob Grenier moved to approve the agenda, with the removal of Tab 3, seconded by Lisa
43 Johnson. The motion was approved unanimously 5-0.

44
45 **IV. APPROVAL OF MINUTES**

46
47 **Tab 1) Approval of Minutes – June 15, 2016**

49 **MOTION**

50
51 **Kirby Smith moved to approve the minutes of the June 15, 2016 City Council meeting,**
52 **seconded by Bob Grenier. The motion carried unanimously 5-0.**
53

54 **VI. PROCLAMATIONS/PRESENTATIONS**

55
56 **Tab 2) Tavares Chamber of Commerce Report**

57
58 Mr. Berry stated he has accepted the position of Executive Director of the Chamber. He
59 presented a flyer of their upcoming monthly events. He discussed the monthly luncheon which
60 will be sponsored by the United Way in August.
61

62 **VII. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE CONTACTS**

63
64 Attorney Williams noted Tab 7 – Resolution #2016-12, Reduction in Front Yard Setback to 1520
65 Lake Dora Drive is quasi-judicial. He gave the oath those who wished to speak. He asked
66 Council if they wished to declare any ex parte communications. There were none indicated.
67

68 **VIII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

69
70 Ms. Barnett read the resolutions by title only:
71

72 **RESOLUTION 2016-12**

73
74 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A**
75 **VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT**
76 **REGULATIONS FOR THE MINIMUM FRONT YARD SETBACK IN A**
77 **RESIDENTIAL SINGLE FAMILY (RSF-A) ZONING FOR PROPERTY**
78 **LOCATED AT 1520 LAKE DORA DRIVE; SUBJECT TO THE RULES,**
79 **REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES**
80 **COUNCIL; PROVIDING AN EFFECTIVE DATE.**
81

82 **RESOLUTION NO. 2016-13**

83 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA ACCEPTING THE**
84 **PROPOSAL OF FLORIDA COMMUNITY BANK, N.A. TO PURCHASE THE**
85 **CITY'S NOT TO EXCEED \$11,250,000 INFRASTRUCTURE SALES SURTAX**
86 **REVENUE NOTE, SERIES 2016, TO FINANCE THE CITY'S COST OF**
87 **ACQUIRING AND/OR CONSTRUCTING A PUBLIC SAFETY COMPLEX**
88 **INCLUDING A FIRE STATION AND POLICE STATION AND RELATED**
89 **IMPROVEMENTS; AUTHORIZING THE EXECUTION AND DELIVERY OF A**
90 **LOAN AGREEMENT WITH SAID BANK TO SECURE THE PAYMENT OF THE**
91 **2016 NOTE; PROVIDING FOR THE PAYMENT OF THE 2016 NOTE FROM**
92 **AMOUNTS RECEIVED BY THE CITY FROM THE LEVY BY THE BOARD OF**
93 **COUNTY COMMISSIONS OF LAKE COUNTY, FLORIDA OF A ONE CENT**
94 **INFRASTRUCTURE SALES SURTAX PURSUANT TO SECTION 212.055(2),**
95 **FLORIDA STATUTES, ALL AS PROVIDED IN THE LOAN AGREEMENT;**

96 AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO ANY OTHER
97 ADDITIONAL THINGS DEEMED NECESSARY OR ADVISABLE IN
98 CONNECTION WITH THE EXECUTION OF THE LOAN AGREEMENT, THE
99 2016 NOTE, AND THE SECURITY THEREFOR; AUTHORIZING THE
100 EXECUTION AND DELIVERY OF OTHER DOCUMENTS IN CONNECTION
101 WITH THE 2016 NOTE; PROVIDING FOR SEVERABILITY; AND PROVIDING
102 AN EFFECTIVE DATE.

103
104 **RESOLUTION 2016-14**

105
106 **RESOLUTION OF CITY OF TAVARES, FLORIDA AUTHORIZING EXECUTION**
107 **OF A RAILROAD REIMBURSEMENT AGREEMENT FOR THE**
108 **INSTALLATION OF GRADE CROSSING TRAFFIC CONTROL DEVICES AND**
109 **FUTURE MAINTENANCE AND ADJUSTMENT OF SAID DEVICES**
110

111
112 **IX. CONSENT AGENDA**

113
114 Mr. Drury asked to pull Tab 5 – Approval of Contract with DMC – from the Consent Agenda.

115
116 Mayor Pfister asked if anyone in the audience objected to the items in the Consent Agenda.

