



**AGENDA  
TAVARES CITY COUNCIL**

**April 6, 2011  
4:00 P.M.**

**TAVARES CITY HALL COUNCIL CHAMBERS**

**I. CALL TO ORDER**

**II. INVOCATION & PLEDGE OF ALLEGIANCE**

Pastor Doug Dykstra, Mid-Lakes Christian 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) City Council Regular Meeting March 16, 2011

Mayor Wolfe

**V. PROCLAMATIONS/PRESENTATIONS**

Tab 2) National Public Works Week 2011

Mayor Wolfe

Tab 3) Childhood Cancer Awareness Week April 17-23

Mayor Wolfe

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

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

Nancy Barnett

**VIII. CONSENT AGENDA**

None

**IX. ORDINANCES**

FIRST READING

None

SECOND READING

Tab 4) Ordinance #2011-01 – Amendment to Land Development Regulations – Building Regulations – Adoption of International Property Maintenance Code – Second Reading Jacques Skutt

Tab 5) Ordinance #2011-04 – Amendment to Land Development Regulations to Include Docking and Housing of Seaplanes as Accessory Use – Second Reading Jacques Skutt

X. RESOLUTIONS

Tab 6) Resolution #2011-06 –Special Use Permit for School on Woodlea Property (20 Acres) Jacques Skutt

Tab 7) Resolution #2011-07 – Release of Mineral Rights to Woodlea Property – Land Swap with School Board Jacques Skutt

XI. GENERAL GOVERNMENT

Tab 8) Request to Name Retention Pond Nancy Barnett

XII. OLD BUSINESS

XIII NEW BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. 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.

## The Language of Local Government

### Definition of Terms

**agenda** – A list of items to be brought up at a meeting.

**annexation** – The process by which a municipality, upon meeting certain requirements, expands its incorporated limits.

**bid** – Formal quotation, based on common specifications, for the provision of goods or services. Opened at public for meeting consideration and award.

**budget** – A comprehensive financial plan to sustain municipal operations during a given year with related explanation

**buffer** – A strip of land, vegetation and/or opaque wall that sufficiently minimizes the physical or visual intrusion generated by an existing or future use.

**call for the question** – Term used to end the discussion and vote on the motion.

**capital outlay** – Expenditures made to acquire fixed assets or additions to them usually made from the general fund or utility fund where the assets are to be used.

**conflict of interest** – A term used in connection with a public official's relationship to matters of private interest or personal gain and which prohibits participation in the discussion under decision.

**consent agenda** – A policy of the governing body to approve, in one motion, routine and/or non-controversial items, which can be determined prior to the meeting

**contiguous** – Sharing a common boundary.

**contingency** – An appropriation of funds to handle unexpected events and emergencies which occur during the course of the fiscal year.

**DCA** – Department of Community Affairs

**density** – The number of families, individuals, dwellings units, or housing structures per unit of land.

**development** – A physical change, exclusive of new construction and substantial improvement, to improved or unimproved real estate, including, but not limited to mining, dredging, filling, grading, paving, excavating or drilling operations.

**easement** – An interest in land owned by another that entitles its holder to a specific limited use or enjoyment

**emergency measure** – An ordinance recognized by the legislative body as requiring immediate passage.

**FDOT** – Florida Department of Transportation

**general fund** – The general operating fund of the municipality used to account for all financial resources except those required to be accounted for in a special fund.

**impact fees** – Set aside fees collected from developers to pay for infrastructure improvements. Monies used as new development further impacts the municipalities.

**infrastructure** – The facilities and systems shared or used by all citizens such as transportation, water supply, wastewater and solid waste disposal systems.

**intergovernmental agreements** – Contract between two or more public agencies for the joint exercise of powers common to the agencies.

**intergovernmental revenues** – Revenues shared or used by all citizens in the form of grants, entitlements, shared revenues, or payments in lieu of taxes.

**line item** – A specific item or group of similar items defined by detail in a unique account in the financial records. Revenue, expenditure and justifications are reviewed, anticipated and appropriated at this level.

**non-conforming** – A use which does not comply with present

zoning conditions but which existed lawfully and was created in good faith prior to the enactment of the zoning provisions.

**ordinance** – An enforceable municipal law, statute or regulation which applies to all citizens within that municipality; penalty provisions may apply.

**public hearing** – Provides citizens the opportunity to express their position on a specific issue, both pro and con, as mandated by either statute or by order of proper authority after due notice.

