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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
SEPTEMBER 8, 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
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
Chris McCormick, Code Enforcement Officer

I CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Bernice Odums of St. Johns Free Methodist church gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Mr. Drury stated he wished to add an item under New Business-- Appointment to Lake County League of Cities representative to the Sales Tax Surtax Oversight Committee.

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MOTION

Bob Grenier moved for approval of the Agenda with the addition of this item, seconded by Sandy Gamble. The motion carried unanimously, 5-0.

IV. APPROVAL OF MINUTES

Deferred

V. PROCLAMATIONS/PRESENTATIONS

None.

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

Attorney Williams noted there are no quasi judicial hearings on the agenda.

Mayor Wolfe stated that in reference to Tab 9 (Award of Bid for Aesop's Park), he has had contact with four different contractors, with regard to providing bids. He said he had provided bids to three of the contractors and one has contacted him but he has not provided an oral or a written bid.

Attorney Williams said that would be a voting conflict of interest and Mayor Wolfe should declare a conflict and recuse himself from running the meeting at that time.

VII) CONSENT AGENDA

Mayor Wolfe asked if any audience member would like to discuss any item on the consent agenda (tabs 2, 3, or 4).

Mayor Wolfe asked if Council would like to pull any items on the consent agenda for discussion.

Councilmember Smith said he would like to remove Tab 4 from the Consent Agenda (Agreement with Florida Central Railroad).

MOTION

1 **Sandy Gamble moved for approval of Tab 2 (Interlocal with Lake County for**
2 **Hurricane Debris Removal) and Tab 3 (Request to Approve a Memorandum of**
3 **Understanding regarding Disbursement of the Local Match for Replacement of**
4 **the Dora Canal Bridge), seconded by Lori Pfister. The motion carried**
5 **unanimously, 5-0.**

6
7 **Tab 4) Agreement with Florida Central Railroad for Wooton Park – Fiber Optic**
8 **Crossing**
9

10 Mr. Neron reported that part of the plans for the construction of the Seaplane Base was
11 to connect fiber optic to the Prop Shop at Woodlea so that financial information can be
12 transferred directly from the Prop Shop to City Hall. That connection requires going
13 under the railroad tracks.

14
15 Councilmember Smith asked about the \$800 annual fee. He said he felt that was
16 excessive considering all the work being done in conjunction with the railroad. In
17 addition he asked if it would require a directional bore or jack and bore. Mr. Neron said
18 he was not certain. Councilmember Smith asked about the permitting costs. Mr. Neron
19 said he believed the city would be doing the work. Councilmember Smith said he would
20 like the annual fee to be renegotiated to a lower price in lieu of the efforts being made
21 on behalf of the railroad by the City.

22
23 **MOTION**
24

25 **Kirby Smith moved to defer Tab 4 until the next council meeting so staff can**
26 **negotiate another agreement with Central Florida Railroad, seconded by Sandy**
27 **Gamble.**

28
29 **The motion carried 4-1 as follows:**

30
31 **Robert Wolfe Yes**
32 **Kirby Smith Yes**
33 **Sandy Gamble Yes**
34 **Bob Grenier Yes**
35 **Lori Pfister No**
36

37 Mayor Wolfe asked Council if they wished to proceed to Tab 7 in order to defer the
38 millage and budget public hearing until 5:05 p.m. Consensus to proceed
39
40

1 **IX – GENERAL GOVERNMENT**

2
3 **Tab 7) Authorization to Request a Grant from Tourist Development Council for**
4 **Pier and Pavilion Project**

5
6 Mr. Drury stated this was a request for authorization from Council to obtain a \$750,000
7 grant over a three year period in increments of \$250,000 each from the Tourist
8 Development Council to participate in the Pier and Pavilion project. He reviewed the
9 history of the project. He discussed the proposal to increase the scope of services from
10 a basic facility to an acceptable standard that could accommodate conferences and
11 weddings. He discussed the economic benefits of those events. He stated it would be
12 appropriate to request assistance from the Tourist Development Council since the
13 people using the facility will stay in area hotels. He said similar to the Woodlea House,
14 the exterior will remain true to the historic pavilion but the interior will be a economically
15 viable contributor to the area's economy with the goal of becoming self sufficient. The
16 goal is to open the pavilion for its 100th anniversary in 2012. He noted the letters of
17 support he has received from various organizations who have indicated interest in
18 holding their meetings and conferences at the pavilion.