117
118 **MOTION**

119
120 **Bob Grenier moved to approve the Consent Agenda [Tab 6 – Voting Representative to**
121 **Florida League of Cities Annual Conference – Mayor Pfister], seconded by Troy Singer.**
122 **The motion carried unanimously 5-0.**

123
124 **Tab 5) Approval of Contract with DMC for Nature Park Restrooms**

125
126 Mr. Drury stated the fiscal impact in the summary says \$29,900. Staff was able to negotiate that
127 amount down to \$25,000 which will be the new fiscal impact.

128
129 Councilmember Singer asked if the whole project would be funded by CDBG funds.

130
131 Ms. Rogers said the grant is in the amount of \$75,000. The \$50,000 match has been budgeted
132 in the upcoming fiscal year. Mr. Singer questioned the size of the restrooms. Ms. Rogers said
133 there are some future plans for the park and having separate facilities (with vandalism proof
134 structures) is believed to be wise. Councilmember Grenier spoke in support.

135
136 **MOTION**

137
138 **Bob Grenier moved to approve the proposal from DMC to provide engineering, design,**
139 **permitting, bidding, and construction management for the construction of ADA**
140 **compliant restrooms at the Tavares Nature Park, seconded by Troy Singer. The motion**
141 **carried unanimously 5-0.**

142
143 **X. ORDINANCES/RESOLUTIONS – PUBLIC HEARING**

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

146
147 **First Reading - None**

148
149 **RESOLUTIONS**

150
151 **Tab 7) Resolution #2016-12 – Reduction in Front Yard Setback to 1520 Lake Dora Drive to**
152 **Construct an Addition**

153
154 Mr. Skutt discussed the variance application for a reduction of the required minimum front yard
155 setback of 25 feet for this property. The owner wishes to construct an addition to the garage on
156 the front of the existing home with a proposed finished front yard setback of 16 feet. He noted
157 City Council has recently approved similar applications for a reduction in setbacks. Staff
158 recommends approval because of the non-conforming size of the lot and the similarly approved
159 reduced setbacks for the area. The Planning & Zoning Board has recommended approval.

160
161 John Tingué of 1520 Lake Dora Drive expressed appreciation to the city and its staff for their
162 assistance in the application process.

163
164 **MOTION**

165
166 **Kirby Smith moved to approve Resolution #2016-12, seconded by Bob Grenier. The**
167 **motion carried unanimously 5-0.**

168
169 **Tab 8) Resolution #2016-13 – Public Safety Complex Financing**

170
171 Ms. Houghton requested authorization to execute financing documents for the cost of acquiring,
172 designing, engineering, bidding, overseeing, and constructing various capital improvements for
173 the new Public Safety Complex. Ms. Houghton reviewed the previous actions taken on this
174 financing process. The loan amount is \$11,250,000 which includes capital project costs and
175 cost of issuance and is a non-bank qualified debt. The rate is 2.95% and the term is 16 years
176 with maturity on October 1, 2032.

177
178 Ms. Houghton recognized individuals present from the Florida Community Trust Bank.

179
180 Mike Williams with Akerman Law Firm stated that the title of the resolution encompasses the
181 terms of the financing. He said it matures two months before the current authorization for the
182 infrastructure sales tax expires and there is ability for the City Council to issue additional debt if
183 desired.

184
185 Vice Mayor Smith asked for confirmation that the loan is secured under the current rate by the
186 penny sales tax and Mr. Williams confirmed.

187
188 **MOTION**

189
190 **Bob Grenier moved for approval of Resolution #2016-13, seconded by Kirby Smith. The**
191 **motion carried unanimously 5-0.**

192
193 **Tab 9) Resolution #2016-14 – FDOT Grant Agreement for Tav-Lee Trail Railroad Crossing**
194 **Devices**
195

196 Mr. Tweedie advised this resolution will authorize acceptance and execution of a grant between
197 the City and FDOT in the amount of \$224,000 for signalized gate crossings across South
198 Sinclair Avenue. This is associated with the Wooton Park West project. The Tav-Lee trail
199 extension portion will require signalized gates. It is a direct reimbursable grant to the railroad
200 who will complete the work. The City will be responsible for \$1800 in annual maintenance costs
201 with a CPI adjustment every five years. Mr. Drury commended Mr. Tweedie for his work in
202 acquiring the grant.

