



**AGENDA  
TAVARES CITY COUNCIL**

**January 5, 2011  
4:00 P.M.**

**TAVARES CITY HALL COUNCIL CHAMBERS**

**I. CALL TO ORDER**

**II. INVOCATION & PLEDGE OF ALLEGIANCE**

Pastor Tim Green, Liberty Baptist Church

**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) Special City Council Meeting, October 27, 2010  
Regular City Council Meeting, November 17, 2010  
Regular City Council Meeting, December 1, 2010  
Regular City Council Meeting, December 15, 2010

**V. PROCLAMATIONS/PRESENTATIONS**

Tab 2) Medication Disposal Program

Brad Hayes

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

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

Nancy Barnett

**VIII. CONSENT AGENDA**

None

**IX. RESOLUTIONS**

Page 1

Tab 3) Resolution #2011-01 – TEFRA Hearing for Osprey Lodge  
Extended Care Facility Bill Neron

Tab 4) Resolution #2011-02 – Application to Florida Department  
of Environmental Protection for Construction Loan  
for Reclaimed Water System, Phase I Lori Houghton

#### X. GENERAL GOVERNMENT

Tab 5) Tavares Pavilion on the Lake Horizon Project Update Councilmember Pfister

Tab 6) Construction Manager at Risk for Tavares Pavilion on the  
Lake Project Tammy Rogers

Tab 7) Tavares Bottled Water Business Plan Brad Hayes

Tab 8) Mutual Appointment to the Fire Pension Board Mayor Wolfe

#### XI. OLD BUSINESS

#### XII NEW BUSINESS

#### XIII. AUDIENCE TO BE HEARD

#### XIV. REPORTS

Tab 9) City Administrator John Drury

Tab 10) Council Reports City Councilmembers

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

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

CITY OF TAVARES  
MINUTES OF SPECIAL CITY COUNCIL MEETING  
OCTOBER 27, 2010  
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

ABSENT

Robert Wolfe, Mayor  
Lori Pfister, Vice Mayor  
Bob Grenier, Councilmember  
Sandy Gamble, Councilmember  
Kirby Smith, Councilmember

STAFF PRESENT

John Drury, City Administrator  
Attorney Kaely Smith-Frye, City Attorney  
Nancy Barnett, City Clerk  
Joyce Ross, Director of Public Communications

I CALL TO ORDER

Mayor Wolfe called the meeting to order at 4:30 p.m.

Tab 2) Discussion of Issue of Postponing November 3, 2010 Meeting to November 17, 2010

Mayor Wolfe stated he had requested the Special Meeting because he will not be present at the November 3<sup>rd</sup> meeting and that he believed that since the swearing in for the new councilmembers is scheduled (which includes himself), that a full council should be present at the meeting.

Mr. Drury noted that Attorney Williams had written a letter commenting on the process and said that it is Council's decision whether or not to delay the meeting to November 17 when there will be a full council.

Councilmember Smith said this was brought up at the last Council Meeting and it appeared obvious that the citizens want the Council to have two meetings in November, on the 3<sup>rd</sup> and on the 17<sup>th</sup>. However he said the fact that the mayor will not be present on November 3<sup>rd</sup> was not clear to him at the time. He said he believed that all five councilmembers need to be present when a vote is made on the mayor and vice mayor, however, he wondered if the meeting could still be held but postpone the election on the Mayor and Vice Mayor until November 17<sup>th</sup>. He asked for attorney comment.

1 Attorney Smith-Frye stated the Charter stipulates that the election shall be held annually at the  
2 first regular council meeting so if a meeting is held on November 3<sup>rd</sup> there needed to be an  
3 attempt to have a vote.

4  
5 Councilmember Grenier discussed the past practice of holding two separate meetings—one for  
6 the old Council and one for new.

7  
8 Ms. Smith-Frye reiterated that the Charter language stipulates that the vote to be taken at the  
9 "first regular council meeting" and her opinion was that if any meeting is held, there needed to  
10 be an attempt to hold a vote on the Mayor and Vice Mayor.

11  
12 Vice Mayor Pfister suggested that this problem will always occur because of the new election  
13 laws and that she continued to support the concept of having one meeting in November going  
14 forward on the second Wednesday of the month.

15  
16 Mayor Wolfe commented that he would be returning on November 10<sup>th</sup> and he did not know if  
17 he could return in time.

18  
19 Councilmember Gamble noted Ms. Stegall had stated she would not be able to certify the  
20 election until November 12<sup>th</sup>.

21  
22 Ms. Barnett stated that for federal election years [even years] when overseas ballots must be  
23 counted, it takes longer (10 days after the election); the 48 hours provisional ballot law always  
24 applies regardless of whether it is a federal or municipal only election.

25  
26 Mr. Drury noted the original attempt of the agenda item was to bring back an issue that Council  
27 had experienced a year prior. He said this could have been addressed earlier however he said  
28 he did not correlate the dates with Mayor Wolfe leaving, which could have been done. He said  
29 his recommendation was to have one meeting, the third meeting of the month.

30  
31 Councilmember Gamble said he would prefer to have all five councilmembers present.  
32 Councilmember Grenier agreed.

33  
34 Mayor Wolfe asked for audience input.

35  
36 Norman Hope

37  
38 Mr. Hope said there was a question on the date of Mayor Wolfe's return date from Taiwan.  
39 Discussion followed on the date the mayor would be returning from Taiwan. Mr. Hope said his  
40 questions had been answered and he no objection to moving the date.

41  
42 Denise Laratta, Royal Harbor

1 Ms. Laratta commented on the Sister City initiative and the mayor's trip to Taiwan. She said in  
2 the future the City needed to be more forthcoming. She said she disagreed with the city paying  
3 the spouses' expenses.

4  
5 Betty Burleigh

6  
7 Ms. Burleigh said the information on the Sister Cities in the notebook provided is good  
8 information but the public should have seen it before the vote was taken. She said no  
9 information was brought forward to the public from May 19<sup>th</sup> until October 6<sup>th</sup>.

10  
11 **MOTION**

12  
13 **Lori Pfister moved to postpone the November 3<sup>rd</sup> meeting to November 17<sup>th</sup>, seconded by**  
14 **Bob Grenier.**

15  
16 Councilmember Gamble asked if the motion could be rescinded or amended to incorporate next  
17 year and the years to come.

18  
19 Mayor Wolfe said she believed that Vice Mayor Pfister wanted to consider the second  
20 Wednesday. Vice Mayor Pfister said that the general issue of the date had not been advertised  
21 and she would prefer to just deal specifically with the question of this one meeting. She said  
22 Council wants this to be a successful trip for the Mayor and that she would prefer the overall  
23 issue of determining the date going forward, be brought back on December 1<sup>st</sup>.

24  
25 **The motion carried 5-0 unanimously.**

26  
27 **Tab 3) Draft Resolution – Mentoring for Success Initiative**

28  
29 Ms. Barnett read the proposed Resolution #2010- by title only:

30  
31 **RESOLUTION #2010-16**

32  
33 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA,**  
34 **RECOGNIZING THE MENTORING FOR SUCCESS BEING**  
35 **ESTABLISHED BETWEEN THE GENESIS CENTER, THE LAKE**  
36 **COUNTY BOARD OF EDUCATION, AND LAKE COUNTY**  
37 **FAITH BASED AND COMMUNITY BASED BUSINESS AND**  
38 **GOVERNMENT PARTNERS.**

39  
40 Councilmember Gamble said he had attended the School Board meeting and this was brought  
41 up as a resolution. He said other cities are supporting the resolution as well as private agencies.  
42 He said he had requested this to be considered at this meeting because the sign up period  
43 begins November 1<sup>st</sup>. He said they are requesting 15 participants to mentor at each school. He  
44 noted that training and qualifying will be part of the process.

1  
2 Discussion followed regarding the training, qualifications, and location for mentoring. Mr. Drury  
3 commented that any staff volunteering would have to do that on their own time.  
4

5 He confirmed that the City is being asked to recognize the project and support the goal of  
6 recruitment from the community but that there would be no impacts to the budget. He noted that  
7 the specific time period of the program would be added to the resolution to clarify that it is time  
8 limited.  
9

10 Mayor Wolfe asked for comment from the audience.  
11

12 Norm Hope  
13

14 Mr. Hope said this program was presented to the Kiwanis last Friday. He discussed the program  
15 and the procedures. He noted it is being sponsored by the service organizations as well  
16 because it is about helping children and if it is no cost to the city he would be in support.  
17

18 **MOTION**  
19

20 **Sandy Gamble moved to approve Resolution #2010-16 with the said adjustments of the**  
21 **time being November 8 through May 30, 2011, and seconded by Lori Pfister.**  
22

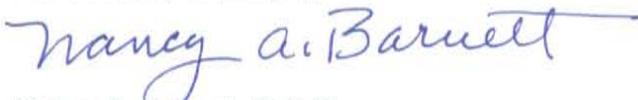
23 **Sandy Gamble moved to amend his motion to add that the program would be a voluntary**  
24 **initiative. Lori Pfister seconded his amendment to the motion.**  
25

26 **The amended motion carried unanimously 5-0.**  
27

28 **Adjournment**  
29

30 There was no further business and the meeting was adjourned at 5:06 p.m.  
31

32 Respectfully submitted,  
33

34   
35

36 Nancy A. Barnett, C.M.C.  
37 City Clerk  
38

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CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
NOVEMBER 17, 2010  
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

ABSENT

Robert Wolfe, Mayor  
Lori Pfister, Vice Mayor  
Bob Grenier, Councilmember  
Sandy Gamble, Councilmember  
Kirby Smith, Councilmember

STAFF PRESENT

John Drury, City Administrator  
Bob Williams, City Attorney  
Nancy Barnett, City Clerk  
Bill Neron, Economic Development Director  
Lori Tucker, Human Resources Director  
Chief Lubins, Police Department  
Jacques Skutt, Director of Community Development  
Chief Richard Keith, Fire Department  
Chris Thompson, Interim Public Works Director  
Tamera Rogers, Director of Community Services  
Brad Hayes, Director of Utilities

I. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Doug Dykstra, Mid Lakes Christian Church, gave the invocation and those present recited the Pledge of Allegiance.

II CALL TO ORDER

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

Tab 1) Update on Mayor's Visit to Sister City

Mayor Wolfe reported on his visit to Xindian, Taiwan to represent the City of Tavares. He said he believed it was a very beneficial trip. He presented a document that he had signed along with the Mayor of Xindian City and the President of their Council, which ties the city's together, along with a Letter of Intent to be Sister Cities. He said he thought it was an excellent step in moving forward to foster the relationship. He said he had met with many of the higher dignitaries in

1 Xindian including the Prime Minister of Taiwan, the Minister of Foreign Affairs, and various  
2 Taiwanese and Chinese business professionals. He said the Mayor was very receptive and  
3 wants to move forward with establishing the relationship. He said in the next two weeks a larger  
4 packet of information will be developed with the assistance of Ms. Ross, to document the trip.  
5

6 Council expressed their appreciation to Mayor Wolfe for taking the time to make the trip, noting  
7 he had taken time off from his own business to travel on behalf of the City.  
8

9 Mayor Wolfe noted that Chief Keith was one of many in the city who assisted along with Ms.  
10 Rogers and other staff. He said Chief Keith had provided a Fire Chief helmet which he was able  
11 to present to the Xindian Fire Chief (a member of the Xindian Council). He presented the gifts to  
12 Chief Keith for display at one of the Fire Stations.  
13

### 14 **III. SINE DIE**

15  
16 **Mayor Wolfe adjourned the current Council Meeting and turned over the gavel to Mr.**  
17 **Drury.**  
18

### 19 **IV. CALL TO ORDER**

20  
21 Mr. Drury called the first meeting of the new City Council to order at 4:30 p.m.  
22

### 23 **V. PROCLAMATION OF ELECTION RESULTS**

24  
25 Ms. Barnett announced the results of the 2010 election from the Official Certification as follows:  
26

#### 27 Charter Referendum for Extension of Terms

28  
29 Yes - 1,848  
30 No – 3,053  
31

#### 32 Bond Referendum for Expansion of Wooton Park

33  
34 Yes – 2,328  
35 No – 2,717  
36

37 (Ms. Barnett noted further information on the bond referendum would be presented later in the  
38 meeting.)  
39

#### 40 Councilmembers

41  
42 Robert Grenier, Lori Pfister, and Robert Wolfe were re-elected without opposition to the term of  
43 office 2010-2012.  
44

1 **VI. SWEARING IN OF NEW COUNCILMEMBERS**

2  
3 Chief Lubins gave the oath of office to Robert Grenier, Lori Pfister and Robert Wolfe to their  
4 elected positions of councilmember.

5  
6 **VII. CONVENING OF NEW COUNCIL**

7  
8 Mr. Drury convened the new City Council.

9  
10 **VIII. ELECTION OF MAYOR**

11  
12 Mr. Drury reviewed the process according to Roberts Rules of Order that would be followed in  
13 electing the new mayor. He asked if Council had questions. He noted as the Charter calls for  
14 the City Council to conduct this order of business, did not not plan to open up this issue to public  
15 debate.

16  
17 He then asked for nominations from the floor for Mayor.

18  
19 Kirby Smith nominated Robert Wolfe. Sandy Gamble nominated Lori Pfister.

20  
21 Mr. Drury closed the nominations. He asked if Council wished to comment.

22  
23 Mr. Drury asked that Councilmembers raise their hand to indicate their vote:

24  
25 **Vote on Councilmember Robert Wolfe by Raising of Hand**

26  
27 Robert Grenier Yes  
28 Kirby Smith Yes  
29 Robert Wolfe Yes  
30 Sandy Gamble No  
31 Lori Pfister No

32  
33 **Mr. Drury stated that since Robert Wolfe had received three votes, he would pronounce**  
34 **Robert Wolfe as Mayor for the City of Tavares. He passed the gavel to Mayor Wolfe.**

35  
36 **IX, ELECTION OF VICE MAYOR**

37  
38 Mayor Wolfe noted the same process would be followed for the election of the Vice Mayor. He  
39 requested nominations from the floor for Vice Mayor.

40  
41 **Sandy Gamble nominated Lori Pfister. Kirby Smith nominated Bob Grenier. The**  
42 **nominations were closed.**

43  
44 **Mayor Wolfe requested that Councilmembers raise their hand to indicate their vote:**

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**Vote on Lori Pfister by Raising of Hand**

Sandy Gamble	Yes
Lori Pfister	Yes
Robert Wolfe	No
Kirby Smith	No
Bob Grenier	No

**Vote on Bob Grenier by Raising of Hand**

Robert Wolfe	Yes
Kirby Smith	Yes
Bob Grenier	Yes
Lori Pfister	No
Sandy Gamble	No

**Mayor Wolfe pronounced Bob Grenier to be Vice Mayor by three votes.**

**X. APPROVAL OF AGENDA**

Mayor Wolfe asked if there any changes by staff or Council. Mr. Drury said the City Attorney has an item that he will discuss that will become Tab 10A.

Attorney Williams stated it would probably be better to consider it as Tab 13A under Ordinances as it is an emergency ordinance to be considered for adoption. He said it pertains to an ordinance allowing dogs in outdoor dining areas of the city's restaurants.

He said regarding the USDA bonds that are scheduled for Tab 11, Mike Williams; the bond counsel from Akerman Senterfit is in route from another meeting and asked that that item be postponed until Mr. Williams can be present.

**MOTION**

**Bob Grenier moved to approve the agenda with changes noted, seconded by Kirby Smith. The motion carried unanimously 5-0.**

**XI. APPROVAL OF MINUTES – September 8 and September 22**

**MOTION**

**Kirby Smith moved for approval of the minutes of September 8 and September 22, seconded by Bob Grenier. The motion carried unanimously 5-0.**

1 **XII. DESIGNATION OF BANK FOR OFFICIAL DEPOSITORY**

2  
3 **Tab 6) Designation of Bank**

4  
5 Mr. Drury explained that the City has utilized SunTrust Bank as the official depository for the city  
6 for the past several years. SunTrust is a State of Florida Authorized Depository and provides  
7 collateral of U.S. Treasury Securities (specifically designated) for all City of Tavares Deposits.  
8

9 Mr. Drury stated that staff is currently developing a Request for Proposals (RFP) for issuance in  
10 the current fiscal year to provide services for the next five years. Once the RFP has been  
11 issued and evaluated, staff will present findings to Council for award. The RFP will also address  
12 various banking options to enhance efficiencies and customer service delivery.  
13

14 Councilmember Smith discussed making approval of SunTrust contingent on having the  
15 proposals go out within six months.  
16

17 **MOTION**

18  
19 **Kirby Smith moved to approve SunTrust Bank up until June 1, 2011, seconded by Sandy  
20 Gamble. The motion carried unanimously 5-0.**  
21

22 **XIII) – DESIGNATION OF THOSE AUTHORIZED TO SIGN CHECKS**

23  
24 **Tab 7) Designation of those Authorized to Sign Check**

25  
26 Mr. Drury advised that staff recommends approval of the Mayor, Vice Mayor, City Administrator  
27 and the Finance Director as those designated to sign checks. This is consistent with past policy.  
28

29 City disbursements (checks) will utilize one signature from the Mayor or the Vice Mayor and one  
30 signature from the City Administrator or the Finance Director.  
31

32 **MOTION**

33  
34 **Sandy Gamble moved to authorize the Mayor, Vice Mayor, City Administrator and  
35 Finance Director, to be authorized to sign checks on behalf of the City of Tavares,  
36 seconded by Kirby Smith. The motion carried unanimously 5-0.**  
37

38 **XIV. SUNSHINE LAW/ETHICS PRESENTATION**

39  
40 Attorney Williams reviewed the Sunshine Law as it pertains to public meetings and public  
41 records noting that it pertained to City Council and also the other Boards appointed by Council.  
42 He also reviewed the Ethics Law. He discussed issues of voting and conflict of interest. He  
43 reviewed the issue of Honest Services Fraud which is a federal statute that has recently gotten  
44 some very strict interpretation in the courts. In addition he noted that under the Sunshine Law,

1 Council relies on the advice of Council but if he is wrong in his opinion, it does not reflect on  
2 Council.

3  
4 **XV. PROCLAMATIONS/PRESENTATIONS**

5  
6 None

7  
8 **XVI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

9  
10 Attorney Williams noted there were quasi-judicial items on the agenda, Tab 9 and Tab 10, but  
11 they are for first reading only.

12 **VII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

13  
14 Ms. Barnett read the ordinances and resolutions by title only:

15  
16 **ORDINANCE 2010-19**

17  
18 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING PUD**  
19 **ORDINANCE 2005-04; AN ORDINANCE THAT GOVERNS THE**  
20 **DEVELOPMENT OF THE OAK BEND SUBDIVISION ON S.R. 19;**  
21 **SUBSTITUTING THE PROVISION FOR 96 SINGLE-FAMILY ATTACHED**  
22 **DWELLINGS FOR 53 SINGLE-FAMILY DETACHED DWELLINGS;**  
23 **AMENDING THE CONCEPTUAL MASTER PLAN FOR THE SUBDIVISION**  
24 **TO REFLECT THIS CHANGE; SUBJECT TO THE RULES, REGULATIONS**  
25 **AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;**  
26 **PROVIDING AN EFFECTIVE DATE.**

27  
28  
29 **ORDINANCE 2010-20**

30  
31 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; REZONING**  
32 **APPROXIMATELY 10 ACRES OF LAND LOCATED GENERALLY AT THE**  
33 **NORTHEAST INTERSECTION OF DAVID WALKER ROAD AND OLD U.S. 441**  
34 **FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) TO PD (PLANNED**  
35 **DEVELOPMENT DISTRICT); SUBJECT TO THE RULES, REGULATIONS AND**  
36 **OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING**  
37 **FOR AN EFFECTIVE DATE.**

38  
39 **RESOLUTION NO. 2010-15**

40 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING**  
41 **THE ISSUANCE OF NOT EXCEEDING \$15,805,000 IN AGGREGATE**  
42 **PRINCIPAL AMOUNT OF WATER AND SEWER REVENUE BONDS, TO**  
43 **FINANCE THE COST OF CONSTRUCTING IMPROVEMENTS TO THE CITY**

1 OWNED WATER AND SEWER SYSTEM; PLEDGING ON A PARITY WITH  
2 THE LIEN THEREON OF CERTAIN OUTSTANDING UTILITY DEBT OF THE  
3 CITY, THE NET REVENUES OF THE CITY'S WATER AND SEWER SYSTEM;  
4 AUTHORIZING THE ISSUANCE OF BOND ANTICIPATION NOTES, IN  
5 ANTICIPATION OF THE ISSUANCE OF SAID BONDS; AUTHORIZING THE  
6 VALIDATION OF SUCH BONDS AND NOTES; PROVIDING FOR THE  
7 RIGHTS OF THE HOLDERS OF SUCH BONDS AND NOTES; MAKING  
8 OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH;  
9 AND PROVIDING AN EFFECTIVE DATE.

10 RESOLUTION 2010 - 17  
11

12 A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AMENDING THE  
13 2010 FISCAL YEAR ADOPTED BUDGET FOR THE CITY OF TAVARES,  
14 REPRESENTING ADJUSTMENTS TO THE ADOPTED BUDGET, AND  
15 PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE  
16 DATE.

17 RESOLUTION 2010 - 18  
18

19 A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AMENDING THE  
20 2011 FISCAL YEAR ADOPTED BUDGET FOR THE CITY OF TAVARES,  
21 REPRESENTING ADJUSTMENTS TO THE ADOPTED BUDGET, AND  
22 PROVIDING FOR A REPEALER, SEVERABILITY AND AN EFFECTIVE  
23 DATE.  
24

25  
26 **XVIII) CONSENT AGENDA**  
27

28 **Tab 8) Request to Apply for Edward Byrne Memorial Justice Assistance Grant for**  
29 **Surveillance Camera.**  
30

31 Mayor Wolfe asked if any audience member objected to the Consent Agenda item or if Council  
32 wished to discuss.  
33

34 **MOTION**  
35

36 Bob Grenier moved to approve the Consent Agenda [Request to Apply for Edward Byrne  
37 Memorial Assistance Grant], seconded by Kirby Smith. The motion carried unanimously  
38 5-0.  
39

40 **XIX. ORDINANCES/ RESOLUTIONS – PUBLIC HEARING**  
41

42 **Tab 9 Ordinance #2010-19 – Read by title only.**  
43

1 **Tab 10) Ordinance #2010-20 – Read by title only.**

2  
3 **Second Reading**

4  
5 None

6  
7 **RESOLUTIONS**

8  
9 **Tab 12) Resolution #2010-17 – Final Amendment to Fiscal Year 2010 Budget**

10  
11 Mr. Drury stated that this is a resolution that must be done within sixty days of closing out the  
12 financial books for the prior fiscal year. The objective is to approve this resolution to amend the  
13 Fiscal Year Budget just finished for September 30<sup>th</sup>.