19
20 Ms Rogers presented a power point presentation on the design plans for the pavilion.

21
22 Mayor Wolfe invited comment from the audience.

23
24 **MOTION**

25
26 **Bob Grenier moved to approve the staff recommendation to authorize staff to**
27 **pursue the grant from the Tourist Development Council, seconded by Kirby**
28 **Smith. The motion carried unanimously 5-0.**

29
30 **Tab 8) Water Hydraulic Model Report for Royal Harbor**

31
32 Mr. Hayes stated the objective is to accept the Royal Harbor Hydraulic Model Report
33 and consideration of the options to correct the Royal Harbor pressure problem.

34
35 He reviewed the previous actions taken by Council to resolve the Royal Harbor water
36 pressure issues. He noted Council had approved an updated Water Hydraulic Model for
37 the entire city which was approved in 2009. He introduced Mr. Shannon from Malcolm
38 Pirnie. Mr. Shannon provided an overview of the model. He noted that the City had a
39 basic hydraulic model in place used for general planning but it was not detailed enough
40 to do the kind of analysis needed to understand completely the issues in the distribution

1 system. He said the model assists in determining the correct size of pipe to use in order
2 to get adequate pressure.

3
4 Discussion followed on the issue of options and costs for the various improvements
5 presented by Mr. Shannon.

6
7 Mayor Wolfe asked for audience comment

8
9 Gary Santaro, Lake Huron Lane

10
11 Mr. Santaro thanked Council for continuing to look at this problem and noted it was
12 unfortunate that the City was having to correct a problem that the developer should
13 have been responsible for originally. He said he believed the problem would get worse
14 when Oak Bend Subdivision becomes fully operational. He questioned whether Royal
15 Harbor residents would allow the City to dig up the streets to make improvements. He
16 discussed the issue of not having a “check valve” at the entrance to the community. He
17 said Royal Harbor is on a dead end main which will not change even when the
18 reclaimed water is available. He invited Council to come to Royal harbor and speak to
19 the residents.

20
21 Denise Laratta

22
23 Ms. Laratta thanked Council for continuing to look at the problem. She noted the water
24 pressure problem began in 2001. She said the issue will be what is the financial
25 responsibility for both the homeowners and the City and what is the financial
26 responsible for the long term process. She said she did not want to have to pay for two
27 fixes. She questioned whether it will be a requirement to hook up to reclaimed water
28 once it is available and that issue should be included in the review. She acknowledged
29 that two years ago the residents had requested that the city not do a quick fix of the
30 problem.

31
32 **(Adjournment to Budget Hearing)**

33
34 **Mayor Wolfe noted it was 5:05 p.m. and that Council would now adjourn the**
35 **regular meeting and begin the Public Hearing for the Millage and Budget.**

36
37 **Tab 6) Resolution #2010-10 – Tentative Budget for Fiscal Year 2010**

38
39 Ms. Houghton presented the summary as follows:
40

- 1 • Ad valorem millage rate of 6.95 mills which is 8.15% less than the rollback rate of
- 2 7.5669 mills
- 3 • An assessed taxable property value of \$671,531,382 which is a decrease of
- 4 17.03% from the prior year
- 5 • A cost of living employees increase of 2% for all City employees effective April 1,
- 6 2011
- 7 • Elimination of the ½ day furlough per month for all employees
- 8 • Staffing level decreases – four positions will not be filled
- 9 • Fire Pension contribution rate increase from 21.7% to 22%
- 10 • Police Pension contribution rate increase from 19% to 20.8%
- 11 • Health & dental insurance rate increase of 9.32%
- 12 • Workers' compensation rate increase of 5%
- 13 • General liability rate increase of 5%
- 14 • Push capital replacements until the following year
- 15 • Fund only operational costs critical to the service delivery mission
- 16 • Maintain a similar level of service.

17
18 Mr. Drury summarized the dates of the previous budget workshops. He said Council
19 had asked information be provided on the following additional items: 1) information
20 related to contracting out the 911 service to the Sheriff; 2) moving the 2% employee
21 cost of living adjustment from six months into the fiscal year to the beginning of the
22 fiscal year (October 1); 3) information related to water and sewer base rates when a
23 property is vacant and 4) adding a narrative to the capital program. He noted the
24 information related to this has been included in the agenda package.