**PUD** – Planned Unit Development

**quasi-judicial** – A governmental body that hears sworn testimony, obtains evidence and provides for cross examination of witnesses, with the decision based solely on the evidence presented.

**quorum** – The prescribed number of members of any body that must be present to legally transact business.

**request for proposals** – RFP – Notice and related information from a municipality requesting proposals for professional services.

**resolution** – A decision, opinion, policy or directive of a municipality expressed in a formally drafted document and voted upon.

**right-of-way** – Strip of land owned by a government agency over which the public has right of passage such as streets, parkways, medians, side walks, easements and driveways constructed thereon.

**Sunshine Law** – Legislation providing that all meetings of public bodies shall be open to the public (a/k/a open public meeting law).

**vacate** – To annul; to set aside; to cancel or rescind.

**variance** – Modification from the provisions of a zoning ordinance granted by a legislative body upon submission of an application and a hearing.

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CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
MARCH 16, 2011  
CITY COUNCIL CHAMBERS

COUNCILMEMBERS PRESENT

ABSENT

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

STAFF PRESENT

John Drury, City Administrator  
Lori Houghton, Finance Director  
Bob Williams, City Attorney  
Nancy Barnett, City Clerk  
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  
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

Ms. Bernice Odums, St. Johns Free Methodist Church, gave the invocation and those present recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

MOTION

Bob Grenier moved to approve the agenda, seconded by Kirby Smith.

The motion carried unanimously 5-0.

IV. APPROVAL OF MINUTES – March 2, 2011

MOTION

1  
2 **Sandy Gamble moved for the approval of the minutes of March 2, 2011 as submitted,**  
3 **seconded by Bob Grenier. The motion carried unanimously 5-0.**  
4

5 **V. PROCLAMATIONS/PRESENTATIONS**  
6

7 **Tab 2) Budget Priorities of State Chief Financial Officer**  
8

9 Randell Brown stated he was Outreach Coordinator in central Florida for the Florida Department  
10 of Financial Services and Chief Financial Officer, Jeff Atwater. Mr. Brown explained the  
11 responsibilities of Mr. Atwater. He noted his priorities for the upcoming term are fighting financial  
12 fraud, abuse and waste in government, reducing government spending and regulatory burdens,  
13 and ensuring transparency and accountability in spending. He discussed Personal Injury  
14 Protection fraud and its costs to the citizens. He noted the web address for the Department as  
15 [www.myfloridacfo.com](http://www.myfloridacfo.com) and the help line number of 1-877-693-5236. He also offered his services  
16 for an educational forum. He left a flyer on a Scams Against Seniors seminar at UCF on March 24  
17 from 1-2:30 pm.  
18

19 Mr. Drury commented that on Unclaimed Properties, it is usually not the steps, but the costs  
20 associated with the steps, which may discourage people from applying.  
21

22 **Tab 3) Water Conservation Month – 2011**  
23

24 Mayor Wolfe read a proclamation designating the month of April as Water Conservation Month.  
25

26 **Tab 4) Surveyor's Week – March 20-26, 2011**  
27

28 Mayor Wolfe read a proclamation designating March 20-26, 2011 as Surveyor's and Mappers  
29 Week. Mayor Wolfe noted Danny Williams, President of the Central Florida Chapter of Surveyors  
30 was in attendance. Mr. Williams thanked the City for the proclamation and accepted on behalf of  
31 his organization.  
32

33 **VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**  
34

35 Attorney Williams stated there were no quasi-judicial matters on the agenda.  
36

37 **VII) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**  
38

39 Ms. Barnett read the following ordinances by title only:  
40

41 **ORDINANCE 2011-01**  
42

43 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; AMENDING THE**  
44 **LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 22,**  
45 **BUILDINGS AND BUILDING REGULATIONS, BY REPEALING IN ITS**  
46 **ENTIRETY, SECTION 22-4, STANDARD HOUSING CODE AND REPLACING IT**  
47 **WITH SECTION 22-4, PROPERTY MAINTENANCE CODE; THUS ADOPTING**

1 THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE TO  
2 REGULATE AND GOVERN THE CONDITIONS AND MAINTENANCE OF ALL  
3 PROPERTIES, BUILDINGS AND STRUCTURES IN THE CITY OF TAVARES;  
4 PROVIDING FOR SEVERABILITY AND CONFLICTS; SUBJECT TO THE  
5 RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF  
6 TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

7  
8 ORDINANCE 2011-04

9  
10 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE  
11 LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 8,  
12 SECTION-11(D)(1), PERMITTED ACCESSORY USES AND STRUCTURES IN  
13 RESIDENTIAL DISTRICTS, BY AMENDING CLAUSE (g ) TO SPECIFICALLY  
14 ALLOW PRIVATE DOCKS, HOUSING AND LANDING OF SEAPLANES  
15 PROVIDED THAT SUCH STRUCTURES COMPLY WITH STATE AND/OR  
16 FEDERAL REGULATIONS WHEN APPLICABLE, SUBJECT TO THE RULES,  
17 REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES  
18 COUNCIL; PROVIDING AN EFFECTIVE DATE.