14  
15 He said that the attached resolution represents increases and/or decreases to the adopted and  
16 revised budget for Fiscal Year 2010. Appropriation increases represent previously approved  
17 reserve appropriations. In addition the Resolution also reflects transfers between individual  
18 accounts within the adopted budgets for all departments.

19  
20 This resolution represents the FIFTH AND FINAL AMENDMENT to the Adopted Budget for  
21 Fiscal Year 2009-2010.

22  
23 Mayor Wolfe asked if there were questions.

24  
25 **MOTION**

26  
27 **Sandy Gamble moved to approve Resolution #2010-17, seconded by Bob Grenier. The**  
28 **motion carried unanimously 5-0.**

29  
30 **Tab 13 – Resolution #2010-18 – First Amendment to Fiscal Year 2011 Budget for Roll**  
31 **Forward Items**

32  
33 Mr. Drury stated that the resolution represents increases and/or decreases to the adopted and  
34 revised budget for Fiscal Year 2011. The increases and or decreases represent adjustments to  
35 the budget for additional reserve appropriations approved by the City Council, additional  
36 expenditure requirements, estimated revenue adjustments, and **encumbrance roll forwards**  
37 from the prior fiscal year.

38  
39 This resolution represents the FIRST AMENDMENT to the Adopted Budget for Fiscal Year  
40 2010-2011.

41  
42 Councilmember Gamble said he had only received the information yesterday and would prefer  
43 to table it until the next meeting. Mr. Drury said that Ms. Houghton will be able to highlight the  
44 details at the next meeting.

1  
2 **MOTION**  
3

4 **Sandy Gamble moved to table Resolution #2010-18 until the next meeting (unless there is**  
5 **an emergency that arises before the next meeting), seconded by Kirby Smith. The motion**  
6 **carried unanimously 5-0.**  
7

8 **Tab 13A – Ordinance #2010-21 – Emergency Ordinance to Allow Dogs in Outdoor Dining**  
9 **Areas**  
10

11 Attorney Williams read the ordinance by title only:  
12

13 **AN EMERGENCY ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**  
14 **AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER**  
15 **10.5, LICENSES AND BUSINESS REGULATIONS BY ADDING ARTICLE XII**  
16 **ENTITLED “PRESENCE OF DOGS IN OUTDOOR PORTIONS OF PUBLIC**  
17 **FOOD ESTABLISHMENTS”; PROVIDING FOR PERMIT REQUIREMENTS,**  
18 **ENFORCEMENT AND PROCEDURES; SUBJECT TO THE RULES,**  
19 **REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES**  
20 **COUNCIL; PROVIDING AN EFFECTIVE DATE.**  
21

22 Attorney Williams stated that this ordinance has been requested by staff. He said it would be  
23 enacted pursuant to new provisions in the Florida Statutes which allows a city to exempt  
24 outdoor dining areas from the normal prohibition from allowing dogs into those dining areas. He  
25 said the statute provides that the normal prohibition can be trumped by a city ordinance that  
26 contains certain procedural rules. If the owner obtains a permit under the city ordinance they  
27 can allow dogs and animals within that outdoors portion of the restaurant. He said it has been  
28 presented as an emergency ordinance which is done very rarely by the City. He said there is a  
29 provision in the statutes that allows council to adopt an ordinance based on the emergency as  
30 deemed by Council. He said the only restriction is that it requires a 2/3 vote by the governing  
31 body. He said the emergency nature is that some of the vendors in the Entertainment District  
32 have some events coming up before the normal two reading process could take place.  
33

34 Councilmember Smith asked if this was a state law already. Attorney Williams said the state law  
35 allows the cities to make the determination.  
36

37 Councilmember Pfister asked if there will be a fee. Attorney Williams said the ordinance does  
38 not address a fee but the city could charge a fee. It was noted the ordinance is limited to dogs  
39 only. Mr. Drury said this provides a vehicle for the private sector to decide whether or not they  
40 would like to have a pet friendly outdoor area.  
41

42 Mayor Wolfe asked if the public would like to comment.  
43

44 Roger Kooser, Al's Landing

1  
2 Mr. Kooser spoke in support of the ordinance.

3  
4 Andrew O'Keefe, O'Keefe's Irish Pub

5  
6 Mr. O'Keefe spoke in support of the ordinance.

7  
8 Denise Laratta, Royal harbor

9  
10 Ms. Laratta spoke in support of the ordinance.

11  
12 Council Discussion

13  
14 Councilmember Gamble said he had some concern regarding the patrons who would like to sit  
15 outside but might be allergic to dogs. He said he would be more in favor if there were an area  
16 designated for people without dogs. He said he would like the business owners to consider that  
17 when they are applying for their permit.

18  
19 **MOTION**

20  
21 **Kirby Smith moved to approve Emergency Ordinance #2010-21, seconded by Bob**  
22 **Grenier. The motion carried unanimously 5-0.**

23  
24 **Tab 11) Resolution #2010-15 – USDA Bond for Downtown Water & Wastewater**  
25 **Improvements**

26  
27 Mr. Drury stated the resolution is to authorize the issuance of debt not to exceed \$15,805,000 from USDA  
28 for a low interest loan where proceeds will be used to upgrade the water and sewer infrastructure system.  
29 He presented the following staff report:

30  
31 *Previously the City Council and the Citizen's of Tavares met to define a vision for the City of Tavares.*  
32 *These visioning sessions resulted in the City's Vision Statement which defined the City as the "Capital*  
33 *Water Front City of Lake County". As a result of the vision of our residents, Downtown/CRA Master*  
34 *Plan was developed which provides a roadmap for achieving the vision set forth by the citizens of*  
35 *Tavares. Plan was completed and was adopted by the City Council in 2008. The "Master Plan"*  
36 *includes an "Implementation Plan" which provides for utility water and sewer upgrades. The*  
37 *infrastructure in the downtown and CRA district are clay pipes with galvanized water lines that are*  
38 *broken or too small to provide adequate utility service and therefore are in need of replacement. The*  
39 *estimated cost to replace the existing clay pipe which is well beyond their useful life is approximately \$17*  
40 *million. The "Master Plan" also sets forth a vision of a vibrant, pedestrian-oriented, mixed use center in*  
41 *the downtown core. In order to support the anticipated redevelopment for increased residential and*  
42 *commercial growth, it is critical that the aging water and wastewater infrastructure systems be improved*  
43 *and upgraded to reliably serve these anticipated additional demands that the growth and redevelopment*  
44 *will generate.*

1  
2 *In January 2009 the City Council authorized Malcolm Pirnie to assist the City by preparing the*  
3 *Preliminary Engineering Report and Environmental Report required to apply for grant funds and low*  
4 *interest loans from the United States Department of Agriculture (USDA) to replace the broken and*  
5 *inadequate water and wastewater utility lines.*

6  
7 *The Utilities Department submitted an application to the USDA to secure the grant and loan funds to*  
8 *rehabilitate the aging CRA infrastructure.*

9  
10 *On May 10, 2010, the USDA issued a letter of condition providing the city a \$1,195,000 grant and*  
11 *\$15,805,000 low interest loan for a total of \$17 million to reconstruct the downtown and CRA water and*  
12 *sewer system. At this time staff estimated annual debt service on the \$15,805,000 low interest loan of*  
13 *3.25% over 38 years is \$730,350 per year. The recommended source of funding for this debt service is*  
14 *\$300,000 from the Renewal and Replacement fund, \$300,000 from those funds pledged for retiring debt*  
15 *service and \$130,350 from Impact Fees. The Impact Fee fund has approximately \$5 million in available*  
16 *funds: an Impact Fee Waiver program is currently in place to attract development within the City.*

17  
18 *On May 17, 2010, the City Council approved and accepted the USDA Letter of Conditions dated May 10,*  
19 *2010 for acceptance of the USDA Loan and Grant and authorized the Mayor to sign the Letter of*  
20 *Conditions and related forms for acceptance of the USDA Loan.*

21  
22 *On July 7, 2010, the City's consultant, Malcolm Pirnie, provided an overview of the condition of the*  
23 *current infrastructure within the downtown and CRA areas. In addition they provided additional detail*  
24 *on possible cost savings that replacement of the system would provide.*

25  
26 *In order to complete the process for acceptance of the USDA Loan and Grant for rehabilitation and*  
27 *upgrade of the downtown and CRA utility lines, the City is required to adopt a Resolution authorizing the*  
28 *issuance of debt. Resolution Number 2010-15 provides authorization for issuance of debt not to exceed*  
29 *\$15,805,000 in aggregate and in parity to existing debt of the water and wastewater utility. As part of*  
30 *this process, the City will issue bond anticipation notes in anticipation of the USDA Bonds. This process*  
31 *is called interim financing and will be satisfied by the issuance of the USDA Bonds.*

32  
33 *It should be noted that this is the : "FINAL" step to accept the USDA Loan and Grant Financing as set*  
34 *forth in the USDA Commitment letter to the City dated May 10, 2010 and accepted by the City Council on*  
35 *May 17, 2010. Up to this point the City had the option to "opt" out of the USDA Commitment, but with*  
36 *the adoption of Resolution 2010-15, additional review periods are not scheduled, and the funding process*  
37 *by the USDA will begin.*

38  
39 *Mr. Drury added that this also provides an opportunity to upgrade the landscaping and*  
40 *sidewalks to the more current standards that the citizens have requested during the visioning*  
41 *process.*

42  
43 *Councilmember Pfister asked if the impact fees that were waived could have been used to fund*  
44 *portions of this infrastructure. Mr. Drury responded that some sewer lines that are upgraded to*

1 accommodate future growth can be paid for from impact fees. He asked Mr. Shannon to  
2 comment on the percentage of pipes being upgraded in size. Mr. Shannon stated that they are  
3 working on the Wastewater Hydraulic Model at this time which will determine the size of piping,  
4 but it will likely be somewhere in the 50% range.

5  
6 Councilmember Smith asked if there was a total dollar amount that the city will be requesting  
7 from the taxpayers for the various utility projects.

8  
9 Mr. Shannon said the objective has always been to do as much as possible with the existing  
10 rate structure. Currently two projects are being pursued: the reclaimed water project (funded by  
11 State Revolving Fund) which is 18M (one million in grants and 17M in loans) and the USDA  
12 project is \$17 M being funded by the Federal Government (one million in grants and 16M in  
13 loans). The third project for stormwater is in the application process (10M upgrade to entire  
14 stormwater system ) – the ratio of grant to loan is not known as yet.

15  
16 Councilmember Pfister asked if the impact fees are paying sufficiently for future growth.

17  
18 Mr. Shannon said impact fees can be used to some extent to pay off the loans. Mr. Shannon  
19 stated that the SRF was pursued after the rate study was done so that the rates were approved  
20 knowing that project was planned. After the rate study was set, the award from the USDA was  
21 received. The financial analysis for the water and sewer USDA project is currently underway. He  
22 noted that impact fees will pay for the cost of increasing the incremental increase for capacity of  
23 some the pipes.

24  
25 Councilmember Smith said his estimate is that about 42M will be in loans. Mr. Drury stated that  
26 Council will be authorizing staff to establish the loan capabilities but the city could never borrow  
27 more than its current ability to cover debt service. The city's ability to cover debt service under  
28 its current rate structure is 20M. Over the next five to 10 years, council would authorize the  
29 project in phases. He said hopefully over the next five to 10 years the additional monies needed  
30 will be supplemented by either grants or new growth and that hopefully the construction costs  
31 will be less than estimated.

32  
33 Councilmember Gamble confirmed that the funds are only being earmarked and as the funds  
34 are needed, the city would draw from them. Mr. Shannon said that was correct. Councilmember  
35 Smith stated his understanding was that the millage rate, the water rate, or the sewer rate will  
36 not have to be raised. Mr. Shannon said they are working to develop a plan to fund this through  
37 the existing rates. Mr. Drury said this is within the current rate study that was adopted. The  
38 current rate study calls for the rates to be increased by CPI plus 1%; up to 20M of debt can be  
39 carried by following that rate study. He said his goal is to keep that at a 15M level or below.

40  
41 Mike Williams (Bond Counsel) stated that the resolution authorizes not exceeding \$15,805,000  
42 in water and sewer bonds, authorizes notes, bond validation (approval by a circuit court  
43 judge), and shows that it is on parity with 2000 and 2002 bond issues. The city must meet a  
44 coverage test confirmed by a CPA before the bond can be closed.

1  
2 **MOTION**  
3

4 **Sandy Gamble moved to approve Resolution #2010-15, seconded by Bob Grenier. The**  
5 **motion carried unanimously 5-0.**  
6

7 **X. GENERAL GOVERNMENT**  
8

9 **Tab 14) Results of Tavares Ballot Items**  
10

11 Ms. Ross stated that by previous vote of the City Council, two items were placed on the  
12 November 2010 ballot, Bonds for the Expansion of Wooton Park and a Charter Amendment to  
13 change two year Council terms to four year terms.  
14

15 The result of the Charter Amendment issue was that 62% of City residents voted not to change  
16 the terms of the Council members.  
17

18 The result of the Bond for Wooton Park Expansion was closer with 54% of City residents voting  
19 not to issue bonds and 46% voting to issue the bonds. There was a 389 vote difference. 208  
20 were under votes which meant that they did not vote on this particular issue.  
21

22 Councilmember Gamble clarified that the signage did not come from public funds. Mr. Drury  
23 stated that the city provided information to the public which was done on the web page and by  
24 mail to explain what was being voted on. He said the city did not advocate a position. He said  
25 there was a Political Action Committee created by a group of citizens to advocate for the  
26 passage of the referendum who purchased signs. Ms. Ross noted that in total \$5,842 was spent  
27 by the city to encourage people to vote, which included the printing for the newsletters, the  
28 bookmarks, postcards, posters and two newspaper ads.  
29

30 Councilmember Gamble stated he appreciated all of Ms. Ross's efforts.  
31

32 **Tab 15) Discussion on Amendment to Impact Fee Ordinance to Consider Extension of**  
33 **Time Period of City-Wide Waiver Program**  
34

35 Mr. Neron reported at its meeting held December 9, 2009, the City Council approved Ordinance  
36 2009 – 34 which waived the imposition of City impact fees City-wide for the period Jan.1 2010 –  
37 Dec. 31, 2010. On November 17, 2010, Council directed staff to prepare an ordinance to  
38 extend the program for an additional year to December 31, 2011. He discussed the reports  
39 provided to Council: Exhibit 1 showed the construction value and number of residential and non-  
40 residential permits for a five year period from 2005 to 2009 and the taxable assessed valuation  
41 broken down by residential and non-residential for approximately the same period. He said in  
42 2005 at the height of the building boom the city issued building permits with a total value of  
43 \$102,000,000 (610 permits). In 2009 with the fallback in construction, \$11.2 M was issued (31  
44 permits), almost a 90% drop. He said the value of the construction was primarily residential in

1 the early years, and in the later years, non-residential.

2  
3 Mr. Neron said the taxable assessed valuation roller coasted in the 2005-2010 period. It  
4 increased from \$395,000,000 in 2005 to a high of \$854,000,000 in 2008. He said the charts  
5 reflect a two year lag from the time a building permit is issued, the building is constructed, and it  
6 gets on the tax roll. He said it then went to \$529,000,000 in 2010, almost over a \$300,000,000  
7 drop. Two things affected this: the increased homestead exemption (extra \$50,000) and the  
8 drop in assessed value of homes. He said with the Save Our Homes legislation even when the  
9 market comes back up, the increase can only be done by 3% a year.

10  
11 Mr. Neron said in 2005, the breakdown was 80% residential and 20% commercial. The City's  
12 programs are beginning to make some progress as the total valuation is now 75% residential  
13 and 25% commercial.

14  
15 Mr. Drury pointed out that on average for every \$1.00 that a resident contributes in tax dollars,  
16 they use about \$1.25 in services. For every \$1.00 a business contributes to the tax base, they  
17 use about .80 worth of services. He said this is the basis for trying to shift some of the tax  
18 burden to commercial.

19  
20 Mr. Neron said the second exhibit in the report shows the results of the Impact Fee Waiver  
21 program from January 1, 2010 through the end of October 2010. Permits have been approved  
22 for new construction valued at \$31M (which is three times as that permitted last calendar year).  
23 Impact fees have been waived of about \$1.8M and for every dollar of impact fee waived, it has  
24 resulted in \$17.07 of new value construction. He said of the \$31M, 73 % was for commercial.

25  
26 Mr. Neron stated the CRAAC reviewed the ordinance and also recommended approval by City  
27 Council. Mr. Neron acknowledged that the majority of the impact fees waived are for water and  
28 sewer which is having some impact on the impact fees collections in the water and sewer  
29 enterprise fund He said he had reviewed the water rates adopted in 2009 and the proportion of  
30 the impact fee components was about 11% of the total revenue stream so it is staff's opinion  
31 that this can be done for one more year and then go back to the impact fee collection to make  
32 up for the 11% in the final three of the five year program.

33  
34 Mr. Drury discussed the options suggested: no action, extend for a year, or extend for six  
35 months.

36  
37 Councilmember Smith said his analysis showed \$215,564 a year that would be coming to the  
38 city from the new businesses and not as a burden to the residents.

39  
40 Councilmember Pfister said she was against the waiver before and she remained against it. She  
41 said she believed the city needed to include more incentives to build "green" for new  
42 construction and to look to the future. She said she did not mind waiving the fees, however, the  
43 city needed to require more green initiatives.

1 Mayor Wolfe said the initiatives needed to be specific. He also discussed the overall economic  
2 benefits to the community.

3  
4 Vice Mayor Grenier noted that construction standards are changing and most contractors are  
5 thinking “green” already. He said it depends on the type of building and situation. He discussed  
6 re-using older buildings as an example.

7  
8 Councilmember Pfister said she was interested in requiring materials that are considered green  
9 and that she believed the city should require LEED certification in its code. Councilmember  
10 Gamble discussed his support of green initiatives but said he did not think the city should force it  
11 through code. Councilmember Pfister said it could be something the contractor could choose to  
12 do in order to get a reduction or pay no impact fees.

13  
14 Audience to be Heard

15  
16 Norman Hope – Myakka River Road

17  
18 Mr. Hope said is a member of the Planning & Zoning Board and when this came up before he  
19 had asked several of the people if they were starting to build because of the waiver of the  
20 impact fees and the answer was “yes” from each one. He said if it is correct that the waiver of  
21 the impact fees will not adversely impact the citizens of Tavares today, tomorrow, or next year,  
22 then he would be in favor.

23  
24 Tom Pfeiffer, General Contractor – Shantiniketan project

25  
26 Mr. Pfeiffer said one of the reasons the Shantiniketan project was started was because of the  
27 impact fee waivers. He said the project started and is almost finished and they are now looking  
28 at Phase II. He said 50% of their construction staff are from Tavares and 80-90% are in Lake  
29 County. He said they are also looking at helping with the Sister City project with Taiwan. He  
30 spoke in support of the waiver.

31  
32 Tom Hofmeister, Osprey Lodge project

33  
34 Mr. Hofmeister discussed the proposed 24M first phase of the Osprey Lodge project. He said  
35 the project has been delayed to probably early next year or early first quarter. He said they  
36 remain dependent on the waiver coming into the next year because their financing has been  
37 based on that assumption. He said he has been studying adult care all over the United States  
38 and believes it will be a very unique development with the main corporate office located in this  
39 community. He discussed green construction and noted that every contractor is studying this  
40 component. He said it could be LEED certified but the inspection requires extensive paperwork  
41 and could be costly to hire consultants to expedite the paperwork. He said he agreed it is wise  
42 to encourage green construction and educate the community, but he would prefer not to be  
43 mandated to be LEED certified.

1 Councilmember Gamble asked for clarification on Mr. Hope's question. Mr. Drury said directly it  
2 would not raise taxes but indirectly as Ms. Pfister pointed out, impact fees are used to create a  
3 reserve of funds to improve the downtown community without raising taxes in the future and  
4 using those revenues so that growth pays for new growth. He said during tough economic times  
5 to have a one year or two year waiver to do the city's portion of stimulating the economy in a  
6 small community, is positive, but in the long run he would caution the board not to waive the  
7 funds year after year. He said it is a balance and if the economy was strong he would not  
8 necessarily be recommending it.

9  
10  
11 **MOTION**

12  
13 **Bob Grenier moved to approve Option 1 [to approve public hearings in December on an**  
14 **Ordinance to extend the current City-wide impact fee waiver program through December**  
15 **2011], seconded by Kirby Smith.**

16  
17 Mr. Drury said there is an opportunity to consider some standards and perhaps next year if  
18 Council wished to extend the program that could be incorporated.

19  
20 Vice Mayor Grenier stated he thought he had provided information on green standards to staff  
21 and perhaps that could be looked at.

22  
23 **The motion carried 4-1 as follows:**

24  
25 **Robert Wolfe                    Yes**  
26 **Bob Grenier                        Yes**  
27 **Sandy Gamble                      Yes**  
28 **Lori Pfister                         No**  
29 **Kirby Smith                         Yes**

30  
31 **Tab 16) Approval of Minimum Standards for Commercial Activity at Seaplane Marina**

32  
33 Mr. Neron reported that this was a request to have City Council approve the Minimum  
34 Standards for Commercial Activities and Service Providers operating at the Tavares Seaplane  
35 Base & Marina.

36  
37 He stated that staff has developed the Minimum Standards to govern the Commercial Activities  
38 and Service Providers operating at the Tavares Seaplane Base & Marina.

39  
40 Mayor Wolfe asked if the audience wished to speak.

41  
42 **MOTION**

1 **Bob Grenier moved to approve the minimum standards, seconded by Lori Pfister. The**  
2 **motion carried 3-0.**

3  
4 **[Councilmember Gamble and Councilmember Smith were out of the room during the**  
5 **vote.]**

6  
7 **Tab 17) Approval of Lighting for Christmas**

8  
9 Mr. Drury advised that this was a request to replace the clear 441 fountain light lenses with a  
10 color variety for the upcoming Christmas Holiday and Light-Up Celebration at an estimated cost  
11 of \$524.00.

12  
13 In the past, the City of Tavares hired Vertex Water Features (who is under contract for the  
14 quarterly maintenance of the fountain) to temporarily replace the clear lenses with color lenses  
15 for different holidays such as St. Patrick's Day, 4<sup>th</sup> of July, and Christmas. The City previously  
16 purchased the color lenses, therefore the only cost would be for the labor and possible any  
17 damaged gaskets. The estimated cost to install the color lenses is \$225; to re-install the clear  
18 lenses will be \$225.00 plus a service call charge of \$74.00.