25
26 Dispatch Issue

27
28 Chief Lubins noted the cost of providing dispatch services from the Sheriff's Office had
29 been solicited. The Sheriff's response was a first year figure of \$526,107 and the
30 second year a cost of \$301,209. He noted the first year was an increase of \$60,000
31 primarily for some infrastructure and reduction of force payments and the second and
32 third year was a reduction of approximately \$167,000 from that point forward. He
33 discussed the issue of contracting services versus consolidation of services. He said the
34 issue being considered is contracting of services.

35
36 Chief Lubins reviewed the past history of elimination of 911 and then the re-instatement
37 of the service. He noted that from 1979 to 2001 there was dispatch services and then in
38 2001 the city contracted out the service. In 2006 Council directed staff to reinstate the
39 Communications Center. He reviewed the history of the staffing level, noting it is
40 currently two on duty at a time.

1
2 Chief Lubins reviewed the budget summary and the total police budget. He also
3 discussed the trend of total calls compared to changes in population, noting the
4 percentage of the General Fund has remained consistent. He noted that Tavares is the
5 lowest funded percentile of all of the cities of Clermont, Eustis, Lady Lake, and Mt.
6 Dora.

7
8 Chief Lubins discussed the other monitoring activities that the Police dispatch provides
9 to the City such as monitoring for sewer issues, safety in City Hall, park monitoring, etc.
10 He said these services can be modified as needed which is more difficult to do in a
11 contracted out service.

12
13 He said the fundamental difference is basically three positions-- the cost of the
14 dispatchers is about the same. The Sheriff's office will provide five dispatchers but more
15 call takers. He said it cost residents in Tavares about \$15.00 a month and by using the
16 Sheriff's proposal the savings will be about .58 a month. He noted there would also be
17 losses in cost of equipment if the City went with the Sheriff.

18
19 Councilmember Gamble stated the reinstatement of dispatch stemmed from issues in
20 2006 when there was no one available at City Hall after hours for residents.

21
22 Councilmember Grenier stated he agreed with Councilmember Gamble and that he had
23 taken a tour of the dispatch center and was very impressed with the operations.

24
25 Councilmember Smith asked how the service had been impacted when it went to the
26 Sheriff. Chief Lubins discussed some of the issues that had come up related to priority
27 of calls.

28
29 Mayor Wolfe noted the suggestion to consider contracting out dispatch had been
30 because three members of Council at the last budget hearing had stated they wished to
31 see more cuts because they did not want to raise the millage. He said he has brought
32 up the issue as an option although he was not necessarily in favor of it. He asked
33 Council if they were supportive of the 6.95 millage rate and increase of \$70.00 per year
34 for a house estimated at \$170,000 or did Council still wish to make cuts.

35
36 Mayor Wolfe asked for audience comment.

37
38 Trueman Hurley

39

1 Mr. Hurley said he had lived in Tavares for 18 years and he was supportive of Council
2 and staff. He said it bothered him that when a city needs to cut its budget it is usually
3 public safety. He suggested looking at other areas to cut such as libraries. He
4 commented that when the City contracted out dispatch, the response time was affected.
5 He asked that Council find a way to reduce the budget without cutting public safety.

6
7 Norman Hope, Fox Run
8

9 Mr. Hope said he spent 30 years in law enforcement and his main experience in the FBI
10 was dealing with local law enforcement. He said he has lived in Tavares since 2004 and
11 has been very impressed with the Police Department. He said he understood the
12 Mayor's concern that there were no other areas suggested for cuts. He said he was
13 willing to pay the 6.95 mills so that his family will feel secure about public safety.

14
15 (Mr. Drury commented on the fact that Council has already cut 2.998093 million dollars
16 out of the budget which included the Library Children's Services, the Police Department,
17 the Human Resources, IT, Parks, etc. He said these were the biggest cuts the City has
18 ever done in its history. He said he just wanted people to be aware of these many cuts
19 that have already been made both in positions and in other costs.)
20

21 Norb Thomas, New Hampshire Avenue
22

23 Mr. Thomas said he thoroughly supports public safety and throughout his 35 years in
24 law enforcement. He said he believed the City would be remiss to do away with the
25 Dispatch Center. He said he understood the difficult decisions Council has to make and
26 he was supportive of the 6.95 millage.
27

28 Tim Crow, Tavares
29

30 Mr. Crow said it is a nationwide problem that cuts tend to be made with public safety.
31 He said public safety is part of the infrastructure that should be as important as utilities.
32 He spoke in support of the proposed millage rate.
33

34 Jason Fisher, Green Drive
35

36 Mr. Fisher said that the Dispatch Center provides customer services in addition to public
37 safety. He commended the chief for his budget. He said he was willing to pay the extra
38 amount per month to keep dispatch.