203
204 **MOTION**
205

206 **Bob Grenier moved to approve Resolution #2016-14, seconded by Troy Singer. The**
207 **motion carried unanimously 5-0.**
208

209 **XII. GENERAL GOVERNMENT**
210

211 **Tab 10) Request by High School Band Boosters to Purchase Band Trailer**
212

213 Mr. Drury stated the City is continuing to build its relationship with the Tavares schools. He said
214 the Booster club has requested assistance to purchase a band trailer. The cost is \$6500 and the
215 Tavares Waterfront Entertainment District has spearheaded a funding drive with the Boosters
216 for the remainder of the cost. This is a request to support the band through the Community
217 Grant Fund. There is \$1500 left in the current budget. He said with the \$1000 donation the city's
218 logo will be featured on two sides of the trailer.

219
220 Discussion followed on the community grant program. Mr. Drury said there would be \$500 left
221 for the next year's program if this amount is approved.
222

223 **MOTION**
224

225 **Kirby Smith moved to approve the \$1000 donation to the Booster Club for purchase of**
226 **the trailer, seconded by Bob Grenier. The motion carried unanimously 5-0.**
227

228 **Tab 11) Horizon Teams and Board Representatives**
229

230 Mayor Pfister stated she is interested in working on the Horizon Team for the Ruby Street
231 Construction Project.
232

233 Mr. Drury discussed the vacancies on some of the Horizon teams, noting it was an opportunity if
234 Council wished to participate. Discussion followed pertaining to previous action taken by Council
235 regarding the Sister City Program.
236

237 **MOTION**
238

239 **Troy Singer moved to reverse the previous action taken by City Council to automatically**

240 **assign the Mayor to be the representative of the Sister City program, and to appoint**
241 **Kirby Smith in that position, seconded by Bob Grenier. The motion was unanimously**
242 **approved 5-0.**

243
244 The following participation on Horizon Teams and outside boards was discussed and changes
245 made or confirmed as follows:

246 **Horizon Teams**

- 247 1. Special Events Project Team (Mayor Lori Pfister / Bob Tweedie)
- 248 2. Alfred Street-Carolina Street one way pair (Mayor Lori Pfister/ Jacques Skutt)
- 249 3. Public Safety Complex (Councilmember Bobby Grenier/Richard Keith)
- 250 4. Woodlea Sports Park Complex (Vice Mayor Kirby Smith/Tamera Rogers)
- 251 5. Economic Development (Vice Mayor Kirby Smith/Bob Tweedie)
- 252 6. Sister City Program (Vice Mayor Kirby Smith/John Drury)
- 253 7. Library Expansion (Mayor Lori Pfister/Tamera Rogers)
- 254 8. Public Works Complex (Councilmember Bob Grenier/Chris Thompson)
- 255 9. Tavares Square Project (Vice Mayor Kirby Smith/Bob Tweedie)
- 256 10. Downtown Master Plan Update (Councilmember Lisa Johnson/Jacques Skutt)
- 257 11. Old 441 corridor improvements to Bay Road Team (Vice Mayor Kirby Smith/Jacques
- 258 Skutt)
- 259 12. Historical Society Building (Councilmember Lisa Johnson/Chris Thompson)
- 260 13. Ruby Street Reconstruction project (Mayor Lori Pfister/Brad Hayes)
- 261 14. State Road 19/561 and 448 Corridors – (Councilmember Bob Grenier/Jacques Skutt)

262 **Other Boards/Committees**

263 **Florida League of Cities Legislative Committees**

264 Brad Hayes – Environment & Energy Council
265 Jacques Skutt – Transportation & Intergovernmental
266 Lori Houghton – Finance & Taxation

267 **Lake Community Action Agency – 4th Wed. at 7 p.m.**

268 Art Swanton– Representative

269 **Lake County Library Advisory Board – 3rd Thursday at 5 p.m.**

270 Norman Emerson – Representative
271 Councilmember Bob Grenier - Alternate

272 **Lake County League of Cities – 2nd Friday at 11:30 a.m.**

273 Councilmember Troy Singer – Representative
274 Vice Mayor Kirby Smith - Alternate

275 **Lake County League of Cities - Solid Waste Advisory Committee**

276 Lori Houghton – Representative

277 **Lake County School Board – Lake County Schools Local Preference Committee:**

278 Lori Houghton - Member

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Lake County Water Alliance Technical Committee

Brad Hayes – Representative

Metropolitan Planning Organization

Councilmember Troy Singer – Governing Board Member

Councilmember Kirby Smith - Alternate

Metropolitan Planning Organization – Technical Advisory Committee

Jacques Skutt – Representative

Metropolitan Planning Organization – Citizens Advisory Committee

David Clutts – Representative

Myregion.org

John Drury – Representative

Tavares Chamber of Commerce

Kirby Smith - Representative

School Concurrency Committee Annual Meeting (2016 date to be determined– 10:00-12:00)