19  
20 VIII) CONSENT AGENDA

21 None

22  
23  
24 IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING

25  
26 Tab 5) Ordinance #2011-01 – Read for First Reading only.

27  
28 Tab 6) Ordinance #2011-04 – Read for First Reading only.

29  
30 X. GENERAL GOVERNMENT

31  
32 Tab 7) Discussion on Impact Fee Credits for Construction Exceeding Florida Building  
33 Code Requirements

34  
35 Mr. Skutt reported that in December of 2010, City Council approved, as a city-wide economic  
36 incentive, an ordinance that extended the waiver of all city impact fees until December 31, 2011.  
37 During the discussion of this ordinance it was pointed out that Florida Building Codes already  
38 mandate that building be energy efficient. It is assumed that any green impact fee program that  
39 Council would consider would have to be for construction over and above the energy saving  
40 regulations that are already part of the Florida Building Code.

41  
42 Staff has met with Council Member Lori Pfister, Council liaison for the Green Initiatives Horizon  
43 Project. Examples of how green and innovative construction methods and design could result in  
44 lowering the impacts on required City Services were discussed. He noted that a preliminary list of  
45 examples for which other cities (mainly in California) have given credit were provided in the  
46 summary. Staff is seeking direction on whether or not to work on developing a plan based on this  
47 concept. The plan will require staff time from all departments. Impacts and credits will have to

1 calculated and justified so that there would ultimately be no fiscal impact on the city. Mr. Skutt  
2 stated he felt it was a sound and responsible approach and that staff could develop a plan by the  
3 end of the year if given direction by Council.

4  
5 Councilmember Pfister said she was very pleased that Mr. Skutt had brought this  
6 recommendation forward.

7  
8 Mr. Drury noted staff wants to determine Council's interest before investing time in preparing the  
9 program. He said it is the intention that once the impact fee waiver program ends in December,  
10 that the green initiatives program to go above and beyond the building codes, would provide  
11 impact fee credit. He said it will need to be crafted to be measurable and clear and will take some  
12 time to develop.

13  
14 Vice Mayor Grenier stated he would be interested in having a component regarding historic  
15 renovations as historically renovated buildings take fewer resources.

16  
17 Mayor Wolfe stated he was in favor of the water and sewer impact fee provisions but less in favor  
18 of impacting police and fire fees. Councilmember Gamble concurred.

19  
20 Mayor Wolfe asked for audience comment.

21  
22 **MOTION**

23  
24 **Lori Pfister moved to instruct staff to develop a program to implement the concept of**  
25 **providing impact fee credits in recognition of the savings related to extraordinary green**  
26 **and innovative construction and design that is above code requirements, seconded by**  
27 **Sandy Gamble. The motion carried unanimously 5-0.**

28  
29 **Tab 8) Approval of Agreement with USDA for Engineers Joint Contract Document**  
30 **Committee for Stormwater Grant**

31  
32 Mr. Hayes reported this was a request to approve the Engineers Joint Contract Document  
33 between the City, the USDA, and Malcolm Pirnie in the amount of \$817,000. He stated this  
34 document is part of the application process for a potential \$9,470,799 grant/loan for the  
35 stormwater infrastructure system upgrades in the CRA section of Tavares. He noted this is the  
36 same process that the City went through to appropriate the funding for the water and wastewater  
37 system improvements in the downtown CRA. This is a contract with Malcolm Pirnie to do the  
38 engineering for the project however the contract is contingent upon three conditions: 1) the  
39 acceptable review by the USDA; 2) the city receiving the funding from the USDA; and 3) City  
40 Council accepting the grant/loan offer from the USDA for this project. Based on those three  
41 concepts the city will not do any work nor will Malcolm Pirnie do any work until the city issues  
42 Malcolm Pirnie Notice to Proceed. The cost of the project may be funded nearly 50% by a grant  
43 with half to be funded by a low interest loan to be paid for over a 40 year period minimizing the  
44 cost impact to the City. Staff recommendation is to move to approve the contract to initiate the  
45 application process.