1 Vice Mayor Pfister said the Mayor was correct to look into this because she has
2 received comments for several months regarding not raising the millage rate. She said
3 the discussion should help the citizens to understand the budget situation.

4
5 2% Cost of Living Adjustment for Employees

6
7 Mr. Drury stated that at the August 8th City Council meeting, Councilmember Gamble
8 requested that Council review the issue of moving the 2% COLA from April 1 to October
9 1, 2010. He said currently the budget is balanced and the cost of moving the COLA will
10 be \$82,000. He said general reserves are typically used for this type of a one time non-
11 recurring expense. He said the estimated \$208,500 of additional tax revenues from the
12 new business that Tavares has attracted and permitted over the last year should
13 replace that additional cost. Mr. Drury listed the 11 businesses and anticipated tax
14 revenues.

15
16 Mayor Wolfe noted that if there is a drop in property values again next year it could be a
17 budget issue again. Mr. Drury acknowledged that was correct. Mayor Wolfe suggested
18 postponing the decision until April and considering a 4% COLA for the rest of the year if
19 the values do not drop or keeping it at 2% on April 1st if values are dropping.

20
21 Councilmember Smith said he was in support of the employees receiving the COLA
22 now since it appears it would not impact the residential component.

23
24 Councilmember Grenier asked about the possible impact on emergency reserves. Mr.
25 Drury said the reserves would go from about 15% to 14%. He said GFOA advises 14-
26 15% for smaller cities. He said there are two backups to emergencies: reserves and
27 reimbursement from FEMA for events such as hurricanes,

28
29 Councilmember Gamble spoke in support of the 2% increase for October 1st.

30
31 Mayor Wolfe asked for comment from the audience.

32
33 Denise Laratta

34
35 Ms. Laratta said if the City can take money out of reserves for insurance and the City
36 Administrator's compensation then it could be done for the rest of the employees.

37
38 Water and Sewer Fees for Vacant Property

1 Mr. Drury said the issue was raised about the requirement for the property owner to pay
2 the base water rate when the property is vacant. He said staff has reviewed the
3 question and has developed a policy whereby if application is made, the water meter
4 can be removed and the base fee payment can be stopped.

5
6 Ms. Houghton commented on the analysis she had done and noted it will be a policy
7 decision by Council. She then read the proposed policy into the record:
8

The City of Tavares shall own and maintain all water meters metering water consumption by City of Tavares' customers. The customer shall own and maintain all attachments up to the water meter on the customer's side of the meter.

All meters shall be set and reset by a City of Tavares Water Utility employee unless otherwise authorized by the Utility Director.

When a water meter has been removed for unauthorized meter access, the property owner is required to complete a Meter Reset application and pay the cost for a new meter and reset fees.

Single Family Residence

A property owner may request a **potable water meter** to be removed under the following conditions:

The structure that the meter serviced has been demolished or removed from the property.

A replacement structure will not be erected within one year.

The property owner is required to pay all costs associated with the installation for any new meter installation. No other meters will remain active on the property.

Multi-Family and Commercial

A property owner may request a **potable water meter** to be removed under the following conditions:

The structure that the meter serviced has been demolished or removed from the property and no structures remain that were attached to the demolished structure.

A replacement structure will not be erected within one year.

The property owner is required to pay all costs associated with the installation for a new meter installation. No other meters will remain active on the property

Irrigation meters currently installed and servicing a vacant parcel may not be removed.

Fees for meter removals will be assessed at the Voluntary Service Disconnection Rate and require advance payment.

All requests for meter removals require approval of the Utility Director and the Finance Director

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Ms. Houghton described the application she has prepared with detailed information.

Mr. Drury said this policy will be brought back to a future council meeting for approval.

Capital Improvement Program

Mr. Drury stated Council had been given an updated Capital Improvement Program. The change was made to add Page 10 which has a description of the projects.