19  
20 (The initial change out would be performed in conjunction with quarterly maintenance, therefore  
21 only one \$74.00 service charge is needed.)

22  
23 Mayor Wolfe asked for Council comment and if the audience wished to speak.

24  
25 **MOTION**

26  
27 **Sandy Gamble moved to approve the lighting of the fountain for Christmas, seconded by**  
28 **Bob Grenier. The motion carried unanimously 5-0.**

29  
30 **Tab 18) Bus Barn Update**

31  
32 Mayor Wolfe provided an update on the purchase of the School Board Maintenance Property  
33 and the city's proposed public safety complex. He noted the city is attempting to purchase  
34 and/or swap out in order to acquire the property. He said the School Board will be taking it to  
35 their board on November 29<sup>th</sup> for a workshop and approval on December 15<sup>th</sup>.

36  
37 Mayor Wolfe asked for additional comments or if the audience had questions.

38  
39 Attorney Williams stated the city's Comprehensive Plan requires that the city provide for  
40 intergovernmental coordination and this project meets that requirement. All three entities have  
41 worked together on this initiative.

1 Councilmember Gamble stated one of the School Board members had suggested there might  
2 be an eminent domain issue. Mr. Drury said he had provided the factual information but that had  
3 not been an issue.

4  
5 Chief Keith stated that a suggestion had been to keep one of the buildings by the architect. He  
6 said as negotiations go forward that would be a consideration.

7  
8 Attorney Williams said one government cannot eminent domain another government.

9  
10 Councilmember Smith said he appreciated all the hard work being done to acquire this property.  
11 Attorney Williams noted it had been a work in progress since the 1980's.

12  
13 **XXI. OLD BUSINESS**

14  
15 None.

16  
17 **XXII. NEW BUSINESS**

18  
19 None.

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

22  
23 **Lt. David Myers - City Resident**

24  
25 Lt. Myers said he had communicated to Mr. Drury when he first began with the City, that the  
26 School Board property was the best location but that the City would never be able to acquire the  
27 property. He said he appreciates, as does the entire Police Department, all the hard work being  
28 done to move this forward.

29  
30 **XXIV. REPORTS**

31  
32 **Tab 19) City Administrator**

33  
34 Mr. Drury commented on the upcoming events.

35  
36 Mr. Drury commented that former Councilmember Norb Thomas has remained very involved in  
37 the Public Safety complex project and he thanked Mr. Thomas for staying engaged and  
38 assisting the city on this project.

39  
40 **Interim Public Works Director**

41  
42 Mr. Thompson stated that the plaque for the Woodlea House on the Prop Shop had been  
43 installed.

1 **Community Services Director**

2  
3 Ms. Rogers reminded those present of the upcoming Art Walk in the downtown.

4  
5 **Public Communications Director**

6  
7 Ms. Ross said the staff at the Prop Shop are looking for inexpensive ways to stock the store but  
8 also help with marketing the city's brand. She said license plates with the city's brand will now  
9 be sold in the Prop Shop along with decals, etc.

10  
11 **Tab 20) City Council**

12  
13 **Councilmember Pfister**

14  
15 Councilmember Pfister stated she wished to recognize Mr. and Mrs. Hope for all their help on  
16 the Wooton Park Expansion.

17  
18 **Councilmember Gamble**

- 19  
20 • Asked if it would be possible to have the city council agendas sooner than the weekend;  
21 i.e. Wednesday or Thursday at the latest

22  
23 Mr. Drury requested to discuss this with staff and then report back to Council.

- 24  
25 • Noted that the city's email address is copying home accounts and asked that it be  
26 changed to only be his city account.

27  
28 Councilmember Pfister said she has requested that option to make it easier to look at one  
29 address.

30  
31 Mr. Drury said that can be removed for Mr. Gamble's email.

- 32  
33 • Noted that when the sanitation budget was done for the mobile home parks and the  
34 change made to have the city again provide the service, he was not aware it was for  
35 once a week pickup. He asked if the parks were in agreement with once a week pickup.

36  
37 Mr. Thompson said there has been no negative feedback on this from the parks. He said they  
38 appeared to be satisfied with once a week as most of them did not want the disruption or the  
39 impact to their streets.

- 40  
41 • Commented on the Ellrodt Building on Main Street and noted he had used many energy  
42 savings techniques in the renovation  
43 • Advised Ms. Rogers he will be in the parade for Light Up  
44

1 **Vice Mayor Grenier**  
2

- 3 • Expressed appreciation to staff and Mr. and Mrs. Hope for their efforts on the Wooton  
4 Park referendum
- 5 • Expressed appreciation to Chief Lubins and his department for work on recent crime in  
6 the city
- 7 • Noted in the newspaper that a Tavares teacher, Anjanette McGregor has been selected  
8 as one of the 50 education champions to attend the national education summit In 2010
- 9 • Stated he appreciated the Tavares citizens for their confidence and that with no  
10 opposition it indicated some confidence in how the city was being managed and that this  
11 will allow follow through on the ongoing projects.

12  
13 **Councilmember Smith**  
14

- 15 • Thanked the staff for their hard work
- 16 • Asked Mr. Drury to let Ms. Houghton know his prayers were with her and her family

17  
18 **Mayor Wolfe**  
19

- 20 • Thanked Chief Lubins, the police officers and all the staff for their work
- 21 • Wished everyone a happy Thanksgiving and safe holidays

22  
23 **Adjournment**  
24

25 There was no further business and the meeting was adjourned at 6:58 p.m.

26  
27 Respectfully submitted,

28  
29 

30  
31 Nancy A. Barnett, C.M.C.  
32 City Clerk  
33

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CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
DECEMBER 1, 2010  
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

ABSENT

Robert Wolfe, Mayor  
Lori Pfister, Vice Mayor  
Bob Grenier, Councilmember  
Sandy Gamble, Councilmember  
Kirby Smith, Councilmember

STAFF PRESENT

John Drury, City Administrator  
Bob Williams, City Attorney  
Nancy Barnett, City Clerk  
Bill Neron, Economic Development Director  
Lori Tucker, Human Resources Director  
Lori Houghton, Finance Director  
Chief Lubins, Police Department  
Jacques Skutt, Director of Community Development  
Chief Richard Keith, Fire Department  
Chris Thompson, Interim Public Works Director  
Tamera Rogers, Director of Community Services  
Brad Hayes, Director of Utilities

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mark Andrews, Bridges, gave the invocation and those present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mr. Drury advised that staff had no changes to the agenda.

MOTION

1 Sandy Gamble moved for approval of the agenda, seconded by Bob Grenier. The motion  
2 carried unanimously 4-0.

3  
4 IV. APPROVAL OF MINUTES – October 20, 2010

5  
6 MOTION

7  
8 Kirby Smith moved for the approval of the minutes of October 20, 2010 as submitted,  
9 seconded by Sandy Gamble. The motion carried unanimously 4-0.

10  
11 V. PROCLAMATIONS/PRESENTATIONS

12  
13 None.

14  
15 VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS

16  
17 Attorney Williams stated there were no quasi-judicial matters on the agenda.

18  
19 VII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

20  
21 Ms. Barnett read the ordinance by title only:

22  
23 **ORDINANCE 2010-22**

24  
25 **AN ORDINANCE AMENDING ORDINANCE 2009-34 OF THE CITY OF**  
26 **TAVARES, FLORIDA PERTAINING TO THE WAIVER OF IMPACT**  
27 **FEES; EXTENDING THE WAIVER TO DECEMBER 31, 2011; AND**  
28 **PROVIDING FOR AN EFFECTIVE DATE.**

29  
30 VIII) CONSENT AGENDA

31  
32 Mayor Wolfe asked if anyone in the audience had objections to the item on the Consent Agenda  
33 or Council wished to discuss an item.

34  
35 MOTION

36  
37 Bob Grenier moved to approve the Consent Agenda [Award of Bid for Replacemnet of  
38 Digester Blower at Wastewater Treatment Plant], seconded by Kirby Smith. The motion  
39 carried unanimously 4-0.

40  
41 Tab 3) Ordinance #2010-22 – Amendment to Ordinance #2009-34 to Extend Impact Fee  
42 Waiver Program for Additional Year

1 Mr. Neron noted a full discussion of the proposal to extend the current impact fee waiver  
2 program was held in November by Council. He said based on action taken by Council at that  
3 meeting November 17, first reading was held and this will be seconding reading. He said the  
4 ordinance extends the program to December 31, 2011. He noted the program has been very  
5 successful in encouraging non-residential development and in the past calendar year to date,  
6 the city has almost tripled the amount in value of building plans that have been approved for the  
7 previous fiscal year.

8  
9 Mayor Wolfe asked if Council had further questions. He asked the audience for comment.

10  
11 **MOTION**

12  
13 **Kirby Smith moved to approve Ordinance #2010-22, seconded by Sandy Gamble. The**  
14 **motion carried unanimously 4-0.**

15  
16 **Tab 4) Policy on Solicitation of Funds for Events**

17  
18 Councilmember Smith said he wished to discuss this because of the increase in the number of  
19 events being held and it did not appear that the city had a good written policy on the solicitation  
20 of funds or sponsorships. He said he wanted Council's viewpoint on how to go forward.

21  
22 Mayor Wolfe asked Attorney Williams to comment. Attorney Williams said it is legal for cities to  
23 solicit and accept donations for city sponsored events. He said in most of the cases he had  
24 seen verifiable guidelines on how donations should be accepted. He said the common  
25 denominators of the policies he had reviewed stated that #1) it is a city sponsored event that  
26 has been approved by the entire City Council; 2) the method of the fund raising also should be  
27 approved by the Council—it should be an organized manner that the city would follow as a  
28 whole; and 3) as soon as the funds are collected they are city funds so as with all city dollars  
29 they all have to be accounted for and done in generally accepted accounting principles, in order  
30 that the funds can be followed and tracked. He agreed with Councilmember Smith that it is good  
31 to have consistency. He noted that the Attorney General opinion has been sought because of  
32 the potential for ethics violations. He advised that the City should have a policy. He said the  
33 donation can come in the form of a complete voluntary donation or it can come in the form of a  
34 sponsorship which has been done in exchange for promotional considerations. He advised that  
35 there should be two programs: one for general donations and one for sponsorships.

36  
37 Councilmember Gamble asked how the money was turned in for the Harvest Moon event. Ms.  
38 Houghton said some of the funds were turned in at the City Council meeting which she  
39 deposited and some of the funds came in via mail. She said the budget will be amended to  
40 reflect the revenue coming in and for the expenditure going out. She said a majority of the  
41 sponsorships are done through the Community Development Department. She said staff can  
42 prepare a policy to address the goals. She said most sponsorships have a tax incentive if there  
43 is not a personal gain.  
44

1 Vice Mayor Grenier asked Attorney Williams to comment on whether elected officials or staff or  
2 both should solicit sponsorships. Attorney Williams said it does not matter legally although he  
3 would recommend that cash donations be made at City Hall.

4  
5 **Council expressed consensus to have staff develop a policy. Ms. Houghton encouraged**  
6 **Council to send her any further suggestions that they might have.**

7  
8 **Tab 5) Policy on Purchase of Art for the Prop Shop**

9  
10  
11  
12 **MOTION**

13  
14 Kirby Smith moved to approve the IAFF contract as stated, seconded by Sandy Gamble.  
15 The motion carried unanimously 5-0.

16  
17 **IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING**

18  
19 **Tab 4) Ordinance #2010-22 – Amendment to Impact Fee Waiver Ordinance #2009-34 to**  
20 **Extend for One Year**

21  
22 Read for First Reading only.

23  
24 **Tab 5) Ordinance #2010-19 – Planned Development Agreement to Conceptual Plan for**  
25 **Oak Bend – Convert Land Designated for Multi-Family Dwellings to Detached Dwellings –**  
26 **Second Reading**

27  
28 Mr. Skutt presented the following report:

29  
30 *The Oak Bend subdivision is located on the west side of S.R. 19, across from Royal Harbor.*  
31 *The PD ordinance for this subdivision was approved in 2005. The Planned Development zoning*  
32 *permitted 111 single-family detached dwellings and 96 single-family attached dwellings. The*  
33 *property was platted to provide lots for these two types of dwellings.*

34  
35 *No attached dwellings have been constructed or sold and it is the owner's opinion that the*  
36 *property can best be developed exclusively as a single-family detached subdivision. This is*  
37 *generally consistent with the City's Comprehensive Plan that encourages higher residential*  
38 *densities within our urban core. The proposed amendment will reduce the net upland density of*  
39 *this property from 4.81 dwelling units per acre to 3.93 dwelling units per acre. Impacts on all city*  
40 *services will be reduced proportionately to this change in density. Other than amending the*  
41 *permitted dwelling types, the Planned Development regulations for this subdivision shall remain*  
42 *unchanged. The owner will be required to submit updated utility and drainage plans to address*  
43 *the reconfiguration of the lots. The roads within the subdivision have already been constructed*

1 and will not be altered. A new plat of subdivision, reflecting the amended conceptual plan, must  
2 be approved and recorded.

3  
4 Oak Bend is located on the southern extremity of the city. Staff is recommending approval of the  
5 amendment due to the potential reduction of impacts on city services in a manner that is  
6 consistent with the encouragement of higher residential densities within the urban core.

7  
8 Mr. Skutt noted that the Planning & Zoning Department had recommended approval.

9  
10 **Discussion**

11  
12 Councilmember Smith asked if this ordinance would change the deed restrictions or the  
13 setbacks from the previous ordinance.

14  
15 Attorney Williams said it would not affect the deed restrictions and the single family lots will have  
16 to meet the setbacks in the Land Development Regulations.

17  
18 **MOTION**

19  
20 **Sandy Gamble moved to approve Ordinance #2010-19, seconded by Bob Grenier. The**  
21 **motion carried unanimously 5-0.**

22  
23 **Tab 6 – Ordinance #2010-20 – Rezoning from RMF to Planned Development for Senior**  
24 **Apartments Complex at Northeast Corner of David Walker Dr. and Old U.S. 441**

25  
26 Mr. Skutt presented the following report:

27  
28 *The subject property is located on the northeast intersection of David Walker Drive and Old U.S.*  
29 *441 adjacent and south of the Chelsea Oaks Subdivision. The property is approximately 10*  
30 *acres in size and is currently vacant. The owners of the property, the Liberty Baptist Church,*  
31 *had once considered relocating their church on these lands. They concluded, however, it was in*  
32 *their best interest to sell this property. The owners of the Shanti Niketan condominiums on*  
33 *David Walker Road have decided to buy this property and develop it as Phase 2 of their project.*  
34 *The applicant is requesting to rezone the property from RMF-2 (Residential Multi-Family) to PD*  
35 *(Planned Development District).*

36  
37 *The proposed Planned Development consists of a maximum of 120 age-restricted, apartment or*  
38 *condominium dwelling units. The property bears a Future Land Use designation of Medium*  
39 *Density (12 dwelling units per acre). The conceptual plan shows multiple wings of one and two*  
40 *storey residential buildings with attached garages. Parking is calculated on the basis of 1.35*  
41 *spaces per dwelling unit. No commercial uses will be allowed within this development. The*  
42 *community will be landscaped and buffered in accordance with the City's Land Development*  
43 *Regulations. The applicant shall obtain all necessary permits from applicable local, regional,*  
44 *state and federal agencies as well as city site plan approval prior to any construction.*

1  
2 *A traffic analysis has been submitted with a determination that the project will generate an*  
3 *additional 12 new peak hour trips and is therefore exempt from requiring a full traffic impact*  
4 *study under the Methodology Guidelines developed by the Lake Sumter MPO. Meals are*  
5 *provided on-site for residents. The applicant has elected to defer a full concurrency*  
6 *determination until the issuance of a final development order (site plan).*

7  
8 *The project is modeled after phase one of the Shanti Niketan development located further north*  
9 *on David Walker Road. Phase one has proven to be very successful and has sold out.*

10  
11 *The proposed rezoning is consistent with the existing Future Land Use designation of Medium*  
12 *Density. The need for this type of residential housing has been established by the success of*  
13 *Shanti Niketan Phase One. Staff is recommending approval of the rezoning.*

14  
15 Mayor Wolfe asked if there were questions.

16  
17 Councilmember Gamble asked if a light on US 441 would be required. Mr. Skutt said it will  
18 probably not affect the threshold at this time as there are limited peak hour trips generated.  
19 Councilmember Smith asked about the entranceway; Mr. Skutt said it would off David Walker  
20 Drive.

21  
22 **MOTION**

23  
24 **Sandy Gamble moved to approve Ordinance #2010-20, seconded by Kirby Smith. The**  
25 **motion carried unanimously 5-0.**

26  
27 **Tab 7) Resolution #2010-18 – Fiscal Budget 2011 – Roll Forwards – First**

28  
29 Ms. Houghton apologized for not including the detail previously for this resolution and that she  
30 had now provided descriptions to Council for each item.

31  
32 Ms. Houghton explained that the resolution represents increases to the adopted budget for  
33 Fiscal Year 2011. The increases represent adjustments to the budget for additional expenditure  
34 requirements and estimated revenue adjustments for the Harvest Moon Festival, and  
35 **encumbrance roll forwards** from the prior fiscal year. A description is provided (Exhibit A) for  
36 each account where the budget amount will be increased for prior year commitments.

37  
38 This resolution represents the FIRST AMENDMENT to the Adopted Budget for Fiscal Year  
39 2010-2011.

40  
41 Mayor Wolfe noted an error in the resolution language. Ms. Houghton said it has been  
42 corrected. Councilmember Gamble said he appreciated the backup information.

43  
44 **MOTION**

1  
2 **Kirby Smith moved to approve Resolution #2010-18, Fiscal Budget, Roll Forwards,**  
3 **seconded by Bob Grenier. The motion carried unanimously 5-0.**

4  
5 **Tab 8) Resolution #2010-19 – Wayfinding Program Signage Criteria**

6  
7 Mr. Skutt presented the following summary:

8  
9 *City Council has approved a Wayfinding System for the city and has authorized staff to*  
10 *negotiate contracts with Don Bell Signs to engineer, fabricate and install signage associated*  
11 *with this program. FDOT must approve and permit those signs that are located on or are in the*  
12 *proximity of State Roads (US 441 and SR 19). On November 5<sup>th</sup>, city staff met with District 5,*  
13 *FDOT representatives in Deland, to obtain their opinions on our proposed sign designs,*  
14 *including our major Gateway signs which are all themed in support of our brand...America's*  
15 **Seaplane City.** *The FDOT representatives were enthusiastically supportive of the designs.*  
16 *Minor recommendations that were made have been incorporated into the designs.*

17  
18 *The Florida Administrative Code, Part V of Chapter 14-51, outlines the procedure that local*  
19 *governments must follow to obtain FDOT permits for Wayfinding Signs. Key to this process is*  
20 *the necessity for the local government to adopt a resolution that establishes the criteria for the*  
21 *destinations shown on the Wayfinding Sign System Plan. This is intended to set the ground*  
22 *rules of what may be advertised on our Wayfinding signs and will eliminate future disputes from*  
23 *individuals or business that may seek off-site advertising opportunities on our Wayfinding signs*  
24 *that are not intended for this purpose. Our plan provides for the advertising of individual*  
25 *businesses on Kiosk signs that will be located in the downtown core area. Our Gateway, Main*  
26 *Directional and Vehicular signs will announce to visitors that they are entering Tavares,*  
27 *America's Seaplane City, direct them from the State roads to our Downtown/Seaplane Base and*  
28 *guide them to public and cultural points of interest, recreational facilities, shopping and*  
29 *entertainment districts and government facilities. The Kiosk signs will lead pedestrians to*  
30 *specific business and buildings within our downtown core.*

31  
32 *Council adoption of this resolution will satisfy the requirements of the Florida Administrative*  
33 *Code and will enable the city to commence the permitting of our Wayfinding signage.*

34  
35 Mayor Wolfe asked if there questions or if the audience wished to speak.

36  
37 **MOTION**

38  
39 **Bob Grenier moved to approve Resolution #2010-19, seconded by Kirby Smith. The**  
40 **motion carried unanimously 5-0.**

41  
42 **X. GENERAL GOVERNMENT**

43  
44 **Tab 9) Interlocal Agreement with Lake County for Woodlea Sports Park Contribution**

1  
2 Removed from agenda.

3  
4 **Tab 10) Agreement with Angel Flight at Planes, Trains, & BBQ Event**

5  
6 Mr. Neron noted Tab 10 and Tab 11 are interrelated. His said last year there was an informal  
7 relationship with Angel Flight to be the charity for the event. The proposal is to make this into a  
8 formal relationship for the next fiscal year. There would be a \$2.00 gate fee charged and Angel  
9 Flight would receive the gate fee to support its charity. In return Angel Flight would guarantee  
10 \$10,000 donation to the city to cover the cost of half of the air show. The hope is to transition  
11 the event to Angel Flight to have them be fully responsible for the event costs in future years if  
12 they are successful in their fundraising.

13  
14 Councilmember Pfister noted that the Planes, Trains, and BBQ event would now have an  
15 entrance fee in addition to the fee planned for the concert.

16  
17 Councilmember Smith asked for clarification that 99% of the other city run events do not have  
18 gate fees. Mr. Neron confirmed. Discussion followed on the issue of the contract having  
19 clarification that no alcohol was to be sold, what would happen if Angel Flight could not raise the  
20 \$10,000, whether city residents could be exempt from the gate fee, and the overall budget. Mr.  
21 Neron stated currently the city has \$10,000 budgeted for the Air Show. He said the cost is  
22 \$20,000 but the city will only pay that amount with Angel Flights covering the other \$10,000. Mr.  
23 Neron said it would be difficult to administer a system of identification for residents. He noted it  
24 is common to have a gate fee at BBQ events and that it is less than most of the other gate fees  
25 that are charged for events.

26  
27 Mayor Wolfe asked if the audience had questions.

28  
29 **Denise Laratta, Fox Run**

30  
31 Ms. Laratta questioned the figure for the TIF budget as she felt she had seen \$20,000 budgeted  
32 in the upcoming budget.

33  
34 Ms. Laratta said although she agreed with supporting Angel Flight she did not agree with a gate  
35 fee for a city sponsored event.

36  
37 **MOTION**

38  
39 **Kirby Smith moved to approve the agreement with Angel Flight, with the amendment that**  
40 **the city requests them to sell only non-alcoholic drinks, seconded by Sandy Gamble.**

41  
42 Discussion continued on the gate fee. Mr. Drury commented that this was also an attempt to  
43 have those who would be attending the event, to participate more in the cost of the event as not  
44 all residents attend the event. He noted that having a not for profit aviation charity participate

1 with the city was a positive contribution and that he said he hopes the city will build the  
2 partnership with Angel Flight.

