

**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JANUARY 5, 2011
CITY COUNCIL CHAMBERS**

COUNCILMEMBERS PRESENT

ABSENT

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

Sandy Gamble, Councilmember

STAFF PRESENT

John Drury, City Administrator
Lori Houghton, Finance Director
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. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Tim Green, Liberty Baptist Church, gave the invocation and those present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe noted that Resolution #2010-01 would be heard at 5:05 p.m. as advertised.

Mr. Drury stated that staff wished to defer the approval of the December 1, 2010 City Council Meeting Minutes.

1 **MOTION**

2
3 **Kirby Smith moved for approval of the agenda as amended, seconded by Bob Grenier. The motion**
4 **carried unanimously 4-0.**

5
6 **IV. APPROVAL OF MINUTES – October 27, 2010, November 17, 2010, December 15, 2010**

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8 **MOTION**

9
10 **Bob Grenier moved for the approval of the minutes of October 27, 2010; November 17, 2010; and**
11 **December 15, 2010 as submitted, seconded by Kirby Smith. The motion carried unanimously 4-0.**

12
13 **V. PROCLAMATIONS/PRESENTATIONS**

14
15 **Tab 2) Medication Disposal Program**

16
17 Mr. Hayes presented a proposed medication disposal program that will be operated in conjunction with
18 the Police Department. It will provide an opportunity for residents to dispose of unused medications in a
19 secure environment to lessen the impact on the water system.

20
21 **MOTION**

22
23 **Bob Grenier moved to approve the partnership with the Police Department and the disposal**
24 **program, seconded by Kirby Smith. The motion carried unanimously 4-0.**

25
26 **VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

27
28 Attorney Williams stated there were no quasi-judicial matters on the agenda.

29
30 **VII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

31
32 Ms. Barnett read the resolutions by title only:

33
34 **RESOLUTION NO. 2011-01**

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

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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.

VIII) CONSENT AGENDA

None

IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING

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

Ms. Houghton presented the following report:

This is a request 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.

Ms. Houghton noted that staff may come back to council for an interim funding request if the state approves the loan before the funding is available.

Councilmember Smith asked if this project would impact the utility rates.

Mr. Shannon of Malcolm Pirnie stated that this phase is covered under the current rate study but that staff will be bringing a report back to Council in February regarding projections for the remainder of the phases.

Mayor Wolfe asked if the audience had comments.

MOTION

Bob Grenier moved to approve Resolution #2011-02, seconded by Kirby Smith. The motion carried unanimously 4-0.

1 **X. GENERAL GOVERNMENT**

2
3 **Tab 5) Tavares Pavilion on the Lake Horizon Project Update**

4
5 Mr. Drury explained that the Horizon Team had recently appeared before the Tourist Development
6 Council to make application for funding. The TDC has stated that it wants a formal application process to
7 be developed which will take about two months. The City will make the formal application once it
8 receives information on this process.

9
10 Councilmember Pfister requested Ms. Rogers to explain the issue of phasing that the team had discussed.
11 Ms. Rogers explained that the pavilion exterior and platform may be designed first, with the interior at a
12 later time, depending on the amount of funding that can be obtained.

13
14 **Tab 6) Construction Manager at Risk for Tavares Pavilion on the Lake**

15
16 Ms. Rogers discussed the details and discussion was held regarding the construction management at risk
17 applicant for the pavilion. She stated that the committee was recommending Emmet Sapp Builder because
18 of his extensive experience in construction management at risk projects and his local contacts which the
19 committee felt was significant.

20
21 Councilmember Smith said he was impressed with the level of detail evaluated by the committee and the
22 research done by Councilmember Pfister.

23
24 **MOTION**

25
26 **Kirby Smith moved to approve Emmett Sapp Builder to be the construction manager at risk for the**
27 **Tavares Pavilion on the Lake project, seconded by Bob Grenier. The motion carried unanimously**
28 **4-0.**

29
30 **Tab 7) Tavares Bottled Water Business Plan**

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32 Mr. Hayes stated that upon approval of the selection of the bottled water firm at the December 1, 2010
33 CC Meeting, staff was requested to bring back to council a Business Plan or policy for distribution of the
34 bottled water. He noted that the business plan had been submitted to Council with the agenda packet.

35
36 Councilmember Smith asked for confirmation that if the water is not found to be profitable after the first
37 order a further order will not be done. Mr. Hayes confirmed.

38
39 Mayor Wolfe asked if there were comments from the audience.

40
41 **MOTION**

42
43 **Bob Grenier moved to approve the business plan as presented by staff, seconded by Kirby Smith.**
44 **The motion carried unanimously 4-0.**

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Tab 7) Mutual Appointment to Fire Pension Board

Mayor Wolfe stated this was a request to approve the appointment of Richard Keith to the mutual appointment on the Fire Pension Board for 2010-2014, and to confirm the terms of the Council appointments to this Board as follows: Charlotte Hope – 2010-2012; and Denise Laratta – 2010-2014.