Discussion of Public Hearing Process

Mr. Drury asked Attorney Williams to comment on the millage and budget hearing process. Attorney Williams stated that the final resolutions are not adopted until the second hearing. However, Council is required to finish its deliberations on the budget and adopt a tentative budget and a tentative millage rate at this meeting.

Ms. Barnett read the draft resolutions in their entirety as follows:

RESOLUTION 2010 - 10

A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2010-2011.

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

WHEREAS, a public hearing was held at the Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County Florida on September 8, 2010, at 5:05 p.m., as required by Florida Statutes 200.065; and

WHEREAS, the general public was given an opportunity to express its

1 views pertaining to the proposed budget, and

2
3 WHEREAS, the City Council approved the tentative budget for 2010-2011,
4 and

5
6 WHEREAS, a second public hearing is scheduled to be held in the
7 Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares,
8 Florida, on September 22, 2010, at 5:05 p.m.,

9
10 NOW, THEREFORE, BE IT RESOLVED that the Budget for 2010-2011
11 fiscal year for the City of Tavares, Florida is hereby adopted by the Tavares City Council
12 in the amount of \$26,638,275 at the public hearing this 22nd day of September, 2010.

13
14 **RESOLUTION 2010- 09**

15
16 **A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.95 FOR**
17 **THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR**
18 **FISCAL YEAR 2010-2011; SETTING FORTH THE PERCENT BY**
19 **WHICH THE MILLAGE RATE IS LESS THAN THE "ROLLED-BACK"**
20 **RATE.**

21
22 BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES,
23 FLORIDA:

24
25 **WHEREAS**, the City of Tavares of Lake County, Florida on September 8, 2010,
26 adopted the 2010-2011 Fiscal Year Tentative Millage Rate following a public hearing as
27 required by Florida Statute 200.065.

28
29 **WHEREAS**, the City of Tavares of Lake County, Florida, following due public
30 notice as required by law, held a second public hearing on September 22, 2010, as
31 required by Florida Statute 200.065 on the 2010-2011 Millage Rate; and

32
33 **WHEREAS**, the gross taxable value for operating purposes not exempt from
34 taxation within Lake County has been certified by the County Property Appraiser to the
35 City of Tavares as \$671,531,382.

36
37 **NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County,
38 Florida, that:

- 39
40 1. The City of Tavares Fiscal Year 2010-2011 operating millage rate to be

1 levied is hereby set at 6.95 mills, which millage rate is less than the rolled
2 back rate of 7.5669 by 8.15%.

3
4 2. The voted debt service millage is 0.00.

5
6 3. This Resolution will take effect immediately upon its adoption.

7
8 **PASSED AND RESOLVED this 22nd day of September 2010, by the City**
9 **Council of the City of Tavares, Florida. Time Adopted:_____.**

10
11 Attorney Williams stated that the resolutions have been read into the record so that
12 Council and the public will know what is proposed to be adopted at the September 22,
13 2010 Public Hearing. He advised that today the requirement is to finalize the tentative
14 budget and make decisions on the four elements presented by Mr. Drury. The final
15 budget will be adopted at the next meeting along with the final millage.

16
17 Mayor Wolfe asked for comment from the public on any issue of the budget.

18
19 Mr. Drury asked for Council direction on Items 1, 2, 3, and 4.

20
21 Item 1 – Consensus to leave the Dispatch 911 Service in the budget

22
23 Item 2 - Move the COLA from April 1, 2011 to October 1, 2010 – Consensus to approve

24
25 Item 3 – Policy on not charging for vacant lots will be brought back for formal vote.

26
27 Item 4 – Capital Program – Consensus to approve (Councilmember Smith clarified that
28 he could bring back further comments at the next meeting.)