Councilmember Bob Grenier – Representative

Jacques Skutt – School Concurrency Technical Advisory Committee

Tab 12) Work Authorization for Utility Master plan for the Peninsula, Woodlea Road, and Lane Park Area

Mr. Hayes said this to request approval for Parsons Brinckerhoff to conduct a Utility Master Plan for the Peninsula, Woodlea Road, and Lane Park Area in the amount of \$61,950. He noted this figure was a correction from the agenda summary of \$59,736. The plan will assist in the process of planning for utility services for the future boundaries of the city covered by the ISBA. Parsons Brinckerhoff was selected from the city’s library of professional engineers.

Mayor Pfister recognized Vance Jochim to speak.

Mr. Jochim discussed his observations of Parsons Brinckerhoff from his previous work as a construction auditor.

Mr. Singer asked about the city’s vetting process. Mr. Hayes explained the procurement process. Ms. Houghton stated that the city requires a public entities crime certification and if is federal money then it requires an additional step to ensure they are not a list where they could not be hired.

MOTION

Kirby Smith moved to approve the work Authorization for Parsons Brinckerhoff in the amount of \$61,150, seconded by Bob Grenier. The motion carried unanimously 5-0.

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XI. BUDGET WORKSHOP FY 2016-2017 PROPOSED BUDGET

Tab 11) Budget Workshop – 2016-2017 Proposed Budgets

Mr. Drury stated that staff has presented the General Fund budget, the Enterprise Funds, and Special Funds to Council. Council had questions and staff brought back further information. He noted the Capital Improvement program was the last budget brought forward and staff has done additional research based on questions from Council. He noted staff will continue to take notes from this discussion and provide any further information requested.

Mayor Pfister recognized the following individuals who had requested to speak:

Candy Gidins, 3668 Grand Island Oaks Circle, Grand Island, FL 32725

Ms. Gidins say her homeschool coop uses the Tavares Civic Center and although it is very spacious and accessible the bathrooms are not [ADA] accessible. She said her daughter can wheel into the door but that is all. She asked if the budget could be changed to accommodate the changes need to make it accessible.

Mr. Drury said this issue was brought to the city’s attention by Councilmember Singer. He said he has asked the Public Records Director to look into the costs of making the restrooms ADA compliant as they were built prior to the ADA compliance laws. He said staff will do the research by having a contractor evaluate the work that will be required and will bring back that information to Council for discussion. He thanked Ms. Giddens and Councilmember Singer.

Denise Laratta, Royal Harbor

Ms. Laratta said she is concerned about the cuts that have been discussed; i.e. arts and culture and the budget for the Boo festival. She said she believed it is important for the city to continue to put emphasis on arts and culture. She said she was disappointed because the city was cutting funds for a city sponsored festival however on May 4th the city approved additional funds for the Rifles, Rails & History festival. She acknowledged there is a need for funds for streets.

Vice Mayor Smith said he will not be bringing up the request again to move \$4500 out of the \$12000 for the Boo festival.

Councilmember Grenier said he would like to keep the budget for the Boo Festival and arts and culture in place at this time.

Mayor Pfister asked Vice Mayor Smith to clarify that he is not in opposition to what has been budgeted for the Boo Festival. Vice Mayor Smith confirmed.

Vice Mayor Smith thanked staff for changing the phrase “Appropriated Reserves” to “Fund Balance.”

Councilmember Grenier noted it was difficult to make the number of cuts that were done and he expressed his appreciation for the work by staff to make it a balanced budget.

384 Councilmember Johnson spoke in support of the budget and its support of helping the city to
385 grow.

386
387 Councilmember Singer said he agreed that there were a lot of cuts and projects that could not
388 be done but hopefully they can be addressed next year. He thanked the staff for their work on
389 the budget.

390
391 Mayor Pfister asked about Exhibit A on the \$97,730 that was to be moved from the West Main
392 Street Streetscape to street paving. She said she had been contacted by some residents
393 regarding this issue. She asked if there were any other options and what was to be done with
394 the \$97,730. Mr. Drury said it was designated to do half of the streetscape project for the west
395 end. He said Council had decided to move those monies towards roads. He said his
396 understanding was that it would be preferable to do all of West Main Street at one time next
397 year. He said he envisioned returning to Council with double those funds to do all of the project
398 next year. He said the city has a well thought out plan that was approved by Council and by the
399 citizens through the Master Plan process. He said he expected the Horizon Team will bring back
400 some creative ideas next year as well.