3  
4 Mr. Neron added that, with as with all events, the Splash Park and Wooton Wonderland are  
5 always open and alcoholic beverages are not allowed in that portion of the park.

6  
7 Councilmember Pfister asked if in the future if it could become an Angel Flight event.

8  
9 Mr. Drury said he thought it would be possible. He described the Angel Flight program in more  
10 detail including his own experience as a pilot taking a sick child to a hospital out of state. He  
11 said it had potential to become a major fund raiser for Angel Flight.

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

14  
15 **Tab 11) Agreement for Air Show at Planes, Trains, & BBQ Event**

16  
17 Mr. Neron said this is the Agreement with Air Boss to put on the event that books the acts and  
18 provides insurance for the event. He said the agreement is for \$20,000 and is the same as last  
19 year's agreement.

20  
21 Councilmember Smith asked what would happen if the event were affected by bad weather or if  
22 not all the planes participated in the show. He said he did not see any place for weather or  
23 mechanical issues with the planes. Mr. Neron said it probably would have to be considered on a  
24 case by case basis.

25  
26 Mr. Drury said the contract does not address the number of planes. Attorney Williams said there  
27 are some specifications regarding the Air Show which are not in the contract. He said a  
28 cancellation of the event would have to be addressed with them. Councilmember Smith said  
29 Item 9 clarifies this information.

30  
31 Attorney Williams said he prefers not to pay monies up front. He said that by holding back the  
32 \$10,000 payment until after the performance the city can determine if it is satisfied with the  
33 event.

34  
35 Mayor Wolfe asked if there was comment from the audience.

36  
37 **MOTION**

38  
39 **Sandy Gamble moved to approve Tab 11 [Agreement with Air Boss], seconded by Bob  
40 Grenier. The motion carried unanimously 5-0.**

41  
42 **Tab 12) Update on City Programs and Projects**

43  
44 Mr. Drury presented the following update:

1  
2 *The new fiscal year commenced on October first and an opportunity is presented to the Council*  
3 *to be updated on Horizon Team projects and other projects that have rolled forward from prior*  
4 *fiscal year into this new fiscal year and for any questions to be asked/answered that Council*  
5 *members may have on the listed projects or any other project.*  
6

- 7     1. **Public Safety Facility:** *(Council Liaison – Mayor Wolfe/Staff manager- Richard Keith).*  
8     *Council selected the design Team (Gator Sktch) and authorized staff to negotiate an*  
9     *engineering contract. A \$500,000 Federal Grant has been secured to get the project*  
10    *going. The team is pursuing the “bus barn” location as the number 1 priority location for*  
11    *the facility. A placeholder site behind City Hall has been identified to get the project*  
12    *moving forward. It is anticipated that the engineering firm’s grant writing staff will assist*  
13    *the City in obtaining a grant to construct the project. The estimated cost to construct is*  
14    *\$8 million.*
- 15    2. **Seaplane Base and Marina:** *(Council Liaison –Councilmember Lori Pfister/Staff*  
16    *manager - Bill Neron). Grand Opening completed this past April with Governor. Punch*  
17    *list items to be completed include improving the welded and hinged dock connections*  
18    *with rubber connections, installing a fueling pump adjacent to the aircraft apron for the*  
19    *larger twin aircraft and boats who prefer to fuel on shore, installing the flag pole and*  
20    *associated plaques (Historical and Dedication). Project should be closed out within the*  
21    *next several months.*
- 22    3. **Tavares Pavilion on the water:** *(Council Liaison – Councilmember Lori Pfister/Staff*  
23    *manager - Tamera Rogers). DEP permit has been secured. This took a year to obtain.*  
24    *Council previously selected the BESH team to design the project. Awaiting decision on*  
25    *TDC grant application in the amount of \$750,000 to add to the budget of \$1.5 million for*  
26    *a total budget of \$2,250,000. Presentation to TDC scheduled for December 15. If*  
27    *approved then TDC grant application goes to County Commission in January for*  
28    *approval. If approved then notice to proceed on design will be issued. The Council has*  
29    *also instructed staff to obtain proposals from “Construction Management At Risk” firms*  
30    *to do the work. Proposals have been received and are being ranked after which they will*  
31    *go to Council for approval.*
- 32    4. **Dora Canal Bridge Replacement** *(Council Liaison – Councilmember Kirby Smith/Staff*  
33    *manager - Bill Neron). Project funded by Rail Road, Water Authority and City.*  
34    *Agreements have been executed by all parties. Rail Road to commence*  
35    *construction/replacement after new year. Awaiting grant agreement from State.*
- 36    5. **Tavares Outdoor Sports Park** *(Council Liaison – Councilmember Sandy Gamble/staff*  
37    *manager - Tamera Rogers). Design Team DMC is developing plans for a Master Permit*  
38    *from DEP/St Johns of the entire complex. Permitting is underway with Florida Wildlife*  
39    *and Game Commission for the relocation of gopher tortoises. Once the tortoises are*  
40    *removed and the stormwater permitting is completed, the land will be cleared and*  
41    *grading will begin. Interlocal Government Agreement between County and City is being*  
42    *developed between city and County attorney on the funding component for council’s*  
43    *approval in the near future. County has budgeted \$250,000 to assist with the project and*  
44    *City has budgeted \$300,000. Total sports complex estimated to cost \$8 million. The first*

1 phase will be limited to environmental permitting, gopher tortoise removal and clearing  
2 and grubbing.

3 6. **Alleyways and alleyway signage** (Council Liaison – Vice Mayor Bob Grenier/staff  
4 manager - Chris Thompson). Three Alleyways under construction. Naming of alleyways  
5 approved by City Council. Signs for those alleyways that are completed or under  
6 construction have been installed.

7 7. **Gateway and Kiosk signs:** (Council Liaison – Vice Mayor Bob Grenier/staff manager -  
8 Jacques Skutt). Sign manufacture selected by Council. A work order for the first KIOSK,  
9 to be placed off Main Street in the City Hall court yard, has been issued. After it is  
10 installed and accepted, two more are scheduled. One for Ruby Street in a grassy area  
11 near O'Keefe's and one at the west end of Main Street near the County Parking Garage.  
12 Gateway signs off 441 and 19 and the entire wayfinding program has been submitted to  
13 FDOT for approval. Approval is pending the City's development of sign specifications.  
14 Once sign specifications have been completed then FDOT will conduct final approval  
15 and wayfinding signs can be programmed into the Capital Improvement program.

16 8. **Alfred Street Project** (Council Liaison – Councilmember Lori Pfister/Staff manager -  
17 Jacques Skutt). BESH was selected to design project. Contract has been approved by  
18 County (who is paying for project) and notice to proceed issued. A separate streetscape  
19 design that reflects the City's Master plan is being negotiated with BESH and will be  
20 presented to Council in the near future. .

21 9. **Community Backyard Project** (Council Liaison – Councilmember Lori Pfister/staff  
22 manager - Tamera Rogers). Includes Dog Park, catch and release fishing pond, Butterfly  
23 Park, community vegetable garden, exercise trail/stations, grilling stations, park benches  
24 and park furniture. Dog Park is complete. Pond has been cleaned out, graded and  
25 seeded. Trees and underbrush were removed and cleaned out. Parking area off Disston  
26 Ave was created. Restrooms are under construction. Small pumpkin patch was planted.  
27 Over this fiscal year, Parks Department will work to stock pond with fish and put in place  
28 a butterfly attracting plants and raised beds for community vegetable gardening and  
29 parking will be enlarged and improved.

30 10. **Public Works Facility** (Council Liaison – Vice Mayor Bob Grenier/staff member Chris  
31 Thompson. Team continues to evaluate site locations. The Caroline property that City  
32 owns is rising to the top of the preferred list. No funding available at this time to move  
33 forward. Funding will be addressed in a future year through the Capital Improvement  
34 Programming process.

35 11. **Rail upgrades:** (Council Liaison – Councilmember Kirby Smith/Staff member Bill Neron)  
36 \$13,000,000 in grants secured for continuous welded tracks to Orlando. MPO trying to  
37 secure the grant match of \$4 million from Lake County, Orange County, R.R., Tavares,  
38 Eustis, Mt. Dora and Umatilla. Cities and County continue to meet on this issue with  
39 MPO. No funding available this year for the grant match. Project on hold until grant  
40 match can be identified and secured. City programmed \$300,000 over a three year  
41 period beginning next year in the Capital Improvement Program.

42 12. **Economic Development:** (Council Liaison – Councilmember Kirby Smith/Staff member  
43 Bill Neron).The Tavares Economic Development Strategy continues to include support  
44 towards: Hospital, Medical Village, Rail Village, County Government Campus,

1 Commerce Park, Seaplane Base and Marina, Special Events, Multi Modal  
2 Transportation system, Sports Park and growing our own businesses. This strategy was  
3 developed by the city three years ago and is making progress on all fronts. The team is  
4 engaged on all fronts and most recently is focusing on business recruitment for  
5 companies that offer high wage jobs (manufacturing) and growing or own (down town  
6 businesses). The other economic development programs include the Impact Fee Waiver  
7 Program and fast track permitting program.

8 **13. Banking RFP:** Finance Department is currently in process of developing a scope of  
9 desired services and requirements for banking services. The preferred bank will provide  
10 services that will provide efficiency for financial reporting, enhance customer service  
11 delivery, and provide safety for City of Funds.

12 **14. Meter Reading RFP:** Finance Department is currently in process of developing a scope  
13 of services and requirements for meter reading services. The desired vendor will  
14 provide meter reading services in a timely fashion and within City customer service  
15 guidelines.

16 **15. Golf Cart Crossing:** Staff Manager – John Drury. Two locations on State Road 19 and  
17 441 have been applied for with FDOT (Dead River Road and St. Clair Abrams Road).  
18 FDOT is developing standards for Golf Cart crossings at state roads. City awaits  
19 approval and standards.

20 **16. City Comprehensive Plan** – The Evaluation and Appraisal Report has been completed  
21 and submitted to DCA for approval. City awaits determination of approval.

22 **17. CRA Water Sewer Upgrades.** Staff Manager – Brad Hayes. \$17 million in grant and  
23 loans secured. Scope of work to design is being negotiated and will be submitted to  
24 Council and Grant/Loan Funding Agency (USDA) in near future.

25 **18. CRA Storm Water upgrades.** Staff Manager – Brad Hayes. \$10 million grant/loans  
26 have been applied. City awaits determination of grant award.

27 **19. Reclaim Facility and Water Utility bld.** Staff Manager Brad Hayes. \$18 million  
28 grant/loans applied for. \$900,000 St John's grant received for construction and \$1.2  
29 million DEP loan received for design services of the reclaimed facility. Project under  
30 design.

31 **20. Water Treatment Plant Upgrades:** Staff Manager Brad Hayes: 95% complete, using  
32 \$2.5M –ARRA Grant money. Construction completion estimated by this year's end.

33 **21. Sidewalk Replacement/Ramps:** Staff Manager Chris Thompson: Replacement of 1605  
34 ft of sidewalk and 11 ramps. Project commenced in October and continues throughout  
35 the city.

36 **22. Traffic Circle at West Main Street:** Staff Manager – Jacques Skutt. County has agreed  
37 to fund and construct at the completion of the Judicial project which is scheduled to be  
38 complete within two years.

39 **23. Storm Water Pond Behind Jail:** Staff Manager – Brad Hayes. County and City  
40 negotiating an interlocal government Agreement which will be brought back to respective  
41 boards after the new year.

1       **24. Sister City Program:** *(Council Liaison- Mayor Robert Wolfe/Staff Manager Joyce Ross).*  
2       *Sister Cities Tavares and Taiwan's Xindian have both passed resolutions codifying the*  
3       *sister city relationship. After the first of the year, an agreement defining the level of the*  
4       *relationship will be developed and presented to both cities for approval.*

5       **25. Special Events Team:** *(Council Liaison - Robert Wolfe/Staff Manager Bill Neron).*  
6       *Crappie Masters 1/27 Bass Master Elite 3/10 Classic Race Boat Regatta 3/18 Antiques*  
7       *Classic Boats 3/24 Planes Train BBQ and Colt Ford 4/1 Dragon Boat Races 4/8 Jet Ski*  
8       *races (May and June) Bass Jr. (August).*

9       **26. Community Events:** *Staff Manager Tamera Rogers. Light-up 12/4 July 4<sup>th</sup> Art Festival*  
10       *1/21 African American 2/5 Harvest Moon Festival October.*

11       **27. Expansion of Wooton Park:** *(Council Liaison – Councilmember Lori Pfister/Staff*  
12       *Manager – Bill Neron). Project included an Amphitheater and was presented to the*  
13       *voters in November for approval. By a vote of 2,328 to 2,717 the bond issue to pay for*  
14       *the expansion failed. No further work is being done on this project.*

15  
16 Mayor Wolfe asked if anyone on Council wished to comment or add an item.

17  
18 Mayor Wolfe said in terms of the Public Safety Complex, the project continues to move forward.  
19 He noted that the School Board met recently and voted to purchase the property at South Lake  
20 to build their maintenance facility.

21  
22 Councilmember Smith said that Mr. Fish (Executive Director of the MPO has been in contact  
23 with Orange County who is very receptive to the commuter rail project and it appears that it will  
24 go forward.

25  
26 Councilmember Pfister asked about the Wooton Park expansion project. Mr. Drury responded  
27 that staff needs direction from Council on whether or not to continue to look at the options.

28  
29 Mr. Drury asked Councilmember Pfister if she would like him to put this on the agenda for  
30 discussion. Councilmember Pfister said she has been receiving comments from residents but  
31 would like to hear opinions from the other councilmembers.

32  
33 Vice Mayor Grenier spoke in support of continuing to look at the project.

34  
35 Councilmember Pfister asked Council if it should be back on the agenda. She said she has had  
36 residents approach her who voted against it but state they did not fully understand the issue.  
37 She said was attempting to remove herself from the project but also felt it would good to have  
38 more discussion and audience input.

39  
40 **Consensus to bring back the issue of the Wooton Park expansion for discussion.**

41  
42 Mayor Wolfe asked for audience comment.

43  
44 Rosemary Gantz, 1115 North Avenue

1  
2 Ms. Gantz stated she did not feel the city could afford to lose a piece of lakefront property to a  
3 condo however she felt the property plus an auditorium was too much for the residents to  
4 consider together. She recommended Council try again just on the property issue.

5  
6 Norman Hope, Myakka River Road  
7

8 Mr. Hope commented on the tearing up of the streets for the infrastructure improvements. He  
9 said he would be concerned about the businesses downtown having access and signage for  
10 their customers. He said he has heard concerns from the business owners about losing  
11 business

12  
13 Mr. Hope stated that he and his wife and other citizens had formed the Political Action  
14 Committee to educate the public about the Wooton Park project. He said they had been told it  
15 was a "do or die" project and that was the way they had presented it to the citizens. He said he  
16 has received information that there is a plan "B" which is contrary to what he had informed the  
17 citizens. He said he is still 100% in favor of the project but he cautioned Council to be careful  
18 about appearing that they are going against the wishes of the citizens.

19  
20 Betty Burleigh, 214 N. New Hampshire Avenue  
21

22 Ms. Burleigh stated that Mr. and Mrs. Hope should be thanked for their efforts however she said  
23 she felt the early voting component had influenced the outcome. She said she felt the city  
24 should purchase the property.

25  
26 Denise Laratta, Royal Harbor  
27

28 Ms. Laratta said she appreciated Mr. and Mrs. Hope's presentations however she did not think  
29 the presentations were not widely attended. She said she felt the city could have provided more  
30 information about the issue. She said the vote was close and that she was in support of Council  
31 having a discussion about this issue.

32  
33 Mayor Wolfe thanked Mr. Drury for his report and noted the Wooton Park expansion issue  
34 would be put on the next agenda for discussion.

35  
36 **Tab 13) Current Board and Horizon Project Representation**  
37

38 Mr. Drury reviewed the current Board and Horizon Project Representation as follows:  
39

40 **Existing Active Teams**

- 41  
42 1. Special Events Project Team (Robert Wolfe, Bill Neron and Cecilia Smith)  
43 2. Seaplane/Marina Project Team (Lori Pfister, Bill Neron, John Drury)  
44 3. Community Back Yard (Lori Pfister, Tamera Rogers, John Drury)

- 1 4. Alfred Street-Carolina Street one way pair (Lori Pfister, Jacques Skutt)
- 2 5. Public Safety Complex & School Board Bus Barn Property (Richard Keith, Stoney
- 3 Lubins, Nancy Barnett, Norb Thomas, Robert Wolfe)
- 4 6. Public Works Complex (Chris Thompson, John Drury, Bob Grenier)
- 5 7. Rail upgrades (John Drury, Kirby Smith, Bill Neron, Lori Houghton)
- 6 8. Tavares Sports Park Complex (John Drury, Sandy Gamble, Tamera Rogers)
- 7 9. Tavares Pavilion on the Water Project – John Drury, Lori Pfister, Tamera Rogers
- 8 10. Alleyway Signage (Chris Thompson, Vice Mayor Grenier
- 9 11. Gateways (Jacques Skutt, Vice Mayor Grenier
- 10 12. Economic Development (Councilmember Smith, Bill Neron)
- 11 13. Dora Canal Bridge Replacement (Councilmember Smith, Bill Neron)
- 12 14. Sister City Program (Mayor Wolfe, Joyce Ross)

13  
14  
15 **BOARD REPRESENTATION**

16  
17 **Florida League of Cities Legislative Committees**

18  
19 Urban Administration – Richard Keith  
20 Environment & Energy Council – Robert Wolfe (Brad Hayes alternate)  
21 Growth Management & Transportation – Jacques Skutt  
22 Finance & Taxation – Lori Houghton

23  
24 **Lake Community Action Agency – 4<sup>th</sup> Wed. at 7 p.m.**

25  
26 Sandy Gamble – Representative

27  
28 **Lake County Library Advisory Board – 3<sup>rd</sup> Thursday at 5 p.m.**

29  
30 Tamera Rogers – Representative (through 2014)  
31 Beth Sindler, Library Director - Alternate

32  
33 **Lake County League of Cities – 2<sup>nd</sup> Friday at 11:30 a.m.**

34  
35 Robert Wolfe – Representative  
36 Bob Grenier - Alternate

37  
38 **Lake County League of Cities - Solid Waste Advisory Committee**

39  
40 Lori Houghton – Representative

41  
42 **Lake County School Board – Lake County Schools Local Preference Committee:**

43  
44 Lori Houghton, Member

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**Lake County Water Alliance Technical Committee**

Brad Hayes – Representative  
Burney Vaughn - Alternate

**Metropolitan Planning Organization**

Kirby Smith – appointed to four year term through 2013  
Alternate - Councilmember Lori Pfister - appointed November 2007 - 2011

**Metropolitan Planning Organization – Technical Advisory Committee**

Jacques Skutt – Representative  
Alisha Maraviglia - Alternate

**Metropolitan Planning Organization – Bicycle/Pedestrian Committee**

Alisha Maraviglia - Effective through December 31, 2012  
Councilmember Lori Pfister - Alternate

**Metropolitan Planning Organization – Citizens Advisory Committee**

David Clutts – Effective through December 31, 2012

**Myregion.org**

Mayor Wolfe – Representative

**Tavares Chamber of Commerce**

Bob Grenier - Representative

**School Concurrency Committee**

Council Representative - Sandy Gamble  
School Concurrency Technical Advisory Committee – Jacques Skutt/Alisha Maraviglia

**Lake Technical Center Charter Board**

Richard Keith - Representative

1 Mr. Drury asked Council if they wished to make any changes in terms of representation. He said  
2 these two agenda items [Tabs 12 & 13] represented what would be worked on in the coming  
3 year.

4  
5 **Council consensus to remain with current representatives.**

6  
7 **Tab 14) Appointments to Police and Fire Pension Boards**

8  
9 Mayor Wolfe made the following appointments:

10  
11 Fire Pension Board: Denise Laratta, reappointment to 2012

12  
13 Police Pension Board: Arthur VanDerStuyf, reappointment to 2012

14  
15 **MOTION**

16  
17 **Sandy Gamble moved to approve the Mayor's appointments, seconded by Lori Pfister.**

18  
19 Councilmember Gamble stated he thought the appointments should be made in November so  
20 that they take effect immediately in December.