29
30 **MOTION**

31
32 **Bob Grenier moved for approval of staff recommendation for the tentative budget**
33 **for fiscal year 2011 [adopt the tentative budget for 2011 as presented for**
34 **\$26,638,275, with a one time use of reserves to give the employees the 2% COLA**
35 **on October 1.] The motion was seconded by Lori Pfister.**

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

38
39 Councilmember Smith said he was against setting the 6.95 millage rate and had
40 expressed that two months ago and that he continued to believe the City still needed to

1 find areas of reduction for the millage rate.
2

3 **Tab 5) Resolution #2010-09 - Tentative Millage Rate – Fiscal Year 2010-2011**
4

5 Mr. Drury stated that in order to support the budget that Council had just approved, the
6 millage rate that will support the budget is 6.95.
7

8 **MOTION**
9

10 **Sandy Gamble moved to approve the fiscal year 2011 tentative millage as**
11 **presented in Resolution #2010-09 at 6.95 millage rate, seconded by Bob Grenier.**
12

13 **The motion carried 4-1 as follows:**
14

15 Robert Wolfe	Yes
16 Lori Pfister	Yes
17 Sandy Gamble	Yes
18 Bob Grenier	Yes
19 Kirby Smith	No

20

21 Attorney Williams stated that the proposed millage rate is less than the roll-back rate by
22 8.15%.
23

24 **Tab 8) Water Hydraulic Model Report – Continued [from page 4]**
25

26 **MOTION**
27

28 **Sandy Gamble moved to approve the report but take no action at this time**
29 **pending the receipt of further information from staff, seconded by Bob Grenier.**
30

31 **The motion carried unanimously 5-0.**
32

33 **Tab 9) Award of Bid for Aesop’s Park Restrooms**
34

35 Attorney Williams stated that Mayor Wolfe had indicated he had a conflict of interest
36 because of being a potential subcontractor for some of the bidders. Mayor Wolfe
37 confirmed.
38

39 The gavel was passed to Vice Mayor Pfister.
40

1 Vice Mayor Pfister asked Ms. Rogers to present the staff report.
2

3 Ms. Rogers reported that based on the recommendation of Council on July 18, 2010,
4 the City re-advertised an Invitation to Bid for the construction of an ADA-compliant
5 restroom facility at Aesop's Park.
6

7 She said that eight companies responded to the invitation with George Rada, Inc., of Mt.
8 Dora being the lowest bidder at \$59,500.00. Mr. Rada has since indicated that he will be
9 using subcontractors which was not listed on his bid proposal. Attorney Williams
10 advised that although Mr. Rada's bid was acceptable and he did nothing wrong, this
11 issue has resulted in his bid being considered as "non-responsive." In order to be legally
12 sufficient as a competitive bid, the city must insure that the bid requirements are
13 adhered to. Staff recommendation therefore is to disqualify Mr. Rada's bid and to enter
14 into an agreement with the next low bidder which is Pillar Construction Group in the
15 amount of \$64,947.23.
16

17 It was noted that this is a fully funded project through the Federally-funded Community
18 Development Block Grant program.
19

20 Vice Mayor Pfister asked if there were questions.
21

22 Vice Mayor Pfister said she had been concerned about the different figures in the
23 original bid and also about possible pressure on staff to always have to recommend the
24 lowest bid. She noted the city hires an engineer to make a recommendation.
25

26 Attorney Williams said it was his understanding that the figures in the original bid were a
27 typographic error but that they did add up to a correct total bid figure however he said it
28 would not be a basis to disqualify a bid. He said on the issue of the engineer
29 recommendation, that when a competitive bid is entered into there is a presumption in
30 the law that the lowest bid should receive the bid award. He said there needs to be a
31 reason to disqualify the bid especially when it is a CDBG federal grant that requires a
32 competitive bid. He noted for other bids there is some flexibility for cities under Home
33 Rule.
34

35 Vice Mayor Pfister asked for audience comment.
36

37 **MOTION**
38

39 **Kirby Smith moved to accept the second lowest bidder, Pillar Construction for the**
40 **construction project at Aesop's Park, seconded by Bob Grenier.**

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The motion carried 4-0 with Mayor Wolfe abstaining from the vote.

The gavel was passed back to Mayor Wolfe.

Mayor Wolfe commented that there was still a savings of 10% by rebidding the project and if the vendors know that that could be a possibility there may be more competitive pricing in the future.

Tab 10) Code Enforcement Procedures and Notification Process

Chief Lubins reported that recently a business owner had come before Council to express concern about the notification process. Council directed staff to look into the procedures. Chief Lubins said a new notification policy has been provided to Council. He reviewed the policy which will provide more opportunities to contact the property owner. He asked Mr. McCormick to review the code enforcement process. Mr. McCormick discussed the procedures which follow Florida Statutes.