46

1 Mr. Drury noted the city's goal is to lower the TMDL's that pollutes the lake. In order to do that the  
2 city needs to update its entire stormwater system in the CRA. If the city is successful in obtaining  
3 the grant/loan, the information will come back to Council to make a final decision. In addition to  
4 lowering the TMDL's the city will be putting back streets and sidewalks in the downtown to meet  
5 current standards.

6  
7 Councilmember Smith questioned whether this would raise the stormwater fee to the residents.  
8 Mr. Hayes responded that staff did not know the answer until the grant amount is known from the  
9 USDA. Mr. Drury explained that this would depend on the cost of the loan.

10  
11 Councilmember Smith asked for more information on the meaning of design/built phases and  
12 administrative phases. Mr. Shannon reviewed the details.

13  
14 Councilmember Smith asked Mr. Williams to comment on details in the contract related to the  
15 engineer's responsibilities in the contract. Mr. Shannon responded that the contract is based on a  
16 standard engineering contract throughout the industry. He explained that the engineer cannot  
17 direct the contractor on how to do their work. Councilmember Smith questioned the contract  
18 amount in lieu of some of the wording in the contract.

19  
20 Attorney Williams noted this is a standard industry contract. He discussed the issue of  
21 professional liability insurance, the performance bond, and the role of the engineer.

22  
23 Mayor Wolfe asked if the audience had comments.

24  
25 Norman Hope

26  
27 Mr. Hope said he understood that the purpose of this item was to proceed with the steps to go to  
28 USDA to see what the City can receive [in funding] and according to the document, this is  
29 contingent upon other issues; i.e. if the contract is flawed, USDA will not approve it. He noted if  
30 Council votes against the contract it will be the end of the project. He encouraged Council to take  
31 this step noting it will have three places of review before it goes into effect.

32  
33 Mr. Drury agreed but stated he was hearing from Councilmember Smith that he was questioning  
34 if staff had negotiated a price which was in the best interest of the city. He discussed the process  
35 of staff review.

36  
37 Councilmember Gamble noted there is no fiscal impact until it is approved by USDA. He asked if  
38 the application fails what would be the responsibility of the city. Mr. Shannon said the contract  
39 would be null and void.

40  
41 Councilmember Smith said he is not debating the need for the project; he is questioning the  
42 amount of the contract. Mr. Shannon responded that about half of the work is being set aside for  
43 others. He noted a significant portion will be set aside for the stormwater contractor and the  
44 surveying contractor. He noted that overall the grant money that has come into the city far  
45 exceeds the invoices that have come to the city.

46  
47 MOTION

1  
2 **Lori Pfister moved to approve the contract document (EJCDC) between the USDA,**  
3 **Tavares, and Malcolm Pirnie to complete the application process, seconded by Bob**  
4 **Grenier. The motion carried 4-1 as follows:**

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

11  
12 **Tab 9) Legal Services Agreement with City Attorney and Bond Counsel for USDA**  
13 **Stormwater Grant Application**

14  
15 Ms. Houghton advised that the agreement is similar to the previous document. She said it is the  
16 legal services agreement on the USDA required format for the city's legal counsel and bond  
17 counsel who will need to review all documents and prepare any resolutions for any debt that may  
18 be required to accept the grant or any loan. The amount is \$25,000 for legal counsel and \$25,000  
19 for legal bond counsel.

20  
21 Mayor Wolfe asked if there was comment from the audience.

22  
23 **MOTION**

24  
25 **Kirby Smith moved to approve and ratify the USDA-RD RUS Bulletin 1780-7 for legal**  
26 **services, seconded by Bob Grenier. The motion carried unanimously 5-0.**

27  
28 **Tab 10) Request to Construct Dumpster Enclosure at Wooton Park**

29  
30 Mayor Wolfe declared a conflict of interest in this matter as he would probably be doing some  
31 work for the contractor in this project.

32  
33 Mayor Wolfe passed the gavel to Vice Mayor Grenier.