21  
22 **The motion carried unanimously 5-0.**

23  
24 **Tab 15) Request to Sell City Bottled Water**

25  
26 Mr. Hayes presented the following summary:

27  
28 *The City has established Wooton Park as a center for numerous functions throughout the year.*  
29 *The City is working diligently at marketing Tavares as "Americas Seaplane City". Staff is*  
30 *constantly looking for new and creative ways to accomplish this task. Staff would like Council to*  
31 *consider the bottling of Tavares Water for use in marketing the City and its events. Presently,*  
32 *only one local city bottles water with a City label, but the source water is not that of the bottling*  
33 *city (Leesburg).*

34  
35 *There are two different methods for a City to bottle and label water.*

36  
37 *1. Contract with a bottling company to use their water that has been treated, but the source is*  
38 *unknown, and affix a label with our logo to the bottle.*

39  
40 *2. Use our water from our City facility and truck it to the bottling plant, enabling us to use "Pure*  
41 *Tavares Water on the label, providing a distinctive difference when it comes to the general*  
42 *public and residents of Tavares.*

1 *Should we choose to use our own water as a source then Ultra Pure Company is a propriety*  
2 *company in this area. If we choose to use water from somewhere other than Tavares, then it*  
3 *would be necessary to solicit an RFP for competitive bidding.*  
4

5 *Should the Council decide to move forward with this project and choose to bottle its own water,*  
6 *then the Tavares Utility Department would work with the Ultra Pure to tanker our water to their*  
7 *facility where it would receive an added treatment to meet regulations. It would then be labeled*  
8 *and shipped back to Tavares in cases on pallets for distribution.*  
9

10 *Suggested distribution channels:*

- 11 • *Sell the bottled water at the Prop Shop*
- 12 • *Sell the bottled water at Fred Stover concession stands and at Woodlea Sports Complex*
- 13 • *Require that only Tavares Bottled Water be sold by vendors at Wooton Park events*
- 14 • *Offer the bottled water to other organizations, free of charge, for distribution at various*  
15 *events, charity fund raisers, etc.*
- 16 • *Investigate other venues and vendors*

17  
18 Discussion  
19

20 Councilmember Smith said he did not want to have the project costs funded from reserves. He  
21 said that vendors who sell water should sell the water at the city's costs.  
22

23 Councilmember Gamble said some vendors may be able to get their water cheaper from  
24 another source; he questioned what the city would charge to the vendors.  
25

26 Mr. Drury noted that staff would bring back a policy on water distribution and that the markup  
27 cost was a good point.  
28

29 Councilmember Pfister questioned the wording on the proposed marketing.  
30

31 Mayor Wolfe asked for comment from the audience.  
32

33 Charlotte Hope, Fox Run  
34

35 Ms. Hope expressed support for the project. She said the City should consider putting the  
36 bottles in the city vending machines and other locations in the City.  
37

38 Ruth Potochnik, 430 Sinclair Circle  
39

40 Ms. Potochnik said she liked the idea however she suggested the label should include nutrition  
41 information and the sodium content.  
42

43 MOTION  
44

1 **Sandy Gamble moved to go forward with the bottled water project and to direct staff to**  
2 **come back to Council with a policy on the bottled water distribution plan. The motion**  
3 **was seconded by Kirby Smith. The motion carried unanimously 5-0.**  
4

5 **Tab 16) Request to Paint Ingraham Tower & Place New City Logo**  
6

7 Mr. Hayes presented the following summary:  
8

9 *Previously, the Ingraham Water Tower had surpassed its useful life as a water tower. The*  
10 *board authorized staff to inspect its structural integrity so that the City could utilize the Water*  
11 *Tower as a "Landmark Beacon" for Tavares. The City procured bids from vendors in 2007 to*  
12 *repair and paint the structure and to add the City Logo. The color scheme at that time was a*  
13 *light blue with our logo.*  
14

15 *The vendor is recommending painting the tank a neutral color, close to white, because of*  
16 *potential fading from the sun. This will set the appropriate background for our new logo, while*  
17 *inviting the public to our City.*  
18

19 *Utility Services was selected to paint, repair, and maintain the Water Tower for a 9 year period*  
20 *through the RFP process. The color, Tank White, is recommended by the company based on*  
21 *experience with thousands of tanks throughout the nation. In an effort to keep costs down, staff*  
22 *recommends that only the bowl of the tower be painted, which will present the water tower with*  
23 *a nice two tone appearance. [Four (4) possible graphic designs were provided for Council*  
24 *consideration.]*  
25

26 Mayor Wolfe asked for comment from the audience.  
27

28 Denise Laratta, Fox Run  
29

30 Ms. Laratta supported Option #3 along with the suggestion that there be a reduction in the cost.  
31

32 Discussion  
33

34 Council discussed the current contract in effect, the vendor's obligation to maintain the previous  
35 water tower paint job, and whether that might lower the cost for the new paint job.  
36

37 **MOTION**  
38

39 **Kirby Smith moved to approve Option #3, white top with the blue letters large fonts, only**  
40 **and to have a renegotiated contract brought back to Council with a reduction in price,**  
41 **seconded by Sandy Gamble.**  
42

43 Councilmember Pfister indicated she preferred the blue top. Vice Mayor Grenier supported the  
44 effort to renegotiate the contract but noted he would like to see the project move forward.

1  
2 **The motion carried unanimously 5-0.**

3  
4 **Tab 17) Approval of Utility Fee Policy for Vacant Properties**

5  
6 **Ms. Houghton presented the following report:**

7  
8 *During the fiscal year 2011 budget process, the City Council had requested that staff develop a*  
9 *policy for removal of water meters in order to provide some relief of base fees to those parcels*  
10 *where meters had been installed, but structures had either been removed or not built.*

11  
12 *A draft policy was presented to Council on September 8, 2010, as part of the Tentative Budget*  
13 *Hearing. At that meeting the City Administrator stated that staff would bring this policy*  
14 *statement back to the City Council for approval.*

15  
16 She noted a copy of the policy as presented on September 8, 2010 was attached for review and  
17 consideration by the City Council.

18  
19 Councilmember Gamble clarified that this policy refers to vacant land only. Ms. Houghton said  
20 the stormwater fee would be charged if there is an impervious structure on the land such as a  
21 driveway.

22  
23 **MOTION**

24  
25 Lori Pfister moved for Option #1 [Meter Removal Policy as submitted by staff], seconded by Bob  
26 Grenier. The motion carried unanimously 5-0.

27  
28 **Tab 18) Discussion of Holding One Meeting in November**

29  
30 Mr. Drury advised that in the past the city swore in new candidates and held elections of the  
31 mayor and vice mayor at the first Wednesday meeting following the election (the day after the  
32 election). Due to changes in the election law regarding provisional ballots for persons who vote  
33 without identification and in order to allow time for overseas and military ballots, the city  
34 determined in 2009 to not swear in the newly elected council until the second meeting in  
35 November. This was because the Supervisor of Elections was not able to "certify" the election  
36 by the first Wednesday in November.

37  
38 Although there was no "certification" issue for candidates, (since there were no candidates on  
39 the ballot) in the recent 2010 election, there two referendums on the ballot and the official  
40 results for the referendum vote were not available until November 12<sup>th</sup>, but were in time to be  
41 placed on the agenda for the second meeting in November (November 17<sup>th</sup>).

42  
43 Mr. Drury said Council may want to consider setting a policy to hold only one meeting in  
44 November, the third Wednesday, which would allow for a consistent procedure. It would be

1 understood that any policy decision set by this Council would be subject to change by future  
2 Councils. The Charter (Section 3.06) requires that "Council meet at least once in every month at  
3 such times and places as the council may prescribe rule." In addition, Special Meetings may be  
4 called upon 12 hours notice to the public as needed. Therefore if Council chose to approve a  
5 policy to hold only one meeting in November it would meet the requirements of the City Charter  
6 and it would allow the City to receive the official Certification of Election results from the  
7 Supervisor of Elections before swearing in the newly elected councilmembers and holding  
8 elections.

9  
10 Councilmember Gamble asked if in the motion there could be a stipulation if there was  
11 uncontested results there would be no reason to postpone the meeting, therefore the first  
12 meeting could still be held right after the election.

13  
14 Attorney Williams noted that the first meeting might fall occasionally after the election results  
15 have been received and it might be something that should be considered at qualifying.

16  
17 Councilmember Pfister said she thought it would be less complicated and more consistent for  
18 the citizens to know that there would only be one meeting held in November on the third  
19 Wednesday.

20  
21 **MOTION**

22  
23 **Lori Pfister moved to have only one meeting in November, the third Wednesday of the**  
24 **month, from this point forward, seconded by Bob Grenier. The motion carried**  
25 **unanimously 5-0.**

26  
27 **XI. OLD BUSINESS**

28  
29 Mayor Wolfe presented a framed photograph of Xindian that was sent to the City by its Sister  
30 City, Xindian, Taiwan. He said he would be asking the City Clerk to have placed in City Hall.

31  
32 **XII. NEW BUSINESS**

33  
34 None.

35  
36 **XIII. AUDIENCE TO BE HEARD**

37  
38 None.

39  
40 **XV. REPORTS**

41  
42 **Tab 19) City Administrator**

1 Mr. Drury added to his list of meetings, a reminder of the upcoming County meeting re: Fire &  
2 EMS to be held December 7<sup>th</sup> in Leesburg.

3  
4 Agenda Distribution: Mr. Drury stated that he had discussed this with staff and requested that  
5 the date of January 19<sup>th</sup> be the goal for getting the agenda distributed on Wednesday instead of  
6 Friday.

7  
8 He noted that he had distributed an emergency contact card to each council member with  
9 phone numbers of the department directors.

10  
11 He said he has requested Ms. Houghton to administer the next council Meeting, as he will be  
12 attending the Tourist Development Council meeting to request a grant for the pavilion project at  
13 the same time as the City Council meeting.

14  
15 **City Clerk**

16  
17 Ms. Barnett encouraged Council to contact her at any time regarding changes or clarifications  
18 on the agenda.

19  
20 **Economic Development Director**

21  
22 Mr. Neron said he had a correction to make. He said when the TIF budget was approved it was  
23 for \$25,000 for Planes, Trains and BBQ but with the new agreements it will be amended to  
24 \$10,000.

25  
26 **Community Development Director**

27  
28 Ms. Rogers reminded everyone of the Light Up Event December 4, 2010. Mr. Drury noted  
29 someone will arrive at the event in a "special" manner.

30  
31 **Finance Director**

32  
33 Ms. Houghton noted she was visiting at Florida Hospital recently and observed there was an  
34 excellent view of the water tower from the upper floor of the hospital.

35  
36 **Tab 20) City Council**

37  
38 **Councilmember Pfister**

39  
40 None.

41  
42 **Councilmember Gamble**

43  
44 Councilmember Gamble thanked Mayor Wolfe for some items from his trip to Taiwan.

1  
2 Councilmember Gamble said he has been reading debate regarding the size of street sign  
3 lettering and reflectivity. Mr. Drury said staff is doing a study of the impacts on street signs  
4 because of a new federal mandate. Councilmember Gamble said he hoped this was being  
5 considered with the current signage being done.

6  
7 **Vice Mayor Grenier**

8  
9 None

10  
11 **Councilmember Smith**

12  
13 Councilmember Smith commended all the staff members for their creativity and for working as a  
14 team.

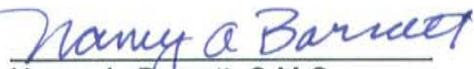
15  
16 **Mayor Wolfe**

17  
18 Mayor Wolfe noted the gifts he had provided were from the President of the Xindian City  
19 Council.

20  
21 **Adjournment**

22  
23 There was no further business and the meeting was adjourned at 6:46 p.m.

24  
25 Respectfully submitted,

26  
27  
28  
29 

30  
31 Nancy A. Barnett, C.M.C.  
32 City Clerk

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CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
DECEMBER 15, 2010  
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

ABSENT

Robert Wolfe, Mayor  
Bob Grenier, Vice Mayor  
Lori Pfister, Councilmember  
Sandy Gamble, Councilmember  
Kirby Smith, Councilmember

STAFF PRESENT

Lori Houghton, Finance Director/Acting City Administrator  
Bob Williams, City Attorney  
Nancy Barnett, City Clerk  
Bill Neron, Economic Development Director  
Lori Tucker, Human Resources Director  
Chief Lubins, Police Department  
Jacques Skutt, Director of Community Development  
Chief Richard Keith, Fire Department  
Chris Thompson, Interim Public Works Director  
Tamera Rogers, Director of Community Services  
Brad Hayes, Director of Utilities

(Note: Councilmember Pfister joined the meeting at 4:50 p.m.)

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Mark Andrews, Bridges, gave the invocation and those present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Ms. Houghton advised that staff had no changes to the agenda.

MOTION

1 Sandy Gamble moved for approval of the agenda, seconded by Bob Grenier. The motion  
2 carried unanimously 4-0.

3  
4 IV. APPROVAL OF MINUTES – October 20, 2010

5  
6 MOTION

7  
8 Kirby Smith moved for the approval of the minutes of October 20, 2010 as submitted,  
9 seconded by Sandy Gamble. The motion carried unanimously 4-0.

10  
11 V. PROCLAMATIONS/PRESENTATIONS

12  
13 None.

14  
15 VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS

16  
17 Attorney Williams stated there were no quasi-judicial matters on the agenda.

18  
19 VII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

20  
21 Ms. Barnett read the ordinance by title only:

22  
23 **ORDINANCE 2010-22**

24  
25 **AN ORDINANCE AMENDING ORDINANCE 2009-34 OF THE CITY OF**  
26 **TAVARES, FLORIDA PERTAINING TO THE WAIVER OF IMPACT**  
27 **FEES; EXTENDING THE WAIVER TO DECEMBER 31, 2011; AND**  
28 **PROVIDING FOR AN EFFECTIVE DATE.**

29  
30 VIII) CONSENT AGENDA

31  
32 Mayor Wolfe asked if anyone in the audience had objections to the item on the Consent Agenda  
33 or Council wished to discuss the item.

34  
35 MOTION

36  
37 Bob Grenier moved to approve the Consent Agenda [Award of Bid for Replacement of  
38 Digester Blower at Wastewater Treatment Plant], seconded by Kirby Smith. The motion  
39 carried unanimously 4-0.

40  
41 IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING

42  
43 Tab 3) Ordinance #2010-22 – Amendment to Ordinance #2009-34 to Extend Impact Fee  
44 Waiver Program for Additional Year

1  
2 Mr. Neron noted a full discussion of the proposal to extend the current impact fee waiver  
3 program was held in November by Council. He said based on action taken by Council on  
4 November 17<sup>th</sup>, first reading was held and this is the seconding reading. He said the ordinance  
5 extends the program to December 31, 2011. He noted the program has been very successful in  
6 encouraging non-residential development and in the past calendar year to date, the city has  
7 almost tripled the amount in value of building plans that have been approved for the previous  
8 fiscal year.

9  
10 Mayor Wolfe asked if Council had further questions. He asked the audience for comment.

11  
12 **MOTION**

13  
14 **Kirby Smith moved to approve Ordinance #2010-22, seconded by Sandy Gamble. The**  
15 **motion carried unanimously 4-0.**

16  
17 **X. GENERAL GOVERNMENT**

18  
19 **Tab 4) Policy on Solicitation of Funds for Events**

20  
21 Councilmember Smith said he wished to discuss this because of the increase in the number of  
22 events being held and that it appeared that the city did not have a good written policy on the  
23 solicitation of funds or sponsorships. He said he wanted Council's viewpoint on how to go  
24 forward so there is consistency.

25  
26 Attorney Williams said it is legal for cities to solicit and accept donations for city sponsored  
27 events. He said most of the cases he had reviewed had verifiable guidelines on how donations  
28 should be accepted. He said the common denominators of the policies he had reviewed were:  
29 #1) That it be a city sponsored event that has been approved by the entire City Council; 2) The  
30 method of the fund raising should be approved by Council—it should be an organized manner  
31 that the city would follow as a whole; and 3) As soon as the funds are collected they are city  
32 funds-- as with all city dollars they all have to be accounted for in generally accepted accounting  
33 principles. He agreed with Councilmember Smith that it is good to have consistency. He noted  
34 that the Attorney General opinion has been sought because of the potential for ethics violations.  
35 He said the donation can come in the form of a complete voluntary donation or it can come in  
36 the form of a sponsorship which has been done in exchange for promotional considerations. He  
37 advised that there could be two programs: one for general donations and one for sponsorships.

38  
39 Councilmember Gamble asked how the money was turned in for the Harvest Moon event. Ms.  
40 Houghton said some of the funds were turned in at the City Council meeting which she  
41 deposited and some of the funds came in via mail. She said the budget will be amended to  
42 reflect the revenues and expenditures. She said a majority of the sponsorships are done  
43 through the Community Development Department. She said staff can prepare a policy to

1 address the goals. She said most sponsorships have a tax incentive if there is not a personal  
2 gain.

3  
4 Vice Mayor Grenier asked Attorney Williams to comment on whether elected officials or staff or  
5 both should solicit sponsorships. Attorney Williams said it does not matter legally although he  
6 would recommend that cash donations be made at City Hall.

7  
8 **Council expressed consensus to have staff develop a policy. Ms. Houghton encouraged**  
9 **Council to send her any further suggestions that they might have.**

10  
11 **Tab 5) Policy on Purchase of Art for the Prop Shop**

12  
13 Mr. Neron said that the city has been approached by artists who have requested to sell their art  
14 in the Prop Shop. The store has limited shelf space. Staff has reviewed the process of how art  
15 would be purchased and has submitted a policy for Council approval that would establish a  
16 committee who would solicit proposals from up to five artists once a year. The city would  
17 purchase the art and then markup with an appropriate margin as is done with other goods and  
18 services.

19  
20 Mayor Wolfe asked if the audience had comments.

21  
22 Charlotte Hope, Fox Run

23  
24 Ms. Hope asked what would happen if the art does not sell. Mr. Neron said the art would be  
25 marked down appropriately. He said due to accounting procedures it is not feasible for the city  
26 to take art on consignment.

27  
28 Betty Burleigh, 214 N. New Hampshire Ave.

29  
30 Ms. Burleigh asked how much money would be spent to buy the art to begin with each year.  
31 She said she believed it would be better to take a percentage of what was sold rather than  
32 buying outright.

33  
34 Mr. Neron said the funds have not been determined until the committee reviews what is  
35 submitted.

36  
37 Councilmember Smith asked if the decision on the art would have to come to Council. Mr.  
38 Neron said the policy allows the Committee to make the decision with the City Administrator  
39 having the final review.

40  
41 Denise Laratta, Fox Run

42  
43 Ms. Laratta said she thought it was a good idea to have the art work however she said she has  
44 the same concern about the potential of not being able to sell it. She said if the reason could be

1 explained why it cannot be done on consignment it would be clearer but her preference would  
2 be to take the art on consignment.

3  
4 Ms. Houghton said the city was considering the impact to staff in terms of the accounting  
5 requirements. In addition, she said it would be a purchase of just a small amount of inventory  
6 (up to five pieces annually). She said if Council would like the city to sell the art on consignment,  
7 however, the change to the policy would be made.

8  
9 There was continued discussion about having a buy back program. Ms. Houghton commented  
10 that staff has not looked at any insurance or risk management issues that may be associated  
11 with consignment. She said the other issue is that there may be concern regarding placement of  
12 the art in the store equally so that all the artists are treated consistently—another reason for  
13 purchasing the art. Ms. Houghton said she would also suggest that Council consider having the  
14 City purchase the art the first year and then make a determination the following year depending  
15 on how the art sells.

16  
17 Councilmember Smith said he would prefer to try the consignment process first.

18  
19 Attorney Williams stated that selling on consignment was acceptable from a legal standpoint  
20 and that an art committee could also make the decision.

21  
22 Mr. Neron suggested that Council consider approving the policy with the amendment for it to be  
23 sold on consignment.

24  
25 **MOTION**

26  
27 **Sandy Gamble moved to approve the policy with the notation that it be sold under**  
28 **consignment, seconded by Bob Grenier. The motion carried unanimously 4-0.**

29  
30 **[Councilmember Pfister joined the City Council Meeting at 4:50 p.m.]**

31  
32 **Tab 6) Application for Grant for Recharging Station**

33  
34 Mr. Neron credited Cecilia Smith who worked with Commissioner Bill Feree from Eustis on this  
35 project. Recently staff became aware of a federal grant program for local communities  
36 sponsored by the Department of Energy regarding dedicated charging stations for electric  
37 vehicles and golf carts. The city would have to pay an installation fee. He asked Ms. Smith to  
38 distribute the maps of the proposed locations.

39  
40 He explained that the city would receive four charging stations in the downtown area. The initial  
41 installation will be done by Mr. Thompson and then there is an installation charge for each unit.  
42 The estimate costs are about \$2600. Those funds will come from the TIF budget. He said the  
43 data will go to a university who will compile the information however the units become the  
44 property of the city. This program will be another element of the city's "green" initiatives.

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Mayor Wolfe asked Mr. Neron if there is an estimate from other cities as to the cost of the electricity. Mr. Neron suggested reviewing at the usage and whether it is worthwhile to set up the customer charging component or just use it as part of the ambience of the downtown community.

Councilmember Smith asked if the consumer pays for the electricity. Mr. Neron said the system has that capability and for the first year they would be connected to city meters and then it would be reviewed over time. Eventually the charging fee would be implemented.

Councilmember Smith asked how much it costs to power the units when a car is plugged into it.

William Ferree advised that the cost would depend on how many cars use the unit. He said the units report to a web based data gathering system every five minutes which the city would have access to. He said if it turns out that there is enough usage the City may want to turn it into a revenue source. He said initially the usage should not be that high. He said he predicted the electrical bill would be very low. He said each unit draws five watts per day or a penny and a half per day to keep the unit powered up. He said a golf cart hooked up for an hour would draw 1500 watts and at .15 a kilowatt hour it would come to about 22 ½ cents for an hour's usage.

Mayor Wolfe said he would like to see the data checked after the first quarter. Mr. Ferree said the data gathering is an important part of the grant to the Department of Energy.

Councilmember Smith asked if it was 100% grant. Mr. Neron said that was correct minus the installation fee. Councilmember Smith asked about the annual charges. Mr. Ferree said the fee is in order to continue the data gathering component.

Mr. Ferree showed an electric charging unit to Council.

Vice Mayor Grenier asked about power outages, etc. Mr. Ferree said the units have the ability to be re-set. He said the California location would know when the units are down which is an asset of the data gathering capability. He acknowledged he could not address the issue of a central computer failure.

Councilmember Smith asked if any of the units had been installed in Florida. Mr. Ferree said in Florida about 25 units have been installed and his company is working on having another 20 installed in the local area.

Mayor Wolfe invited audience comment.

**Norman Hope, Myakka River Road**

Mr. Hope said he thought the answers provided to Council have been vague. He asked if there are other companies that make this product and could the same grant be obtained from DOE or is this the only company. He said he would like to know how much it will cost the city and that

1 this would be putting a load on Public Works staff for installation and then also for maintenance.  
2 He said if it was hit by a car would the company replace it or the City of Tavares.  
3 Mr. Neron said the provider of the actual units is in Tampa but upon further research it was  
4 discovered that WattNext is a local provider. He said there will be some costs but staff believes  
5 they will be minimal. He said as a new program that is just getting started nationwide it does not  
6 have a large track record.

7  
8 Taylor Johnson with WattNext stood to speak. He discussed the charging in more detail.

9  
10 Bill Stomp, 5892 Britannia

11  
12 Mr. Stomp said that it seemed that each location would require a parking spot that could not be  
13 used by anyone else. He said he was also concerned that although it is a great idea to start a  
14 project it could be expensive to keep it going. He said he thought Council should do more  
15 research on it before giving approval.

16  
17 Councilmember Gamble said he would have liked to see two prices from two different  
18 companies if available, but if not available, he would have liked to see that statement.

19  
20 Mr. Neron stated that whether the Tampa company is used or the Eustis company, the charges  
21 to install the units are the same.

22  
23 Mr. Ferree said the referenced company in Tampa is actually the regional distributor. He said  
24 his company is a partner with the Tampa based regional distributor. He said the only direct  
25 charge that Tavares will have is the provisional charge which is \$550 for each of the units. He  
26 provided further information about the program.

27  
28 Mr. Neron suggested that Council give direction to staff to report back after it has been in use  
29 for six months.

30  
31 **MOTION**

32  
33 **Sandy Gamble moved to approve the signing of the grant award contract to receive four**  
34 **electrical vehicle charging stations with the addendum of the six month period when it**  
35 **would be brought back to Council for a consideration of charging fees, seconded by**  
36 **Kirby Smith. The motion carried unanimously 5-0.**

37  
38 Ms. Houghton noted that the Finance Department has reviewed this program and it would not  
39 be a problem for her staff to implement a system of charging.