Attorney Williams summarized that Mr. McCormick followed the law on notifying property owners but this policy will allow for additional notification options. He explained the “repeat violator” provision of the law which has to be addressed.

Tab 11) Amendment to Interlocal Agreement with Lake County for Design, Construction and Maintenance of a Segment of Alfred Street

Mr. Skutt stated this is an amendment to the above Interlocal agreement that concerns the design and construction of Alfred Street and Caroline Street (one way pairing). The original agreement capped the design costs at \$500,000 which was based on an estimate from the County’s engineering staff. The scope of work has now been negotiated with BESH Engineering and their actual cost is \$566,196. Both the County and City staff are satisfied that this is a reasonable cost and the County has proposed the amendment that increases the amount that the County will pay for the project. Once the amendment is approved the contract with BESH can be executed.

Mayor Wolfe asked if anyone in the audience had questions.

MOTION

Sandy Gamble moved to approve the amendment to the Alfred Street Interlocal Agreement with Lake County for the engineering and design of the downtown

1 **segment of Alfred Street, seconded by Bob Grenier. The motion carried**
2 **unanimously 5-0.**

3
4 **Tab 12) Appointment to Councilmember to the Location of the Gateway Signs**
5 **Team Project**

6
7 Mayor Wolfe stated that staff will begin this process of reviewing locations in the near
8 future in order to insure that there are no conflicts with the FDOT rights of way or any
9 other rights of way. Staff involved will be the City Administrator, City Attorney, Director
10 of Community Development, and Senior Planner.

11
12 Mayor Wolfe asked if there was a volunteer from Council. Councilmember Grenier
13 expressed interest.

14
15 Mayor Wolfe stated he wished to appoint Councilmember Bob Grenier to the Gateway
16 Sign Project as Council representative.

17
18 **Consensus to support the Mayor's appointment.**

19
20 **X. OLD BUSINESS**

21
22 None.

23
24 **XI. NEW BUSINESS**

25
26 **Tab 1) County Sales Surtax Oversight Committee**

27
28 Mr. Drury stated there is a vacancy on the Lake County League of City's appointment to
29 the County Sales Surtax Oversight Committee. He asked if anyone on Council wished
30 to be considered. There was no Council appointment made.

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

33
34 None.

35
36 **XIII. REPORTS**

37
38 **Tab 13) City Administrator**

39

1 Mr. Drury noted Mr. McCormick had left the meeting but that he had wanted to
2 commend him on his work as Code Enforcement Officer. He said he believed Mr.
3 McCormick does an outstanding job for the City as a one person code enforcement
4 officer and in his efforts to maintain the balance of enforcing the codes and
5 communicating with the public.

6
7 **Tammy Rogers**

8
9 Ms. Rogers presented a letter to Council signed by all of the members of the 13 and
10 under baseball team that Council assisted in going to the state tournament.

11
12 **Lori Houghton**

13
14 Ms. Houghton stated that the budget that had been approved by Council will be
15 advertised in the Sunday September 19th newspaper (full page ad) which will also
16 include the millage rate.

17
18 **Tab 13) City Council**

19
20 **Vice Mayor Pfister**

21
22 Vice Mayor Pfister said she would like to look into the City having a Senior Center so
23 that seniors can have more structured activities. She said she would like the topic to be
24 put on a future agenda if possible, and would also request that staff look into grant
25 opportunities before it is brought back.

26
27 Mr. Drury commented that the Recreation Department does conduct activities for the
28 seniors but could probably do more. He said staff can bring back information on what
29 other cities do in the area, the costs, funding sources, etc.

30
31 **Councilmember Gamble**

32
33 Councilmember Gamble thanked staff for the list of roads being paved.

34
35 **Councilmember Grenier**

36
37 Councilmember Grenier said he will be visiting various cities to discuss his book and
38 that he is very proud of what is going on in Tavares and that as he goes out to speak,
39 he finds that people are very interested in hearing about the activities of the city.

40

1 **Councilmember Smith**

2

3 Councilmember Smith thanked the public works staff for starting the road project. He
4 asked the Police and Fire Chiefs to commend their staff as well.

5

6 **Mayor Wolfe**

7

8 No report.

9

10 **Adjournment**

11

12 There was no further business and the meeting was adjourned at 6:57 p.m.

13

14 Respectfully submitted,

15

16

17

18 _____
19 Nancy A, Barnett, C.M.C.

City Clerk