34  
35 Mr. Thompson explained that this was a request to enter into a contract with D.E.O. Construction  
36 to replace and relocate the existing dumpster enclosure located on Ruby Street and St. Clair  
37 Abrams. He stated that several years ago when Ruby Street Grill started up they needed a  
38 dumpster and it was determined to put it into a parking space along Ruby Street and St. Clair  
39 Abrams to accommodate the new businesses and other new businesses. A temporary dumpster  
40 enclosure was constructed. He noted the dumpster is problematic and an eyesore. He said the  
41 present enclosure has to be manually pushed into the street because it is situated under power  
42 lines. He said the new enclosure could hold a larger dumpster and have better access for the  
43 trucks. He said quotes were obtained from six companies and D.E.O. was the lowest price at  
44 \$11,869.00. The fiscal impact would be from sanitation reserves.

45  
46 Councilmember Pfister said council had only received information from D.E.O. and asked if every  
47 other quote was comparable. Mr. Thompson confirmed they were comparable with some minor



1 Mayor Wolfe explained that the various sources that have indicated support for an \$8,000  
2 fireworks show and added that Congressman Webster, Senator Hayes, and former Senator  
3 Carey Baker are also expected to attend.

4  
5 Discussion followed with Council indicating their appreciation for the Mayor's efforts to secure  
6 funding.

7  
8 **MOTION**

9  
10 **Kirby Smith moved to enter into an agreement with Pyrotechnics for a sum of \$8,000 for**  
11 **the fireworks display funded by donations confirmed by Mayor Wolfe, seconded by Sandy**  
12 **Gamble.**

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

15  
16 **XI. OLD BUSINESS**

17  
18 None

19  
20 **XII. NEW BUSINESS**

21  
22 None.

23  
24 **XIII. AUDIENCE TO BE HEARD**

25  
26 Mayor Wolfe invited public comment.

27  
28 **XV. REPORTS**

29  
30 **Tab 12) City Administrator**

31  
32 Mr. Drury stated he had provided a list of meetings and events. He reminded Council of the  
33 Golden Triangle Summit Meeting next Wednesday March 23rd at 4:00 p.m. in Tavares.

34  
35 **Attorney Williams**

36  
37 None

38  
39 **Finance Director**

40  
41 None

42  
43 **Fire Chief**

44  
45 Chief Keith gave an update on the recent second meeting held between the cities and the County  
46 on fire services. He said that Commissioner Caldwell had directed the meeting. The first issue  
47 that Commissioner Cadwell brought up was hiring a consultant to do a study and the second item

1 was how to pay for the study. He said that the feedback from the cities was that they did not need  
2 a study. He said the meeting was adjourned after a short time. He said that Commissioner Parks  
3 congratulated Eustis, Tavares, and Mt. Dora for the work that has been done on a joint service.  
4

5 **Chief Lubins**

6  
7 Chief Lubins stated that the Police and Fire Department will be holding a spaghetti dinner on May  
8 1<sup>st</sup> at 3:00 to support Corporal Paula Crow. He said the Police Officers will serve the food and the  
9 Fire Fighters will cook the food. He stated that Ms. Crow and her family deeply appreciate  
10 everyone's efforts.  
11

12 **Communications Director**

13  
14 None  
15

16 **City Clerk**

17  
18 None  
19

20 **Utility Director**

21  
22 None.  
23

24 **Tab 14) City Council**

25  
26 **Councilmember Pfister**

27  
28 Councilmember Pfister congratulated Mr. Thompson on his official appointment as Public Works  
29 Director.  
30

31 **Councilmember Gamble**

32  
33 Councilmember Gamble expressed congratulations to Mr. Thompson.  
34

35 Councilmember Gamble stated opening day for Babe Ruth went well. He said he would like to  
36 see the city obtain donations for the 4<sup>th</sup> of July fireworks.  
37

38 Councilmember Gamble recognized employee Jimmy Blunt for assisting a resident who fell near  
39 the parking garage.  
40

41 **Vice Mayor Grenier**

42  
43 Vice Mayor Grenier commented on the opening day activities of Babe Ruth and that he had  
44 enjoyed coaching with Councilmember Gamble.  
45

46 **Councilmember Smith**

47

- 1 • Stated that Mr. Aldrich did a fantastic job at the opening day for Babe Ruth and the parks  
2 staff had done an excellent job preparing the fields.  
3
- 4 • Noted that a guest book had been given to Council of the people who come into the Prop  
5 Shop. He noted that a 10 year old had visited from Melbourne for a seaplane ride on his  
6 birthday which meant he had brought his family to visit as well. He commented that he  
7 had found a handout on Tavares' events at his place of work and expressed appreciation  
8 to Ms. Ross.  
9
- 10 • Expressed appreciation to Flossie DeGrave for providing excellent customer service in the  
11 Building Department  
12
- 13 • Expressed congratulations to Mr. Thompson  
14
- 15 • Noted the Bassmaster Elite was a phenomenal success  
16