401
402 Mayor Pfister asked confirmation from Vice Mayor Smith that he was in agreement to leave the
403 entire budget or the new discounted budget for the Boo Festival. Vice Mayor Smith said he was
404 in agreement with the \$1,000 cut that was done by staff for a total of \$11,000 for the festival.

405
406 Councilmember Greiner spoke in support of the need for the West Main Street gateway
407 improvements especially in lieu of the future growth projected for the city.

408
409 Mayor Pfister encouraged Council to continue to review the budget for future discussions.

410
411 **XIV. OLD BUSINESS - None**

412
413 **XV. NEW BUSINESS**

414
415 Councilmember Johnson noted another business has left downtown. She asked if a
416 brainstorming session could be held in order to find ideas to encourage businesses to come
417 downtown.

418
419 Mr. Drury said in order for small businesses to come downtown they need foot traffic and in
420 order for people to come downtown they need the retail. He said the city through its economic
421 development program has tried to contribute by focusing on events. He said the Economic
422 Development team will continue to bring suggestions to the Council.

423
424 **XVI. AUDIENCE TO BE HEARD**

425
426 **Betty Burleigh, 214 N. New Hampshire Avenue**

427
428 Ms. Burleigh read about some items on the 1986 City Council agenda for this date: 1) Flooding
429 in the Vista del largo Subdivision; 2) the purchase of a new fire truck \$200,000; and Tavares
430 Recreation Coordinator Alan Gagne advocating for a full time athletic supervisor for a salary of
431 \$20,000.

432
433 Mr. Drury noted Mr. Gagne is now one of the three Battalion Chiefs in the Fire Department.

434
435 Andy Dubert, Band Director – 3311 Lake Center Drive in Mr. Dora

436
437 Mr. Dubert thanked Council for supporting the funding of the trailer.

438
439 **XVII. REPORTS**

440
441 Ms. Houghton noted her son had been in the Tavares High School Band.

442
443 Ms. Rogers showed a magazine called “The Knot” (bridal magazine) that is featuring the
444 Pavilion.

445
446 Mr. Hayes discussed work taking place on clearing land for the retention pond downtown. He
447 added that in 1949 the NBA was formed.

448
449 Mr. Thompson said the roof on the Fire Station has started. He said the signal on Slim Haywood
450 and SR 19 is operational.

451
452 **Tab 17) City Administrator**

453
454 Mr. Drury said the Fight for The Cure on the list of upcoming events has been cancelled by the
455 event organizer.

456
457 Mr. Drury said the city has worked closely with the County on getting Old US 441 repaved all
458 the way to Eudora and there will be a traffic circle where the five roads intersect. In addition he
459 said the Horizon Team for improving the aesthetics on Old US 441 is moving forward. He said
460 staff will bring forward information on this process on a future agenda once the strategy is
461 formulated.

462
463 **Tab 18) Council Reports**

464
465 Vice Mayor Smith

- 466
467
- 468 • Commented on the cost of the fire truck in 1986 (\$200,000)
 - 469 • Noted there is work going on in the Wooton Park West End and said it will be a beautiful
470 project when complete. He thanked Mr. Tweedie for his leadership in the project.
 - 471 • Today is National Watermelon Day

472
473 Councilmember Singer

- 474
- 475 • Noted there are a lot of exciting things going on in Tavares and he looks forward to
476 serving on the board. He said he has enjoyed meeting with some of the department
477 heads and looked forward to meeting with the rest. He said he would work hard and
478 thanked everyone for their patience.

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480 Councilmember Johnson

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- Thanked the Council and staff for moving forward with all the recent changes that have occurred. She said she looked forward to continuing to work with everyone.

Councilmember Grenier

- Staff has ordered the Wounded Warrior Purple Heart signs for the parking lots; the space and pole has been painted purple
- Noted the Chicago Cubs are still in first place and after 108 years may win the World Series
- Thanked the library staff for continuing to work through the AC problems
- Noted on this day in history that President Calvin Coolidge was sworn in as the 30th president after Warren Harding died in California

Mayor Pfister

- Thanked staff for the Beautification Ward given by the Chamber for the Tavares Square Beautification.

ADJOURNMENT

There was no further business and the meeting was adjourned at 5:33 p.m. by Mayor Pfister.

Respectfully submitted,

Nancy A. Barnett, MMC
City Clerk