40  
41 **Tab 7) Appointment to Fire Pension Board**

42  
43 Mayor Wolfe noted he had received an application from Charlotte Hope for the vacancy on the  
44 Fire Pension Board. He recommended appointment of Ms. Hope to the position.

1  
2 **MOTION**

3  
4 **Kirby Smith moved to approve the appointment of Charlotte Hope to the Fire Pension Board, seconded by Bob Grenier. The motion carried unanimously 5-0.**

5  
6  
7 **Tab 8) Malcolm Pirnie Contract for Construction Management Services for Reclaimed Water Project**

8  
9  
10 Mr. Hayes gave the following report:

11  
12 *The objective is to consider the approval of a contract with Malcolm Pirnie in the amount of \$373,636 to oversee the construction of the Phase 1 Reclaim Infrastructure Project including the preparation of the bid documents, bidding out the project, coordinating with FDOT and all utility companies, on site resident engineering, construction management, financial and grant compliance management (“Construction Management Services”).*

13  
14  
15  
16  
17  
18 *Six years ago the City made application to renew its consumptive use permit to continue the withdrawal of water from the aquifer to supply its city with clean reliable potable water from St. Johns River Water Management District (SJRWMD). A condition of that permit was to develop an alternative water supply management plan which included reclaimed water. A plan was developed and approved by SJRWMD and FDEP which called for a \$17.5 million reclaimed water system throughout the city in four phases.*

19  
20  
21  
22  
23  
24  
25 *Phase I has been designed and is ready for bidding and construction. As it relates to the cost of providing “construction management services”, industry guidelines, as approved by FDEP, call for that cost to be in the 10% range of the total project cost. The estimated cost for phase I is \$5.5 million. At 10% the “Construction Management” fee should be in the \$550,000 range. Staff has spent a considerable amount of time negotiation an efficient scope of services with Malcolm Pirnie in the amount of \$373,636.00 (6.8% of project cost) which FDEP and SJRWMD have approved an allowance for and have included in their grant and loan allocations. SJRWMD has allocated a \$1.1 million grant towards phase I and FDEP as committed to a low interest loan for the remainder of the cost for phase I.*

26  
27  
28  
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30  
31  
32  
33  
34  
35 *It should be noted that the city is in the CUP renewal application process again and this work will assist greatly in securing a longer term CUP than previously obtained.*

36  
37  
38 *This work authorization for Construction Management Services authorizes Malcolm Pirnie to prepare the bid documents, bid out the project, coordinate with FDOT and all utility companies, provide on-site resident engineering services, construction management services, and financial*

1 *and grant compliance management services. The project is estimated to take 12 months in*  
2 *duration.*

3  
4 Councilmember Smith asked for clarification that this fee included oversight of the construction.  
5 Mr. Hayes confirmed that was correct. Mr. Hayes explained the water mandate issue that has  
6 come from St. Johns Water Management District for alternative water sources.

7  
8 Mayor Wolfe asked for comment from the audience.

9  
10 Bill Stomp

11  
12 Mr. Stomp said he understood a line would run to Hickory Pont Park and that he was assuming  
13 Royal Harbor would be required to be connected to it.

14  
15 Attorney Williams said the final ordinance is not in place as yet but the draft ordinance will make  
16 it mandatory to connect if it is available which will be defined as the line being in the right of way  
17 in front of the house. He said until such time as the city has lines that are in place, mandatory  
18 connections will not apply. He said some subdivisions have dry lines that are ready to be  
19 connected.

20  
21 Mr. Stomp asked who would pay for the lines to be run through the residential areas. Attorney  
22 Williams said in existing developed neighborhoods that may not happen because of the  
23 expense of retrofitting but for future developments it will be an advantage. Attorney Williams  
24 said that the city will not mandate the residents in Royal Harbor to run a line to connect to their  
25 house.

26  
27 MOTION

28  
29 **Bob Grenier moved to approve Option 1 [Approve the contract for Construction**  
30 **Management Services with Malcolm Pirnie in the amount of \$373,636 for Phase I of the**  
31 **Tavares Reclaim Infrastructure Project], seconded by Kirby Smith**

32  
33 Councilmember Smith said he wanted to be sure that it was understood that there would be no  
34 further costs from Malcolm Pirnie after the bid has been awarded during the construction phase.  
35 Mr. Hayes stated that was correct.

36  
37 **The motion carried unanimously 5-0.**

38  
39 Tab 9) Discussion of Expansion of Wooton Park

40  
41 Councilmember Pfister noted this had been discussed at the last meeting. She noted the vote  
42 was close but the result of the referendum vote was to not purchase the property or make the  
43 improvements. She said since then she believed the city has received letters from people who  
44 were in favor of the project and that she had been approached by people who had opposed the

1 project but who had been confused as to the meaning of the referendum. She said she felt it  
2 was her responsibility on behalf of the residents to ask council if they wished to look for other  
3 ways of funding it or to bring it back to the residents for a vote and to consider whether the city  
4 should just look at purchasing the property alone.

5  
6 Mayor Wolfe said one issue would be determining if the owner of the property is still interested  
7 in selling the property.

8  
9 Attorney Williams said that when the amphitheater project was conceived, the City received help  
10 from the Trust for Public Land. He said that agency did some polling and the polling revealed  
11 there was interest in acquiring the land. He said unfortunately because of the way the  
12 referendum laws work, the language could not offer options. Therefore the option of acquiring  
13 the property and doing the entire build out was offered as the option. He said based on the  
14 polling results and the closeness of the vote, staff has discussed some scaled down options that  
15 could be brought back to Council if there is interest. He said he believed the option for the city to  
16 purchase the property is still open under the current contract until February.

17  
18 Councilmember Smith said he has been approached by people who were not against the land  
19 acquisition but were against the amphitheater. He said he would like to see an appraisal of the  
20 property. He said he would not agree on anything that would not be brought back to the voters.  
21 He said he would like to see it repackaged and sent out to the voters for a re-vote.

22  
23 Councilmember Grenier said he had also been approached by voters and there seemed to be  
24 interest in the land. He said he would like to see if the property could be purchased.

25  
26 Councilmember Gamble said he did not have a problem with this as long as there was nothing  
27 to discredit the efforts of Mr. and Mrs. Hope and the PAC. He added that he was not in favor of  
28 circumventing the citizens of Tavares.

29  
30 Mayor Wolfe said he had received little negative feedback about the amphitheater and still  
31 thought it would be a good acquisition for the city.

32  
33 Norman Hope

34  
35 Mr. Hope said he was only one person on the Committee. He said when he had spent time at  
36 the park one day no one seemed to be opposed to the idea of the property acquisition or the  
37 amphitheater but they did not like the added expense to their property taxes. He said he was in  
38 favor of the city purchasing the property but that the action needed to be open and the citizens  
39 advised as to reason for the acquisition. He said he still supported acquiring the property as  
40 long as the public was fully aware of the Council's actions.

41  
42 Gene Smith

1 Mr. Smith gave some suggestions to consider for financing the property. He said he had spoken  
2 to Mr. Kooser about his suggestion which is first to get a new appraisal on the property.

3  
4 Freddie Belton

5  
6 Mr. Belton said is not easy to raise the millage but he would encourage the city to do whatever it  
7 takes to obtain the property. He suggested getting the County involved in the financing.

8  
9 Dee Johns, 801 Madison Street

10  
11 Ms. Johns thanked everyone who helped with the referendum. She said she continued to be in  
12 support of the project. She discussed the actions of the committee and noted the Trust for  
13 Public Lands has grants that could assist the city.

14  
15 Andrew O'Keefe, O'Keefe's Irish Pub

16  
17 Mr. O'Keefe thanked everyone who worked on the PAC. He said he agreed there would have  
18 been more votes in favor had it just been for the land. He said he would like to see the city move  
19 forward to acquire the land.

20  
21 Denise Laratta

22  
23 Ms. Laratta said she would like to hear from Mr. Kooser. She spoke in support of the purchase  
24 of the property. She said she felt the city was fortunate to have business owners like Mr. Kooser  
25 who are willing to work with the city.

26  
27 Roger Kooser

28  
29 Mr. Kooser said he has been approached by a lot of people since the vote. He said he  
30 continued to believe in the project. He said he could not put everything on hold indefinitely but  
31 that he would not be breaking ground by February. He said he would be willing to discuss  
32 options with the city.

33  
34 Roberta Sims

35  
36 Ms. Sims said she was on the PAC and she still owned the domain name on the web for the  
37 expansion committee which would be available for the next nine months. She stated her support  
38 for the project.

39  
40 Councilmember Pfister asked if Council was willing to get an appraisal and continue working  
41 with TPL and Mr. Kooser.

42  
43 Attorney Williams said that there is no charge for TPL to work for the City which would include  
44 some of their appraisal and polling work that has been done.

1  
2 Councilmember Smith said as long as there is an updated appraisal he would agree.

3  
4 Mr. Neron said that he has discussed this with TPL who has indicated they are still willing to  
5 work with the city.

6  
7 **MOTION**

8  
9 **Lori Pfister moved to direct staff to continue with the Wooton Park expansion project,**  
10 **seconded by Bob Grenier. The motion passed unanimously 5-0.**

11  
12 **Tab 10) Update on County's Meeting with All Cities Concerning Fire & EMS Services**

13  
14 Councilmember Pfister reported on the meeting she had attended with Lake County and other  
15 municipalities. She said the meeting was very informative and that at the meeting it seemed that  
16 there was little cooperation between the Fire Departments. She said examples were shown  
17 where sometimes the closer fire station was not the station that would respond. She said the  
18 purpose of the meeting was not to do away with anyone's fire department but to look at the  
19 ways the services are divided up because the residents are not getting the most qualified and  
20 the fastest and most efficient service under the current scenario.

21  
22 Councilmember Pfister said the county has requested information on the city's equipment and  
23 data so that they can analyze and determine if there is a better way to provide the service. She  
24 said council needed to determine if they would like Chief Keith to continue with the process. She  
25 said they also would like a liaison from the city and she said she would be willing to do that and  
26 in addition they would like a staff liaison such as Chief Keith.

27  
28 Mayor Wolfe asked Chief Keith to comment. Chief Keith said he had attended the meeting. He  
29 said there is a lot of misinformation and that the Fire Departments do work closely together. He  
30 said the city has Interlocal agreements with Eustis and Mt. Dora and has mutual aid agreements  
31 with everyone else. He said there were some inconsistencies in Mr. Cadwell's report at the  
32 meeting. He said he could provide many instances where what the municipalities can provide is  
33 preferable to what the county can provide, which was demonstrated in the response times  
34 shown by Mr. Cadwell; i.e. it takes the county a long time to respond to properties that are  
35 county enclaves in the municipalities. He said they are requesting to look at reducing  
36 redundancies, improving efficiencies among Fire Service providers, and decreasing response  
37 times. Chief Keith spoke in support of this goal. He said one of the issues that will come up is  
38 the ability of the municipalities to charge the County for covering fire services for their residents.  
39 He said at the meeting Mr. Cadwell had acknowledged that a fee might be paid.

40  
41 **MOTION**

42  
43 **Bob Grenier moved to appoint Chief Keith and Councilmember Lori Pfister to be**  
44 **representatives to attend future meetings to continue to look at fire services with the**

1 **County and other municipalities, seconded by Kirby Smith. The motion carried**  
2 **unanimously 5-0.**

3  
4 **Tab 11) Update on the Bus Barn Acquisition**

5  
6 Mayor Wolfe made the following report on the Bus Barn property acquisition and noted the  
7 following actions had been taken:

- 8  
9
  - 10 • *appraisals on the bus barn properties and the City's Woodlea site;*
  - 11 • *Level I and II environmental assessments of the bus barn site;*
  - 12 • *title research;*
  - 13 • *the Alfred Street design/construction project ;*
  - 14 • *the County's decision to construct its EOC at the Judicial Center site;*
  - 15 • *The City's receipt of \$500,000 in grant funding for its Public Safety Complex to*  
16 *move forward.*

17 *Through this multi-year and multi governmental jurisdictional negotiations process, the*  
18 *following salient points have been negotiated and the Horizon Project Team seeks*  
19 *approval from Council to solidify these points into a binding agreement to be brought*  
20 *back to Council at a future Council meeting for final approval as follows:*

21  
22 *Based on the appraisals the parties have tentatively agreed to an exchange of the*  
23 *Woodlea property for the Bus Barn, plus \$750,000, which is at or below the appraised*  
24 *value of the Bus Barn site. The City and County propose (through cash, land exchange*  
25 *and ROW easements) to pay that amount to School Board as follows:*

- 26  
27  
28
  - 29 1. *City will transfer title to the 21 acre Woodlea property for a future elementary*  
30 *school site. The appraised value of that site is \$1,270,000.*
  - 31 2. *In addition, the City will provide ingress/egress easements to the 21 acre*  
32 *Woodlea property over additional property that the City owns immediately west of*  
33 *the site. .*
  - 34 3. *As part of its School Board will conduct an environmental assessment on the*  
35 *Woodlea property. The City and County have already performed a Level I and II*  
36 *environmental assessment on the bus barn property and found it to be*  
37 *acceptable.*
  - 38 4. *School Board will transfer title to bus barn to City and County (City and County*  
39 *shall have separate agreement splitting out property between themselves. (See*  
40 *exhibit A)*
  - 41 5. *The School Board will have the right to remain on the Bus Barn property for one*  
*(1) year as they transition their fleet maintenance to a new and more central*

1            *location. At the end of that time, the School Board has agreed to demolish and*  
2            *clear all structures from the city portion of the bus barn property for \$100,000.*  
3            *The County will use the buildings on their portion of the bus barn property. The*  
4            *City will have the option to do its own demolition of the property as part of the*  
5            *eventual construction.*

- 6            6. *School Board will receive \$750,000 for the transfer of bus barn property from the*  
7            *County and the City. The apportionment of these funds is still being discussed,*  
8            *but we anticipate that approximately \$450,00.000 will come from County and*  
9            *approximately \$300,000 will come from the City)*  
10           7. *As part of the consideration, the School Board will transfer to the County various*  
11           *properties in Leesburg and Fruitland Park that are needed by the County for right*  
12           *of way issues. As a result, County funds that were earmarked for right of way*  
13           *acquisition can be used to fund this purchase.*  
14           8. *Final transfer of property is all subject to the School Board acquiring a bus barn*  
15           *replacement property in central Lake County. The School Board has a pending*  
16           *contract for that replacement property.*

17  
18           *The \$300,000 City cash contribution would come from a reserve portion in the Budget*  
19           *(unappropriated infrastructure fund reserves) and the \$100,000 demolition would be*  
20           *incorporated into the Public Safety Complex budget. At this time the city has a \$500,000*  
21           *Federal Grant to move forward with the design of the Public Safety Complex and the*  
22           *engineers are making application for additional grants to complete the design and*  
23           *construction which would include this \$100,000 demolition cost. If the city is unable to*  
24           *secure the additional funding within a year for the Public Safety Complex then*  
25           *demolition would not occur until the funding is secured.*

26  
27           Attorney Williams discussed how the properties would be allocated per the map provided in the  
28           agenda packet. He said as part of the eventual one way pairing the city would vacate the  
29           property at the curve. He said he has been at the city long enough to recall the acquisition of the  
30           parcel that is proposed to be traded. He said it was acquired at a cost of about \$60,000 and has  
31           been appraised now at about 1.2M. He said about a year ago there was a contract for one  
32           million to purchase a far inferior site that did not have good road access and that being able to  
33           acquire the gateway property (which is larger and has better access) for \$300,000 was a good  
34           deal in contrast.

35  
36           Mayor Wolfe asked if the audience wished to comment.

37  
38           Denise Laratta

39  
40           Ms. Laratta spoke in support of the project and said she appreciated hearing Attorney William's  
41           history of the project.  
42

1 **MOTION**

2  
3 **Kirby Smith moved to authorize the Horizon Project Team to finalize the negotiations**  
4 **between the County and the School Board, seconded by Bob Grenier. The motion carried**  
5 **unanimously 5-0.**

6  
7 **XI. OLD BUSINESS**

8  
9 **Tab 12) Water Tower Painting Update**

10  
11 Mr. Hayes reviewed the contract proposal that had been brought to Council at the previous  
12 meeting. He said staff has been unsuccessful negotiating a lower price.

13  
14 Attorney Williams said he thought the contract was authorized but that council had requested  
15 Mr. Hayes to try to renegotiate.

16  
17 Councilmember Smith said he thought that Council had only authorized the color and he was  
18 not in agreement with \$16,000.

19  
20 Attorney Williams asked Ms. Barnett if she could confirm Council's action.

21  
22 Ms. Barnett said she could not quote the exact motion as she had not done the minutes  
23 however her "City Council Actions Taken" document reflected that it was approved to "paint the  
24 Ingraham Tower and new city logo and staff directed to bring back a renegotiated contract."

25  
26 Attorney Williams said Council could vote on whether or not to approve the contract.

27  
28 **MOTION**

29  
30 **Bob Grenier moved to go ahead with the painting contract, seconded by Lori Pfister.**

31  
32 Mayor Wolfe asked if there was audience comment.

33  
34 **Charlotte Hope, Fox Run'**

35  
36 Ms. Hope said if Council votes against the contract it means that the city will not have the new  
37 logo and was that correct. Mayor Wolfe answered that was correct.

38  
39 **Discussion**

40  
41 Councilmember Smith said that although he supported branding that the money could be used  
42 on a wayfinding sign or monies could be saved in the water tower budget. He said it could be  
43 postponed until after the wayfinding signs are done.

1 Councilmember Gamble noted he has spoken to some taxpayers and when he has explained  
2 the details of the contract, they have been in agreement.

3  
4 **The motion carried 4-1 as follows:**

5  
6 **Robert Wolfe**                      **Yes**  
7 **Lori Pfister**                        **Yes**  
8 **Sandy Gamble**                    **Yes**  
9 **Kirby Smith**                      **No**  
10 **Bob Grenier**                     **Yes**

11  
12 **XII. NEW BUSINESS**

13  
14 None.

15  
16 **XIII. AUDIENCE TO BE HEARD**

17  
18 Betty Burleigh, 214 N. New Hampshire Avenue

19  
20 Ms. Burleigh thanked the city workers for the Light Up Event. She said she was very  
21 disappointed that the traditional lighting of the park was not held. She said she hoped that it  
22 would be put in the budget for next year.

23  
24 **XV. REPORTS**

25  
26 **Tab 19) City Administrator**

27  
28 Ms. Houghton directed Council's attention to the report of upcoming meetings.

29  
30 **Human Resources**

31  
32 Ms. Tucker wished everyone a Merry Christmas and Happy New Year.

33  
34 **Utility Director**

35  
36 Mr. Hayes said he had received notification from the State Department of Health that the Utility  
37 Department was awarded a \$20,000 grant to upgrade the fluoride equipment at Water  
38 Treatment Plant #1 and that he would be bringing a contract to Council for approval.

39  
40 **Community Development Director**

41  
42 Ms. Rogers wished everyone a Merry Christmas.

43  
44 **City Attorney**

1  
2 Mr. Williams wished everyone a Merry Christmas.

3  
4 **Tab 20) City Council**  
5 **Councilmember Pfister**

6  
7 None.

8  
9 **Councilmember Gamble**

- 10 • Noted a resident in Royal Harbor still complains about water pressure  
11 • Stated that Mr. Drury's is attending a meeting with his daughter to find out what foreign  
12 county she will be attending next year as a junior through a program sponsored by the  
13 Rotary Club  
14 • Observed that on the label of the water bottle he was using he did not see nutritional  
15 content  
16 • Signs: on the north side of US Hwy 441 by Waterman: There is a very old City of  
17 Tavares sign and he asked if that would be replaced soon  
18

19 Mr. Skutt said the city is planning on two gateway signs. One of them would be in that vicinity so  
20 that sign would be coming down.

21  
22 **Vice Mayor Grenier**

23 Wished a Merry and safe Christmas to everyone.

24  
25 **Councilmember Smith**

26 Wished everyone a Merry Christmas and Happy New Year

27  
28 **Mayor Wolfe**

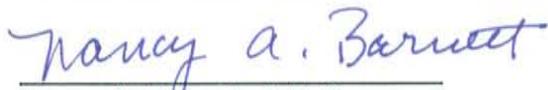
29 Commented on the successful traffic safety stop held recently. Chief Lubins said Officer Paynter  
30 spearheaded the project and did an excellent job.

31  
32 Mayor Wolfe said it was a great Light Up event and that he agreed with Ms. Burleigh and heard  
33 a lot of feedback on the same topic. He wished everyone a Merry Christmas and Happy New  
34 Year.

35  
36 **Adjournment**

37 There was no further business and the meeting was adjourned at 6:13 p.m.

38  
39 Respectfully submitted,

40  
41 

42  
43 Nancy A. Barnett, C.M.C.  
44 City Clerk

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: January 5, 2011**

**AGENDA TAB 2) Medication Disposition Program**

**SUBJECT TITLE: Approve a Program to Dispose of Unused Prescription and over-the-counter medications**

---

**OBJECTIVE:** That Council approve of a program that partners the Police Department and the Utilities Department to properly collect and dispose of expired or unused prescription and over-the-counter medications from the citizens of Tavares.

**SUMMARY:**

The Utilities Department would furnish a secure lock box to be located at the Police Department to collect expired or unused prescriptions and over-the-counter medications. The box would be managed and locked by the Police Department. The box would be available for citizens of Tavares to drop off their old and unused medications 24/7 with anonymous disposal with no questions asked. The medications would then be disposed of properly by Police Department.

The improper disposal of unused medications by flushing them or pouring them down the drain may be harmful to fish, wildlife and their habitats.

Wastewater treatment facilities are not equipped to remove all traces of pharmaceutical chemicals.

This program is an eco-friendly process to help prevent pharmaceuticals from reaching our lakes, rivers and other water resources.

Public notification would be via posters, City website information and bill stuffers. This would be an on-going and permanent program.

**OPTIONS:**

1. **Approve** of a program that partners the Police Department and the Utilities Department to properly collect and dispose of expired or unused prescription and over-the-counter medications from the citizens of Tavares
  
2. **Do not approve** of a program that partners the Police Department and the Utilities Department to properly collect and dispose of expired or unused prescription and over-the-counter medications from the citizens of Tavares

**STAFF RECOMMENDATION:**

Staff is recommending that Council approve this program.

**FISCAL IMPACT** - Cost for a one time purchase of a secure lock box is \$500.00 and cost for public notification is approximately \$100.00.

Funds are available and would come from the Operating budget for the Woodlea Rd. Water Reclamation Facility

**LEGAL SUFFICIENCY:** This meets legal sufficiency

## **Prescription Drug Collection Program “Don’t Flush Campaign”**

### **Communications Plan**

The goal of the program is to encourage residents to properly dispose of prescription drugs, and to not drop them into the Tavares water system. The “Don’t Flush” campaign will announce the location of a proper drug disposal box at the Tavares Police Department.