17 Mr. Drury commented that Ms. Rogers was at a meeting regarding the Pier and Pavilion project  
18 and Mr. Neron was at Lake Receptions manning a booth for the Tri City Business Expo today.  
19

20 **Mayor Wolfe**

- 21 • Expressed congratulations to Mr. Thompson for his appointment
- 22 • Noted the duck race went well and the Bassmaster Elite Series had thousands of people  
23 in the park which meant more people are visiting the city and using the park  
24

25  
26 **Adjournment**

27  
28 There was no further business and the meeting was adjourned by the Mayor at 5:42 p.m.  
29

30 Respectfully submitted,  
31

32   
33 \_\_\_\_\_  
34 Nancy A. Barnett, C.M.C.  
35 City Clerk

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: April 6, 2011**

**AGENDA TAB NO. 2**

**SUBJECT TITLE: Proclamation for Public Works Week**

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**OBJECTIVE:**

The Mayor will read a proclamation designating May 15-21, 2011 as Public Works Week.

**SUMMARY:**

The Florida Chapter of the National Public Works Association has requested a proclamation in support of Public Works Week.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

N/A



***PROCLAMATION***

***WHEREAS***, public works services provided in our community are an integral part of our citizens' everyday lives; and

***WHEREAS***, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as water, sewers, streets and highways, public buildings, solid waste collection, parks and canal maintenance; and

***WHEREAS***, the health, safety, and comfort of this community greatly depends on these facilities and services; and

***WHEREAS***, the quality and effectiveness of these facilities, as well as their planning, design, and construction, is vitally dependent upon the efforts and skill of public works officials; and

***WHEREAS***, the efficiency of the qualified and dedicated personnel, who staff public works departments, is materially influenced by the people's attitude and understanding of the importance of the work they perform.

***WHEREAS***, this year's theme, "Serving you and your community" speaks to the all-pervasive effort of public works professionals and their projects, while bringing quality of life contributions and the necessities of our communities to the citizens of the world.

***NOW, THEREFORE***, the City Council of the City of Tavares, Florida does hereby proclaim the week of May 15<sup>th</sup> through May 21<sup>st</sup>, 2011 as

***NATIONAL PUBLIC WORKS WEEK***

and calls upon all citizens and civic organizations to acquaint themselves with the issues involved in providing our public works and to recognize the contributions which public works officials make every day to our health, safety, comfort, and quality of life.

***PASSED AND DULY ADOPTED*** in regular session this 6<sup>th</sup> day of April, 2011

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Mayor Robert Wolfe  
City of Tavares

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: April 6, 2011**

**AGENDA TAB NO. 3**

**SUBJECT TITLE: Proclamation for Childhood Cancer Awareness Week**

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**OBJECTIVE:**

The Mayor will read a proclamation designating April 17 – 23, 2011 as Childhood Cancer Awareness Week

**SUMMARY:**

The American Cancer Fund for Children has requested a proclamation from the City recognizing Childhood Cancer Awareness Week and has noted the work of such Florida hospitals as Arnold Palmer Hospital and Florida Hospital for Children.

**OPTIONS:**

N/A

**STAFF RECOMMENDATION:**

N/A

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

N/A



## PROCLAMATION

**WHEREAS**, the American Cancer Fund for Children and Kids Cancer Connection, report cancer is the leading cause of death by disease among children in the United States; and

**WHEREAS**, the American Cancer Fund for Children, Inc. and sister organization, Kids Cancer Connections, Inc. are dedicated to helping these children and their families; and

**WHEREAS**, the American Cancer Fund for children and Kids Cancer connection provide a variety of vital patient psychosocial services to children undergoing cancer treatment at the Florida Hospital for Children and Arnold Palmer Hospital for Children as well as participating hospitals throughout the country, thereby enhancing the quality of life for these children and their families; and

**WHEREAS**, the American Cancer Fund for Children and Kids Cancer connection sponsor courageous kid recognition award ceremonies and hospital celebrations, including the Magical Caps for Kids program, in honor of a child's determination and bravery to fight the battle against child cancer.

**NOW, THEREFORE, BE IT RESOLVED** that in conjunction with Childhood Cancer Awareness Week, the City of Tavares does proclaim the week of April 17-23, 2011, as

### CHILDHOOD CANCER AWARENESS WEEK

and, recognizes the many contributions and the dedication of the American Cancer Fund for Children, Kids Cancer Connection, Florida Hospital for Children, and Arnold Palmer Hospital for Children, for their vital services to children undergoing cancer treatment.