MOTION

Kirby Smith moved to approve the Mayor’s appointments to the Fire Pension Board and terms of the existing members, seconded by Bob Grenier. The motion carried unanimously 4-0.

XI. OLD BUSINESS

None

XII. NEW BUSINESS

None.

XIII. AUDIENCE TO BE HEARD

None

XV. REPORTS

Tab 19) City Administrator

Mr. Drury noted he had provided information on upcoming events and meetings in the packet.

Public Communications Director

Ms. Ross discussed the upcoming events noting a press release had gone out regarding upcoming events.

Community Development Director

Mr. Skutt announced that DCA has found the City’s Evaluation and Appraisal Report to be sufficient and that staff will now move forward on addressing the EAR based amendments.

Tab 20) City Council

Councilmember Pfister

1 Councilmember Pfister said she noticed the Harvest Moon event was not listed on the press release. In
2 addition she asked for information on the Seaplane Fly In event.

3
4 Ms. Ross said she had left off the Harvest Moon event because the date had not been confirmed.

5
6 Mr. Neron said the Seaplane Fly In is an event which has been organized with the Seaplane Pilots
7 Association. He said it will be a small event initially and will be a gathering where pilots fly in and have
8 lunch.

9
10 **Vice Mayor Grenier**

11
12 Vice Mayor Grenier noted Councilmember Gamble is absent because his aunt passed away (mother of
13 Councilmember Gamble’s cousin Jerry Miller).

14
15 **Councilmember Smith**

16
17 Councilmember Smith wished everyone a Happy New Year. He said he thought it would be a good idea
18 to have the first council meeting in the pavilion once it is completed.

19
20 **Mayor Wolfe**

21
22 Mayor Wolfe adjourned the meeting at 4:41 p.m. Councilmember Pfister left the meeting at this time.

23
24 The meeting was readjourned at 5:05 p.m. for the Public Hearing on the TEFRA Resolution.

25
26 **Resolution #2010-02 – TEFRA Hearing for Osprey Lodge 5:05 p.m.**

27
28 Mr. Neron explained that Florida Statutes allow county and city governments to serve as a conduit for tax
29 exempt financing for certain economic development projects. He said this hearing is for consideration of
30 providing access to Osprey Lodge for conduit financing of up to 26 million. He said the City Attorney has
31 stated that when the city serves as a vehicle for the conduit financing there is no obligation or liability for
32 the city of any sort to repay the debt or anything related to the project. He said Osprey Lodge will cover
33 any out of pocket expenses the city will have for bond counsel and the City Attorney to promote this
34 economic development project.

35
36 Tom Hofmeister, representative and part-owner of Osprey Lodge stood to address Council. He noted that
37 his partner Dave Croson was also present. Mr. Hofmeister noted the project started about two and half
38 years ago. He said he has been studying and interviewing health professionals in the adult care industry
39 since that time. He discussed the phases planned for the facility: Assisted Living - Phase 1 – five story
40 building that will include a Memory Care Unit for Alzheimer’s patients) and Phase 2 Independent Living
41 (apartment living that graduates into assistance). Mr. Hofmeister described the various programs being
42 planned such as Internet Café, private space to work on computers, beauty salon, multi-purposes areas for
43 crafts and community interaction. Mr. Hofmeister expressed appreciation to the City for its willingness to
44 open up the bond environment to finance the first phase.

1
2 Councilmember Smith asked Mr. Hofmeister how many jobs were anticipated to be created during the
3 construction phase and then once it begins operations. Mr. Hofmeister responded that the first phase of
4 construction will employ 50 to 100 people daily on average during a five week work and should take
5 about 14 months to complete. He said there should be a staff of about 50 people during the first phase of
6 operations. Councilmember Smith asked for confirmation that only phase 1 was a five story building for
7 the Alzheimer’s facility. Mr. Hofmeister confirmed.

8
9 Mayor Wolfe asked if the audience wished to comment.

10
11 Council expressed their consensus and support for the project. Councilmember Smith noted he had
12 discussed his questions extensively with Mr. Drury and Mr. Neron and was satisfied with the information
13 he had received about the project.

14
15 **MOTION**

16
17 **Kirby Smith moved for approval of Resolution #2011-01, seconded by Bob Grenier. The motion**
18 **carried unanimously 3-0 as follows:**

19
20 **Robert Wolfe Yes**
21 **Bob Grenier Yes**
22 **Kirby Smith Yes**
23 **Sandy Gamble Absent**
24 **Lori Pfister Absent**

25
26 **Adjournment**

27
28 There was no further business and the meeting was adjourned at 5:19 p.m.

29
30 Respectfully submitted,

31
32
33
34 _____
35 Nancy A. Barnett, C.M.C.
36 City Clerk