- Posters will be distributed throughout Tavares
- Articles will be included in the City Newsletter
- A media release will be sent
- Notices will be placed on Utility bills throughout the year
- Contact will be made with senior living communities
- Contact will be made with homeowners associations
- Messages will be included in Chamber of Commerce newsletter
- Notices will be included in employee paychecks
- Bookmarks will be distributed at the library
- Webpage added to City website and NewsFlash posted throughout the year

# Don't Flush!



*Drop off expired or unused  
prescription and over-the-counter  
medications at the  
**Tavares Police Department**  
201 E Main Street, Tavares*



- The improper disposal of unused medications by flushing them or pouring them down the drain may be harmful to fish, wildlife and their habitats.
- NEVER flush medication down sinks, drains or toilets.
- Wastewater treatment facilities are not equipped to remove all traces of pharmaceutical chemicals. If you flush your drugs, a portion of those contaminants will reach local waters.
- Be eco-friendly, save our lakes, rivers and other water resources.
- The Tavares Police will accept prescription and over-the-counter medications (including pills, gel caps, capsules or liquids) that were unwanted, expired, damaged or unusable for their intended purposes.
- Anonymous disposal, no questions asked.
- Drop-off available 24/7

**For more information:  
Tavares Utility Department  
352.742.6462  
[www.Tavares.org](http://www.Tavares.org)**

# Don't Flush!

The improper disposal of unused medications by flushing them or pouring them down the drain may be harmful to fish, wildlife and their habitats.

NEVER flush medication down sinks, drains or toilets.

Wastewater treatment facilities are not equipped to remove all traces of pharmaceutical chemicals. If you flush your drugs, a portion of those contaminants will reach local waters.



Be eco-friendly, save our lakes, rivers and other water resources.

The Tavares Police will accept prescription and over-the-counter medications (including pills, gel caps, capsules or liquids) that were unwanted, expired, damaged or unusable for their intended purposes.

Anonymous disposal, no questions asked.

Drop-off available 24/7

***Drop off expired or unused prescription and over-the-counter medications at the***

***Tavares Police Department***

***201 E Main Street, Tavares***



For more information: 352.742.6462 \* [www.Tavares.org](http://www.Tavares.org)

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: January 5, 2011**

**AGENDA TAB NO. 3**

**SUBJECT TITLE: Resolution 2011-01 - TEFRA Hearing for Osprey Lodge  
Extended Care Facility**

---

OBJECTIVE:

To consider approval of Resolution 2011-01 to support conduit tax exempt financing for the Osprey Lodge Extended Care Facility to be built in Tavares

SUMMARY:

State law permits municipalities, counties and other local governments to issue tax exempt bonds under circumstances for the financing of private economic development projects that positively impact the local government. These bonds are often referred to as "conduit financing" for the City is merely a conduit for the financing of what is otherwise a private project. Although the City issues the bonds and conducts the public hearing on the bonds, no funds of the City are pledged for the repayment of the bonds, nor is the City's "full faith and credit" pledged. The City has no liability for the repayment of any portion of the bonds. Additionally, as a condition of doing the conduit financing, the project owner is required to pay all of the City's cost of issuance, including its attorneys and underwriting fees.

The City has been approached to serve as the conduit financing entity for the Osprey Lodge Extended Care Facility and to issue \$26 million in conduit bonds for the construction and related development expenses for the facility.

The proposed project fits in with the City's approved Economic Development Strategy that encourages the development of medical related facilities in the "medical village" area in the vicinity of Florida Hospital Waterman.

This proposal has been reviewed and approved by the City's Economic Development Director and Finance Director as well as the City Attorney and City Bond Counsel.

OPTIONS:

- 1) Approve Resolution 2011-01 to support the issuance of \$26 million of conduit bond financing for the Osprey Lodge Extended Care Facility to be built in Tavares.
- 2) Do not approve Resolution 2011-01.

STAFF RECOMMENDATION:

Staff recommends that the City Council moves to approve Resolution 2011-01 to support the issuance of \$26 million of conduit bond financing for the Osprey Lodge Extended Care Facility to be built in Tavares.

FISCAL IMPACT:

The City has no liability for the repayment of the issuance of the bonds. When constructed, the facility will add to the tax base of Tavares as well as providing jobs for our citizens.

LEGAL SUFFICIENCY:

This has been reviewed by the City Attorney and City Bond Counsel.

**RESOLUTION NO. 2011-01**

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA APPROVING FOR THE PURPOSES OF SECTION 147(f) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE OF NOT TO EXCEED \$26,000,000 OF CITY OF TAVARES, FLORIDA INDUSTRIAL DEVELOPMENT REVENUE BONDS TO FINANCE AN ADULT ASSISTED LIVING AND ALZHEIMER/MEMORY LOSS FACILITY AND RELATED FACILITIES TO BE OWNED BY LAKEVIEW CREST, LLC; AND PROVIDING AN EFFECTIVE DATE,**

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

**Section 1. Findings and Recitals.** It is hereby found, ascertained, determined and declared:

A. Pursuant to Chapter 159, Part II, Florida Statutes (the "Act") the City of Tavares, Florida (the "Issuer") as a "local agency" is authorized to issue industrial development revenue bonds to provide funds to pay all or any part of the cost of any project.

B. Lakeview Crest, LLC, a Florida limited liability company (the "Borrower") has requested the Issuer to issue industrial development revenue bonds (the "Bonds") in a principal amount not to exceed \$26,000,000.00 the proceeds of which will be loaned to the Borrower to finance the development of an adult assisted living and Alzheimer/memory care and related facilities (the "Project") located at 1777 Nightingale Lane in Tavares, Florida. The Project is expected to consist of seventy-six (76) assisted living units and forty-eight (48) Alzheimer/memory care units to be initially owned by the Borrower.

C. The Project constitutes a "health care facility" within the meaning of the Act.

D. Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), requires that bonds like the Bonds must be approved by the "elected representative," of the governmental units issuing the bonds and having jurisdiction over the area in which any facility to be provided for from the net proceeds of such bonds is located after a public hearing following reasonable public notice.

E. The Bonds will be issued by the Issuer and the Borrower has represented that all of the facilities financed with the proceeds of the Bonds will be located in the boundaries of the Issuer.

F. The Issuer conducted a public hearing on January 5, 2011; notice of such hearing, as evidenced by the attached Exhibit "A," was given fourteen (14) days in advance of such public hearing in the form and manner required by law and interested individuals were afforded reasonable opportunity to express their views both orally and in writing, on all matters pertaining to the proposed Project and the proposed issue of Bonds.

**Section 2. Approval of Bonds.** Solely for the purposes of Section 147(f) of the Code, the City Council hereby approves the issuance of the proposed Bonds by the Issuer and the use of the proceeds to finance the proposed Project as set forth in Exhibit "A" hereto and Section 1B hereto. Such approval is solely for the purpose of satisfying the requirements of Section 147(f) of the Code and shall not be construed as an approval of any zoning application or any regulatory permit required in connection with the issuance of the Bonds or creating any vested rights with respect to any land use regulations, and the City Council shall not be construed by virtue of its adoption of this Resolution to have waived, or be estopped from asserting, any rights or responsibilities it may have in that regard.

**Section 3. Limited Obligation.** The Bonds shall not constitute a debt, liability or obligation of the Issuer or of the State of Florida or of any political subdivision thereof or a pledge of the faith and credit or any taxing power of the Issuer or of the State of Florida or of any political subdivision thereof, but shall be limited obligations of the Issuer payable solely from and secured by a pledge of payments made by the Borrower.

**Section 4. Repealing Clause.** All restrictions or resolutions or portions thereof in conflict herewith are to the extent of such conflict, hereby superseded and repealed.

**Section 5. Effective Date.** This resolution shall take effect immediately upon its adoption.

ADOPTED this 5<sup>th</sup> day of January, 2011.

CITY OF TAVARES, FLORIDA

---

Mayor Robert Wolfe

ATTEST:

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Nancy A. Barnett  
City Clerk

Approved as to Form:

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Robert Q. Williams  
City Attorney

**NOTICE OF  
PUBLIC HEARING  
CITY COUNCIL OF  
THE CITY OF TAVARES**

Notice is hereby given that the City Council of the City of Tavares (the "Council") will conduct a public hearing, concerning the proposed issuance, in one or more series, by the City of its industrial development revenue bonds, not to exceed the principal amount of \$26 million (the "Bonds"). The proceeds of the Bonds will be loaned to Lakeview Crest, LLC, a Florida limited liability company and be used to finance the development of an adult assisted living and Alzheimer/memory care and related facilities described below:

**PROJECT/LOCATION**  
**Osprey Lodge at Lakeview Crest**

Located at 1777 Nightingale Lane in Tavares, Florida

**NO. OF ASSISTED LIVING  
UNITS: 76**

**NO. OF ALZHEIMER/MEM-  
ORY CARE UNITS: 48**

**INITIAL OWNER**  
Lakeview Crest, LLC

A public hearing will be held for the Project at the following time and location:

**January 5, 2011, City  
Council Chambers, 201 E.  
Main Street, Tavares, FL  
5:05 p.m.**

Interested persons are invited to submit written comments or present oral comments at the hearing regarding the proposed issuance of the Bonds. Written comments should be received by the Council on or before January 5, 2011. Written comments should be directed to: Nancy Barnett, City Clerk, City of Tavares, PO Box 1068, Tavares, FL 32778 or nbarnett@Tavares.org.

SECTION 286.0105, FLORIDA STATUTES, STATES THAT IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY A BOARD, AGENCY, OR COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, SUCH PERSON WILL NEED A RECORD OF THE PROCEEDINGS, AND THAT, FOR SUCH PURPOSE, 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.

Ad No.: 255185  
Dec. 22, 2010

**Daily Commercial**  
Your First Choice  
Central & Valley

*Daily Commercial  
December 22/10*

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: January 5, 2011**

**AGENDA TAB NO. 4**

**SUBJECT TITLE: Resolution #2011-02 – State Revolving Fund Loan for Reclaimed Water Facility Construction Phase 1**

---

**OBJECTIVE:**

To consider the approval of Resolution #2011-02 to apply for \$4,941,553 from the Florida Department of Environmental Protection (FDEP) State Revolving Fund (SRF) program. These funds are for Phase 1 of the project which includes reclaim water mains and a ground storage tank. Approximately \$2.5 million is available from FDEP for funding at this time and \$2.4 million is anticipated to be available in March of the current year. Pledge revenues for the entire project will be via a reclaimed water enterprise fund program, which will be secured by the operating revenues of the City's water and sewer system and any future pledge revenues.

**SUMMARY:**

As Florida's population continues to increase, the need to find alternative sources of water to supplement traditional low cost groundwater supplies is being mandated by state regulations. One of the more readily available and cost effective alternative water sources is reclaimed water.

Reclaimed water is recycled wastewater that has been treated, filtered and disinfected. It is most often used for irrigation of areas accessible to the public such as residential lawns, golf courses, cemeteries, parks, commercial landscape areas and highway medians. In addition, reclaimed water may be made available for fire protection, decorative ponds/fountains, irrigation of edible crops, dust control at construction sites, or various other reclaimed applicable activities approved and regulated by local and state agencies.

The City of Tavares water resources are managed by the St. Johns Water Management District (SJRWMD). The district regulates the location and volume of water withdrawn from the aquifer by all users within their region. The city must complete a consumptive use permit (CUP) this coming year to remain in compliance with the requirements established by the SJRWMD. The permit ensures the city is making every effort to conserve the local water resources to the highest degree and to develop alternative resources. The SJRWMD has an active agreement with the City of Tavares to assist in funding reclaimed water research, planning, design, and permitting and construction activities within the Tavares utility service area. This is in conjunction with the District's alternative water resources program.

In January 2009, the City Council approved Resolution No. 2009-01 which provided for authorization for application to Florida Department of Environmental Protection for the City of Tavares Water Reclamation Project. At that time the total cost for all phases of the project was estimated at \$16,541,549.

On March 23, 2009, the Florida Department of Environmental Protection approved funding for pre-construction and planning activities in the amount of \$1,027,466.

The City is ready to begin Phase 1 of the project which includes water reclamation main lines as well as a ground storage tank facility. This phase of the project is estimated at \$4,941,666

**OPTIONS:**

1. **Move to Approve** the Resolution #2011-02 for the City to authorize application and execution of loan from the State of Florida Department of Environmental Protection Revolving Loan Program for Phase I Construction Activities which include reclaim water mains and a ground storage tank facility in the amount of \$4,944,666.
2. **Do Not Approve** the Resolution #2011-02 for the City to authorize application of loan from the State of Florida Department of Environmental Protection Revolving Loan Program for Phase I Construction Activities which include reclaim water mains and a ground storage tank facility in the amount of \$4,844,660.

**STAFF RECOMMENDATION:**

**Move to Approve** the Resolution #2011-02 for the City to authorize application and execution of loan from the State of Florida Department of Environmental Protection Revolving Loan Program for Phase I Construction Activities which include reclaim water mains and a ground storage tank facility in the amount of \$4,844,660.

**FISCAL IMPACT:**

Debt service requirements for this project were included in the City's most recent Water, Wastewater, and Reclaim Water Rate Study. Annual Debt Service obligations for Phase I construction activities are *estimated* at \$359,019 (including coverage and capitalized interest); debt service obligations will not occur in the current fiscal year.

**LEGAL SUFFICIENCY:** The City Attorney has reviewed the resolution for legal sufficiency.

## RESOLUTION 2011-02

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

**WHEREAS**, Florida Statutes provide for loans to local government agencies to finance the construction of water pollution control facilities; and

**WHEREAS**, Florida Administrative Code rules require authorization to apply for loans, to establish pledged revenues, to designate an authorized representative; to provide assurances of compliance with loan program requirements; and to enter into a loan agreement; and

**WHEREAS**, the State Revolving Fund loan priority list designates Project No. WW350910 Reclaimed Water Mains as eligible for available funding and Project No. WW350911 Reclaimed Water Storage Tank as eligible for future funding; and

**WHEREAS**, the City of Tavares, Florida, intends to enter into a loan agreement with the Department of Environmental Protection under the State Revolving Fund for project financing.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA AS FOLLOWS:**

**SECTION 1.** The foregoing findings are incorporated herein by reference and made a part hereof.

**SECTION 2.** The City of TAVARES, Florida is authorized to apply for a loan to finance the Reclaimed Water Mains and Reclaimed Water Storage Tank Project.

**SECTION 3.** The revenues pledged for the repayment of the loan are water and sewer utility system revenues.

**SECTION 4.** The Mayor is hereby designated as the authorized representative to provide the assurances and commitments required by the loan application.

**SECTION 5.** The Mayor is hereby designated as the authorized representative to execute the loan agreement which will become a binding obligation in accordance with its terms when signed by both parties. The Mayor is authorized to represent the City in carrying out the City's responsibilities under the loan

agreement. The Mayor is authorized to delegate responsibility to appropriate City staff to carryout technical, financial, and administrative activities associated with the loan agreement.

**SECTION 6.** The legal authority for borrowing moneys to construct this Project is by, Florida Statutes.

**SECTION 7.** Conflicts. All resolutions or part of Resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

**SECTION 8.** Severability. If any Section or portion of a Section of this Resolution proves to be invalid, unlawful, or unconstitutional, it shall not be held to invalidate or impair the validity, force or effect of any other Section or part of this Resolution.

**SECTION 9.** Effective Date. This Resolution shall take effect immediately upon its adoption.

**PASSED AND RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010, by the City Council of the City of Tavares, Florida.

---

Robert Wolfe, Mayor  
Tavares City Council

ATTEST:

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Nancy A. Barnett  
City Clerk

---

Approved as to form:  
Robert Q. Williams  
City Attorney

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: January 5, 2011**

**AGENDA TAB NO. 5**

**SUBJECT TITLE: Tavares Pavilion on the Lake Horizon Project Update**

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**OBJECTIVE:**

To receive an update on the Tavares Pavilion on the Lake Horizon Project

**SUMMARY:**

This is to provide an opportunity to receive an update on the Tavares Pavilion on the Lake Horizon Project.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

N/A

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**AGENDA SUMMARY**  
**TAVARES CITY COUNCIL**  
**DATE OF MEETING: January 5, 2011**

**AGENDA TAB NO. 6**

**SUBJECT TITLE:** Selection of Construction Manager at Risk for the design and construction of the Tavares Pavilion on the Lake and authorization to negotiate contract with selected firm.

---

**OBJECTIVE:** To adopt the recommendation made by the Selection Committee comprised of Councilmember Lori Pfister, City Administrator John Drury, Community Services Director Tamera Rogers, Finance Director Lori Houghton, Economic Development Director Bill Neron, Architect Bob Blaise, and Engineer Rob Ern to contract with Emmett Sapp Builders, Inc. for construction management services to design and construct the Tavares Pavilion on the Lake and to authorize staff to negotiate a contract for such services.

**SUMMARY:** At the October 6, 2010, City Councilmembers authorized staff to advertise a Request for Qualifications (RFQ) to design/construct the Tavares Pavilion on the Lake proposed for Wooton Park under the Construction Management at Risk method.

Seven companies responded to the RFQ and based on a variety of criteria, the Selection Committee provided the following ranking list:

	Score	Rank
Emmett Sapp Builders, Inc.	12	1
PPI Construction Management	14	2
Burkhardt Construction, Inc.	25	3
Mulligan Constructors (MCI)	29	4
Mark Cook Builders, Inc.	31	5
Signature Enterprises, Inc.	34	6
Wagner 3 Ventures, Inc.	44	7

**OPTIONS:**

- 1) Adopt the ranking as developed by the Selection Committee with Emmett Sapp Builders, Inc. as the awarded bidder and authorize staff to enter into a contract.
- 2) Do not accept the ranking

**STAFF RECOMMENDATION:** That council move to adopt the ranking as developed and submitted by the Selection Committee with Emmett Sapp Builders, Inc. as the awarded bidder, and authorize staff to enter into a contract with this firm for construction management services to design and build the Tavares Pavilion on the Lake.

**FISCAL IMPACT:** \$7,000.00 (preconstruction services) + 10% of the GMP (guaranteed maximum price)

**LEGAL SUFFICIENCY:** Meets legal sufficiency

# Orlando Sentinel

City Of Tavares  
PO BOX 1068  
CITY OF TAVARES  
TAVARES, FL 32778-1068

Before the undersigned authority personally appeared Ann Carpenter/Tamela Vargas/Deborah M. Toney, who on oath says that s/he is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published in Lake County, Florida; that the attached copy of advertisement, being a Advertisement for Bid in the matter of RFP 2011-0001 in the Lake County \_ Court, was published in said newspaper in the issue(s); of

10/17/10

Affiant further says that the said Orlando Sentinel is a newspaper published in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida, each week day and has been entered as second-class mail matter at the post office in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that s/he has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

The foregoing instrument was acknowledged before me this 19 day of October, 2010, Ann Carpenter/Tamela Vargas/Deborah M. Toney, who is personally known to me and who did take an oath.





  
DEBORAH M. TONEY  
NOTARY PUBLIC  
STATE OF FLORIDA  
Comm# DD93852  
Expires 11/18/2018

CITY OF TAVARES  
REQUEST FOR PROPOSAL  
RFP 2011-0001  
CONSTRUCTION MANAGER AT RISK FOR  
CONSTRUCTION OF PAVILION ON LAKE DORA

PURPOSE OF SOLICITATION

The purpose of this solicitation is to retain a Florida-licensed General Contractor/Construction Manager to provide services for the construction of a City of Tavares Pavilion on Lake Dora.

Sealed submittals are invited by the City of Tavares, to be received at the office of the City Clerk, 201 East Main St., Tavares, Florida 32778 so as to be received not later than 2:00 PM on Thursday, November 18, 2010. Submittals received after this specified time and date will not be considered. Submittals will be opened in public on the same day at 2:05 pm. Please submit one (1) original, seven (7) copies and one (1) digital copy, preferably in pdf format.

A pre-proposal conference will be held on Tuesday, October 26, 2010 at 10:00 AM in City of Tavares Council Chambers, 201 East Main Street, Tavares, Florida, 32778 to discuss the conditions and specifications included within this solicitation. Vendors are requested to bring this solicitation document to the conference, as additional copies may not be available.

Bidders with access to DemandStar.com can obtain the Bid documents by calling 800-711-1712, or on the web at <http://www.demandstar.com>. Complete bid documents may be reviewed and/or obtained at the City of Tavares, Florida, 32778. For further information contact: John Rumble, Purchasing Manager of Tavares City Hall, 201 E Main St., Tavares, Florida 32778, [jumble@tavares.org](mailto:jumble@tavares.org) phone: (352) 742-6131; fax: (352) 742-6351. Per ADA Regulation Title II, Chapter 3 Addendum on General Effective Communication, printed material provided to the public, upon request, will be provided in an accessible format such as large print, Braille or audio recording.

John Rumble, Purchasing Manager  
City of Tavares

LAK1094227 10/17/2010

CITY OF TAVARES

MINUTES OF BID OPENING

November 18, 2010

Request for Proposals

City of Tavares Construction Manager at Risk

Bid No. 2011-0001

TAVARES CITY HALL

CITY COUNCIL CHAMBER

**PRESENT**

John Rumble, Purchasing Manager  
Tammey Rogers, Community Services Director  
Kay Mayes, Admin Assistant, Finance

Mr. Rumble noted today's date as Thursday, November 18, 2010. This is the opening of bid packages received in response to RFP 2011-0001, City of Tavares Construction Manager at Risk. There were seven proposals received; bids are listed in the order opened:

- 1) Mark Cook Builders, Inc.  
511 N. Canal Street  
Leesburg, FL 34748
- 2) Mulligan Constructors (MCI)  
3601 Vineland Road, Suite 14  
Orlando, FL 32811
- 3) Signature Enterprises, Inc.  
2408 US Highway 441/27 N.  
Fruitland Park, FL 34731
- 4) Wagner 3 Ventures, Inc.  
605 Magnolia Street  
Leesburg, FL 34748
- 5) Emmett Sapp Builders, Inc.  
4430 NE 83<sup>rd</sup> Road  
Wildwood, FL 34785
- 6) PPI Construction Management  
200 East Palm Valley Drive, Suite 1040  
Oviedo, FL 32765
- 7) Burkhardt Construction, Inc.  
1400 Alabama Avenue  
West Palm Beach, FL 32401

Mr. Rumble noted the packages would be forwarded to the evaluation committee members for review, along with a first review evaluation worksheet. Due to the upcoming holidays, he anticipates the committee will meet to discuss the first review evaluation the first week in December.