**PASSED AND DULY ADOPTED** on this 6th day of April, 2011

---

Mayor Robert Wolfe  
City of Tavares

**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
APRIL 6, 2011**

**AGENDA TAB NO. 4**

**SECOND READING**

**SUBJECT TITLE: Ordinance 2011-01  
Amendment to City's Land Development Regulations  
Adoption of the International Property Maintenance Code**

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**OBJECTIVE:**

To consider text amendments to the City's Land Development Regulations that would adopt the 2009 International Property Maintenance Code as the property maintenance standard for the City of Tavares.

**SUMMARY:**

On May 5, 2002, the City of Tavares adopted the 1997 edition of the Standard Housing Code, published by the Southern Building Code Congress International, Inc., as the governing law for minimum housing standards in Tavares. Since that date, the Southern Building Code Congress International, or SBCCI, has been incorporated into the International Code Council or ICC, for the purpose of developing a single set of coordinated national model building codes. Florida has adopted the ICC codes as the state's building code.

The Standard Housing Code, adopted in our Land Development Regulations, is no longer in print or readily available and in fact, the city does not have a copy of this code to refer to for enforcement. Although not mandatory, many local governments that enforce property standards have adopted ICC's Property Maintenance Code thus insuring coordination with state building codes.

The proposed ordinance repeals the adoption of the old Standard Housing Code and adopts in replacement the 2009 International Property Maintenance Code with the following exceptions:

1. The administration and enforcement procedures for property standards will continue in the same manner as specified in our Code of Ordinances.
2. The City's Building Official or Fire Marshall shall enforce emergency measures needed to safeguard life against situations such as building collapse and the presence of explosive fumes or gases.
3. The section governing weeds in the ICC code is not adopted since it conflicts with our City's present regulations governing accumulation and excessive growth. It is staff's opinion that these present standards are adequate.

**OPTIONS:**

1. That City Council moves to adopt Ordinance 2011-01, adopting the International Property Maintenance Code as the city's minimum property standard.
2. That City Council does not adopt the International Property Maintenance Code.

**STAFF RECOMMENDATION:**

Staff recommends that City Council moves to approve Ordinance 2011-01, adopting the International Property Maintenance Code as the city's minimum property standard.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

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**ORDINANCE 2011-01**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA; AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 22, BUILDINGS AND BUILDING REGULATIONS, BY REPEALING IN ITS ENTIRETY, SECTION 22-4, STANDARD HOUSING CODE AND REPLACING IT WITH SECTION 22-4, PROPERTY MAINTENANCE CODE; THUS ADOPTING THE 2009 INTERNATIONAL PROPERTY MAINTENANCE CODE TO REGULATE AND GOVERN THE CONDITIONS AND MAINTENANCE OF ALL PROPERTIES, BUILDINGS AND STRUCTURES IN THE CITY OF TAVARES; PROVIDING FOR SEVERABILITY AND CONFLICTS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on May 5, 2002, the City of Tavares adopted the 1997 edition of the Standard Housing Code, published by the Southern Building Code Congress International, Inc., as the governing law for minimum housing standards in Tavares, and

**WHEREAS**, the Southern Building Code Congress International, or SBCCI, has been incorporated into the International Code Council or ICC, for the purpose of developing a single set of coordinated national model building codes, and

**WHEREAS**, the 1997 edition of the Standard Housing Code, which is no longer in print or readily available, has been replaced and updated by ICC's International Property Maintenance Code, and

**WHEREAS**, the ICC Codes have become the model building codes adopted throughout the country including Florida, and

**WHEREAS**, the City of Tavares has determined that adopting the International Property Maintenance Code as the property maintenance standard for the city is appropriate and in accordance with protecting the health, safety and welfare of the community; therefore;

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

1 **Section 1. Text Amendments**

2 That the City of Tavares Land Development Regulations Section 22-4, Standard  
3 Housing Code, is hereby repealed in its entirety and replaced with Section 22-4, Property  
4 Maintenance Code as set forth in Exhibit "A", attached hereto as part of this ordinance.

5  
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7 **Section 2. Severability and Conflicts**

8  
9 The provisions of this ordinance are severable and it is the intention of the City Council of  
10 Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of  
11 competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the  
12 decision of such court shall not impair any remaining provisions of this ordinance.