Respectfully submitted,

Kay Mayes  
Admin Assistant, Finance

**CITY OF TAVARES**  
**NON MANITORYPRE-BID CONFERENCE**  
**Construction Manager at Risk – RFP NO. 2011-0002**

**October 26, 2010**

DATE & TIME:

A pre-bid conference was held on Tuesday, October 26th 2010 at 10:00 a.m. in the Council Chambers of City Hall at 201 E. Main Street, Tavares, FL 32778 with regard to the Construction Manager at Risk for the Pavilion on Lake Dora RFP

PRESENT:

John Rumble, City of Tavares Purchasing Manager  
Rob Ern, Booth, Ern, Straughan & Hiott, Inc  
Bob Blaise, Architect, Blaise, Fiebach & Associates  
Tamera Rogers, City of Tavares Community Services Director  
Bill Neron, City of Tavares Director of Economic Development  
Lori Houghton, City of Tavares Finance Director

CONTRACTORS:

Sign in sheet attached.

The proceedings were recorded.

Mr. John Rumble called the meeting to order and noted today's date as October 26th, 10:00 a.m. Mr. Rumble reminded the vendors that all correspondence should be in writing via email.

Mr. Rumble briefly described the concept of the Construction Manager at Risk and then turned the meeting over to Mr. Blaise.

Mr. Blaise gave an overview of the project and explained that the Pavilion was not included on the original project as they had to secure DEP approval for the pavilion and did not want to delay the main project. He added that the original scope had changed and that we were seeking to maximize the footprint that DEP had allowed. The CM at Risk was chosen for this project as it will be the showplace of the waterfront project and we wish to ensure the highest quality for the money spent, with an emphasis on the quality and qualifications of the subcontractors.

He stated that the pier will be 150' by 40' connecting to a 2 storey structure over the water and that we are looking for a company with the experience in these kind of structures or the creativity to accomplish this construction safely and efficiently.

The project is a multi use venue with the space available for weddings, conferences and the additional space on the pier available for art or auto shows.

The Pavilion will be placed on precast concrete Pylons, with the exterior done in a Hardy Board type material to replicate the exterior of the old pavilion that will be representative but there will be no attempt to make it historically accurate as we did with the ships store/Prop Shop. The interior will be done with an emphasis on stained wood.

PRE-BID RFP 2011-0001 Construction Manager at Risk

Pavillion

PLEASE PRINT

PLEASE LEAVE BUSINESS CARDS IF POSSIBLE

Date: 26-Oct-10

Project/Bid

Name	Company	Telephone/Fax	email PLEASE PRINT CLEARLY!!!!
Sheyoni Brown	EMMET Supp Builders Inc	352.748.1065 Hq. 352-748.1949 OFFICE	SCROW@EMMETSUPPBUILDERS.COM
FRED CONYER	RUBY BUILDERS INC. AAGARD MCNARY CONSTRUCTION	407 293 8217 TH 407 293 6481 FTY 407 331 6885 P 331 6101 F	fred@rubybuilders.com ron@agardmcnary.com
RON MCNARY	919 E. OAKLAND AVE OAKLAND FL 32760	407-877-0000 407-877-0014	MARK@BIGHCONSTRUCTION.COM
MARK FELTE	1919 E. JACKSONVILLE RD OAKA FL 32470	352.789.6009 352.433.6089	TAELOR PURVIS@ATT.NET Fmb511c@aol.com
TAELOR PURVIS	PILARA CONSTRUCTION GROUP	352.394-1032 352.394-1744	JOSEPH.COLLINS@PILARAGROUP.COM
JOSEPH COLLINS			
LOUI HOUGHTON			Imaice De
NICK SCHRAMM	THE TRU HUT COMPANY	352-383-5550 352-383-5551	nick@thcusa.com
EDWIN PERIS	CENTRAL STATE CONST.	(352)425-6651 (352)239-2907	

11/16  
AK

PRE-BID RFP 2011-0001 Construction Manager at Risk

Pavillion

PLEASE PRINT

PLEASE LEAVE BUSINESS CARDS IF POSSIBLE

Date: 26-Oct-10

Project/Bid

Name	Company	Telephone/Fax	email PLEASE PRINT CLEARLY!!!!
JOHN RUMBLE	C.O.T.	352-742 6131	
STEVE GRUBE	PPI	407.359.1660	spg@ppicm.com
GER. ARAGON	MULLIGAN CONSTRUCTORS	407-654-6523	BARAGONE MULLIGAN CONSTRUCTORS.COM
Joe Champion	Peachie Construction	863-687-2730	Jchampion@peachieconstruction.com
JEFF MYERS BRIAN SEULAS	SIGNATURE ENTERPRISES, INC	352-787-8168 352/357-0077	JEFF@SIGNATUREBUILD.NET BRIAN@SIGNATUREBUILD.NET
M. Ke Sthaide	Sthaide Const	352-311-0651	m.ke@sthaideconstruction.com
TOM JACKSON	TMJPA	352 406 1245 352 429 5604	tmj@tmjpa.com
DAVID WINDEMAN	TCA	407 465 4401	dwindeman@ TheConstructionAuthority.com
Gene Kirkland	Anglin Construction	352-376-4089 352-377-0037	gene@ anglinconstruction.com

**CITY OF TAVARES**  
**Selection Committee Meeting**  
**Construction Manager at Risk – RFP NO. 2011-0002**

**December 8, 2010**

DATE & TIME:

A selection committee was held on Wednesday December 8th 2010 at 10:00 a.m. in the Council Chambers of City Hall at 201 E. Main Street, Tavares, FL 32778 with regard to the Construction Manager at Risk for the Pavilion on Lake Dora RFP

PRESENT:

John Rumble, City of Tavares Purchasing Manager  
Rob Ern, Booth, Ern, Straughan & Hiott, Inc  
Bob Blaise, Architect, Blaise, Fiebach & Associates  
Tamera Rogers, City of Tavares Community Services Director  
Bill Neron, City of Tavares Director of Economic Development  
Lori Houghton, City of Tavares Finance Director  
Lori Pfister, Council Member  
John Drury, City Administrator

Sign in sheet attached.

Mr. John Rumble called the meeting to order and noted today's date as December 8<sup>th</sup> 2010, 10:00 a.m.

Mr. Rumble briefly described the mission of the selection committee. He told the members that the objective was to select by consensus the most qualified firm for the project as this is to be the showplace of Tavares waterfront. They were free to determine how many firms would be shortlisted and if interviews would be required before the final decision. The members were to state their rankings and discuss their selection.

Mr. Neron started the discussion explaining that he had reviewed all the proposals and calculated the cost of the proposals based on an assumption of a GMP of 1.5 million dollars. He noted that the fees ranged from \$70,000 to \$300,000 with Burkhardt weighing in at 20% of GMP. Mr. Neron cited Mulligan Contractors as his first choice because of previous experience with that firm. His second choice was Burkhardt because of water experience, but he tempered that selection noting the high cost. The third choice was PPI but he expressed concern that they were too large and would not give the city the attention needed. Mr. Neron's fourth choice was Emmet Sapp builders because of experience with Bob Blais, but allowed that they had experience with mostly churches and hotels. Mr. Neron expressed disappointment that none of the submitters really emphasized the marine component of the project.

Ms Pfister spoke next saying that this was a new experience for her having been with Council for some time and being on the receiving end of these committee selections. She said that she was always confused about the cheapest being selected even when it might not be the best solution. Being unfamiliar with the process Ms Pfister said she approached the selection as a taxpayer wanting to get the best quality for the city. This was accomplished by making phone calls to clients and other cities and actually examining the work of the prospective firms. She concluded that Emmett Sapp was the most qualified as during the investigation they were the one firm that was highly recommended with absolutely no complaints, all jobs being completed on time with good rapport with the owners. The second choice was PPI as they had done work before for the city. Burkhardt was chosen as the third choice as they had a good track record on completing projects satisfactorily. Ms Pfister stated again that while Emmett Sapp was not the cheapest she felt they would give the best performance. Mr. Rumble and Mr. Drury reiterated that the price consideration was only 15 % of the score and should not be weighed that heavily. Ms Pfister said she would complete the ranking of the remaining four at the conclusion of the meeting.

Ms Lori Houghton the City's Finance Director was the next person to contribute Ms Houghton stated that she is not a builder and approached the selection from the perspective of her discipline as Finance Director. Ms Houghton indicated that she examined the submittals carefully in respect to the RFP requirements looking closely at the principals and their resumes along with the staffing that would be committed to the project. The recommendation letters and references were also examined to determine if they were current as only older references might indicate the current company is not performing. The bonding capacity of the firms was also examined as a factor. Ms Houghton's rankings were PPI in first place, Emmett Sapp in second followed by MCI, Mark Cook, Burkhardt , Signature and Wagner 3 in that order.

Bob Blaise spoke next saying that this was an unusual position as he was usually the one submitting and had worked with a lot of those that submitted but attempted to look at the submittals empirically. His first choice was Emmett Sapp, with Mr. Sapp being one of the few submitters to address the direct purchase tax savings and evaluation of cost and had experience with this type of structure. Signature was the other firm that noted this. PPI was Mr. Blais second choice with polished marketing and a good track record but noted that a lot of the local projects they listed had used Mr. Burkhardt who left the company and was a submitter with his own company. Signature was the third ranked and Mr.. Blaise explained that while they appeared to have one of the weaker submittals he ranked them higher because of the quality of the staff. He indicated that he tried to judge all experience equally as only two firms had any manner of over water experience. Burkhardt and MCI were ranked next and the last two were Mark Cook and Wagner . He stated he was pleased that local firms had submitted for this project.

Mr. Drury opened up by saying he had ranked his top three but would defer submitting his final score sheet until after the discussion had concluded. He had Burkhardt , PPI and MCI in that order but wanted to take a closer look at Emmett Sapp as he had been ranked so high by other committee members. He indicated however that PPI should they be a finalist should be questioned closely about their commitment

to a project that is small for that company. We want the firm selected to have this project as their top priority.

Ms Rogers was the next to offer her evaluation telling the committee that she is very excited about this project. Her first ranked was PPI because of the experience in the County but cautioned we should discuss their performance with the county even though their resume is impressive. Ms Rogers' second choice was Emmett Sapp because of his wonderful reputation with comments from those who Tammy inquired with commending his honesty and integrity. She commented that Emmett Sapp was a very close second and only because the county had gone to PPI so many times put them in from. The third choice was Burkhardt which Ms Rogers said impressed her with their Kissimmee Waterfront Park. Mrs. Rogers commented also on the high fees they were charging and noticed they were partnered with Evergreen. Mark Cook was fourth, fifth was Signature, sixth was MCI and seventh was Wagner.

Rob Ern was the final contributor to the evaluation. Mr. Ern stated that like Bob Blais he has experience with some of these companies. Mr. Ern ranked Emmett Sapp as number one citing his extensive experience observing Mr. Sapp in the Villages .He stated that Mr. Sapp has a lot of Lake County experience and has done numerous government projects. In addition he also has the experience in open book accounting as required by this project. Mark Cook was ranked at number two who is a local contractor. Mr. Ern stated that building a dock is not really the same as putting a building over the water so he discounted that type of experience as a factor. PPI was ranked number three but Mr. Ern also noted that Mark Starcher who managed the Lake county projects for PPI was no longer with the firm. His other two concerns were that PPI was not local and the scope of the projects they do is considerably larger than this project, raising the concern that the city would not receive the attention needed. Signature was forth as Mr. Ern had experience working with them but he noted the preconstruction cost was considerably higher than the others. MCI was number five with the lowest price being noted and raising the question of their understanding of the scope. Burkhardt was number six but Mr. Ern noticed that all their projects were flat including streetscapes and that they had not done vertical projects. Weaver came in at number seven.

Mr. Rumble collected the ranking sheets and did the final ranking. The results were as follows:

	Score	Rank
Emmett Sapp Builders, Inc.	12	1
PPI Construction Management	14	2
Burkhardt Construction, Inc.	25	3
Mulligan Constructors (MCI)	29	4
Mark Cook Builders, Inc.	31	5
Signature Enterprises, Inc.	34	6
Wagner 3 Ventures, Inc.	44	7

The discussion then moved to whether or not interviews should be conducted with Mr. Drury leading the discussion as to whether the top two or three should be interviewed. He said that interviews cost a lot of money and when a firm is ranked third or fourth they will send a lot of money and time on a non winning project. Mr. Ern said it should depend on how close they are. Mr. Blaise noted that the second and third ranked firms were the large ones wherein the question had been raised about the size of the firms and the amount of attention they would give the project. In addition Burkhardt was recently formed and the compatibility of the team is yet to be determined. He said he did not want to waste a lot of people's time with Mr. Drury concurring. Mr. Drury stated that Emmett was ranked at number one with four first place votes and two second place votes and would be working with Mr. Ern and Mr. Blais and that should be weighed heavily as we do not wish for Mr. Ern and Mr. Blais to work with a third or fourth ranked firm. Mr. Drury said it would be a different matter if the consensus was farther apart and said he was leaning towards no interviews and picking Mr. Sapp as the top ranked finalist taking the recommendation directly to council. He also said in these tough economic times he did not wish to waste the private sectors money as it costs thousands of dollars and a great deal of time to the companies that are not selected. He noted that the rankings were independent and Emmet Sapp was the top choice. In light of the fact that Mr. Ern and Mr. Blais would have to work with mister Sapp and were satisfied with his first place ranking, Mr. Drury then suggested that the interviews be dispensed with and that the recommendation be taken directly to council. There was a brief discussion between then members and it was concluded that the ranking recommendation would be taken directly to council who will make the final decision.

There being no further discussion the meeting adjourned at 10:46 a.m.

Respectfully submitted,

---

John Rumble  
Purchasing Manager

**RANKING SHEET 2011-0001****CONSTRUCTION MANAGER  
AT RISK**

Mark Cook Builders, Inc.  
511 N. Canal Street  
Leesburg, FL 34748

1	2	3	4	5	6	7	TOTAL
7	4	4	2	6	4	6	33

**RANK****5**

Mulligan Constructors (MCI)  
3601 Vineland Road, Suite 14  
Orlando, FL 32811

1	2	3	4	5	6	7	TOTAL
5	3	6	5	1	5	5	30

**4**

Signature Enterprises, Inc.  
2408 US Highway 441/27 N.  
Fruitland Park, FL 34731

1	2	3	4	5	6	7	TOTAL
4	6	5	4	5	6	4	34

**6**

Wagner 3 Ventures, Inc.  
605 Magnolia Street  
Leesburg, FL 34748

1	2	3	4	5	6	7	TOTAL
6	7	7	7	7	7	7	48

**7**

Emmett Sapp Builders, Inc.  
4430 NE 83rd Road  
Wildwood, FL 34785

1	2	3	4	5	6	7	TOTAL
1	2	2	1	4	1	1	12

**1**

PPI Construction Management  
200 East Palm Valley Drive, Suite 104  
Oviedo, FL 32765

1	2	3	4	5	6	7	TOTAL
2	1	1	3	3	2	2	14

**2**

Burkhardt Construction, Inc.  
1400 Alabama Avenue  
West Palm Beach, FL 32401

1	2	3	4	5	6	7	TOTAL
3	5	3	6	2	3	3	25

**3**

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: January 5, 2011**

**AGENDA TAB NO. 7**

**SUBJECT TITLE: Tavares Bottled Water Business Plan**

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**OBJECTIVE:** To consider the approval of the Bottled Water Business Plan for the Bottled Water Program

**SUMMARY:**

The City has established an interest in bottling the City of Tavares Water as an opportunity to promote the City Of Tavares new branding theme. Upon approval of the selection of the bottled water firm at the December 1, 2010 CC Meeting, staff was requested to bring back to council a Business Plan or policy for distribution of the bottled water.

**OPTIONS:**

1. **Approve** the business plan as presented
2. Do **not approve** the business plan as presented

**STAFF RECOMMENDATION:**

1. Staff is recommending the approval the business plan as presented

**FISCAL IMPACT** This is a business plan to help the City promote its new theme and reach a breakeven point of the investment

**LEGAL SUFFICIENCY:** This meets legal sufficiency.



## **Business Plan for Utilities Department Bottled Water Program**

### **Executive Summary**

This program was established to promote the City of Tavares new branding theme and to give the residents of Tavares an opportunity to drink their own water, on the go, through the City's water bottling program. The intent was for this product to serve as both a promotional tool for the City (promoting both America's Seaplane City and the delicious water produced by the City), and as an emergency management function, where bottled water could be readily provided in situations where municipal water service has been temporarily interrupted. Although revenue from the sales of the City's bottled water will replenish the Utility's reserve account, any potential net gains will be used for "water related" education and marketing. The potential exists for this project to continue to be a valuable public relations tool for the City, and for it to become self-sustaining over time through the revenue generated by bottled water sales. Maximum flexibility in the water bottling program will help create and implement potential new opportunities to generate revenue.

### **Objectives**

The bottled water project objectives for the next five years are:

- Begin bottling water, with our own *Tavares, America's Seaplane City* label, utilizing an outside vendor
- Sell bottled water to vendors for resale at City parks and facilities
- Offer bottled water in vending machines in all City facilities
- Reach the "break-even" point in sales within 12 months
- Provide free bottled water for promotion at other events or for use as gifts, souvenirs and promotional purposes. i.e. VIP tours, seaplane fly-ins, employee functions or water education activities
- Begin producing a profit in sales within 36 months

### **Mission**

To utilize Tavares Bottled Water to promote the City brand and its drinking water.

### **Keys to Success**

The keys to success will be:

- To produce a unique product that can serve a utilitarian function (bottled water) and as an attractive souvenir of the City of Tavares.
- Development of a bottled water product that will provide the pure, portable alternative to tap water for customers.
- Promotional advertising to increase public awareness of the availability of Tavares Bottled Water and of “custom labeled” bottled water.
- Development of an easy-to-use ordering process and pricing guide with competitive pricing for the product that can be easily accessed by the general public on the City’s website.
- Adjust pricing of bottled water as necessary.

### **Distribution**

- Sell the bottled water at the Prop Shop
- Sell the bottled water at Fred Stover concession stands and at Woodlea Sports Complex
- Require that only Tavares Bottled Water be sold by vendors at City parks and facilities
- Sell Tavares Bottled Water to vendors (by the case at a cost of \$.45 per bottle)
- Sell Individual Bottled Water at \$1.00 per bottle
- Provide free bottled water for promotion at other events or for use as gifts, souvenirs and promotional purposes.

### **Inventory Control**

Inventory control will be maintained as required under generally accepted accounting principles

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AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: January 5, 2011

AGENDA TAB NO. 8

SUBJECT TITLE: Mutual Appointment to Fire Pension Board

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OBJECTIVE:

To approve the Mayor's Mutual appointment to the Fire Pension Board

SUMMARY:

At its December 17<sup>th</sup> quarterly Board meeting, the Fire Pension Board appointed Richard Keith as its fifth member which is the Mutual appointment approved by both the Fire Pension Board and the City Council.

In addition on December 1, 2010, Council approved the Mayor's appointment of Denise Laratta to a two year term. It should be noted that the Fire Pension Ordinance 2009-31 which was approved November 4, 2009, changed the Fire Pension Board member terms from two years to four years. In order to allow for the terms to be staggered, the Pension Board has assigned the terms which fall under council appointments as follows:

Charlotte Hope	2010-2012 (thereafter this position will be appointed for four years)
Richard Keith	2010-2014
Denise Laratta	2010-2014

As Ms. Laratta was appointed for a two year term by the Mayor, it is recommended that Council confirm its approval of her appointment for a four year term.

OPTIONS:

- 1) Approve the Mayor's appointment of Chief Richard Keith to the mutual Board appointment for a four year term 2010-2014 and

confirm the appointment of Denise Laratta to a four year term from 2010-2014.

2) Do not approve the appointments

**STAFF RECOMMENDATION:**

Move to approve the Mayor's appointment of Chief Richard Keith to the mutual Fire Pension Board position for a four year term 2010-2014 and confirm the appointment of Denise Laratta to a four year term from 2010-2014.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

Legally sufficient

## Nancy Barnett

---

**From:** Richard Keith  
**Sent:** Wednesday, December 22, 2010 12:18 PM  
**To:** 'Robert Wolfe'  
**Cc:** Nancy Barnett; John Drury  
**Subject:** Richard Keith appointed by Fire Pension Board in the 5th member seat

Good morning, Mayor Wolfe;

In the meeting of the City of Tavares Firefighters Pension Trust Fund Board on December 17th, Board members present approved me, Richard Keith, as the "mutual" appointee. With your permission, City Clerk Nancy Barnett would like to include my appointment as your recommendation to the full Council at the next regular meeting.

Your attention to this matter is sincerely appreciated.



**Richard D. Keith**  
Fire Chief  
City of Tavares, Florida  
office: 352-742-6391  
fax: 352-742-6190



SERVICE ✦ INTEGRITY ✦ PRIDE

## Nancy Barnett

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**From:** Denise Laratta  
**Sent:** Saturday, December 18, 2010 5:07 PM  
**To:** Nancy Barnett  
**Cc:** Richard Keith  
**Subject:** Apointment Terms

Nancy,

As discussed at the December 17th Fire Pension Board meeting, please be aware that the Fire Pension Board changed the terms of appointment to four years in the 2009 Ordinance. The change in length of terms is being phased in on a staggered basis. Currently, the position I am appointed to, the position that Engineer Scott Bowerman holds, and the position that Chief Keith is elected to are all due to expire in November 2014. The positions that Charlotte Hope and BC Eric Wages hold are due to expire in November 2012.

Denise Laratta  
Chairman  
Fire Pension Board  
City of Tavares  
America's Seaplane City  
[dlaratta@tavares.org](mailto:dlaratta@tavares.org)

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
January 5, 2011**

**AGENDA TAB NO. 9**

**SUBJECT TITLE: City Administrator Report**

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**OBJECTIVE:**

To inform Council on city related matters.

**SUMMARY: Will be presented at meeting**

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

- City Council Regular Meeting – January 19, 2011
- Chamber of Commerce Luncheon – 11:30 a.m. January 26, 2011
- Lake Sumter MPO – Board Meeting – January 26, 2011 – 4 p.m. – Magnolia Room – Lake Sumter Community College
- Library Board – January 14, 2011– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board – January 20, 2011 – 3 p.m.

**EVENTS:**

**Bass Pro Shops Crappie State Qualifying Tournament  
Date: January 27 - 29, 2011**

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
January 5, 2011**

**AGENDA TAB NO. 10**

**SUBJECT TITLE: City Councilmembers Report**

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**OBJECTIVE:**

To inform Council on city related matters.

**SUMMARY:**

Council will be offered an opportunity to provide a report at the meeting. Attached is any additional supporting information.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

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