13

14 **Section 3. Effective Date**

15 This Ordinance shall take effect immediately upon its final adoption by the Tavares City  
16 Council.

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18 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2011 by the City Council of the  
19 City of Tavares, Florida.

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\_\_\_\_\_  
Robert Wolfe, Mayor  
Tavares City Council

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24 First Reading: \_\_\_\_\_

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26 Second Reading: \_\_\_\_\_

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29 ATTEST:

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Nancy A. Barnett, City Clerk

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35 Approved as to form:

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Robert Q. Williams, City Attorney

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1 EXHIBIT "A"

2  
3 **Section 22-4 Property Maintenance Code**

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5 **A) Adopted**

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7 Subject to the amendments set forth in subsection (B), the 2009 edition of the  
8 International Property Maintenance Code, as published by the International Code  
9 Council, as amended from time to time, is hereby adopted as the property  
10 maintenance standard that governs the condition and maintenance of all  
11 properties, buildings and structures within the City of Tavares.

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13 **B) Exceptions**

14  
15 Chapter 1- Administration

16 The administrative procedures for the enforcement of this code, including, but not  
17 limited to, the issuing of notices of violations, conducting hearings, levying  
18 of fines and liens and the appeal of orders shall be as specified in the Code of  
19 Ordinances of the City of Tavares, Article 111, Division 2, Enforcement of  
20 Municipal Codes.

21  
22  
23 Section 109- Emergency Measures

24 For the purposes of this Section, the Building Official or the Fire Marshall for the  
25 City of Tavares shall be deemed to be the Code Official. The City's Code  
26 Enforcement Officer shall be deemed to be the Code Official for the enforcement  
27 of all other sections of this code.

28  
29 Section 302.4 Weeds

30 Delete entire Section. (Accumulation and Excessive Growth is governed by  
31 Section 12-8 of the City's Land Development Regulations.)  
32

Orlando Sentinel/Lake Sentinel  
Sunday, March 27, 2011 Edition  
Ordinance 2011-01

**Public Hearing  
Notices**

**CITY OF TAVARES**

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2011-01, Second Reading, on April 6, 2011 at 4:00 p.m. Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

**ORDINANCE 2011-01**

**AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 22, BUILDINGS AND BUILDING REGULATIONS, BY REPEALING IN ITS ENTIRETY SECTION 22-4, STANDARD HOUSING CODE AND REPLACING IT WITH SECTION 22-4, PROPERTY MAINTENANCE CODE, THUS ADOPTING THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE TO REGULATE AND GOVERN THE CONDITIONS AND MAINTENANCE OF ALL PROPERTIES, BUILDINGS AND STRUCTURES IN THE CITY OF TAVARES, PROVIDING FOR SEVERABILITY AND CONFLICTS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL, PROVIDING AN EFFECTIVE DATE.**

The Ordinance and a complete copy of the International Property Maintenance Code can be inspected and reviewed by the public at the Office of the City Clerk, at Tavares City Hall, 201 E. Main Street, Tavares, Florida, between the hours of 8 a.m. and 5 p.m. on business days. All interested parties may appear at the meeting and be heard or submit their comments prior to the meeting.

LAK1120702 3/27/2011

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
APRIL 6, 2011**

**AGENDA TAB NO. 5**

**SECOND READING**

**SUBJECT TITLE: Ordinance 2011-04  
Amendment to City's Land Development Regulations  
Seaplane Docks, Landing and Housing**

---

**OBJECTIVE:**

To consider text amendments to the City's Land Development Regulations to specifically permit the docking, landing and housing of seaplanes as an accessory use in our waterfront residential districts.

**SUMMARY:**

On October 21, 2009, the City of Tavares officially became "**America's Seaplane City**". The city has embraced this brand with the construction and operation of the **Tavares Seaplane Base and Marina**. The City actively encourages commercial development related to the Seaplane Industry as well as the private usage of seaplanes for recreational purposes and as an alternate and unique mode of transportation.

A citizen from Tavares has recently asked if our Land Development Regulations would allow private docking, landing and housing for seaplanes as an accessory use in waterfront residential zonings. Although our code does recognize these uses for boats, it does not specifically mention that the same accessory structures and uses are allowed for seaplanes which could put staff in the position of having to make an interpretive decision that could be challenged. Both the inquiring citizen and staff believe that "**America's Seaplane City**" should have provisions in our code that would allow both seaplane and boat related accessory uses.

The proposed amendment to Chapter 8, Section 11(D) (1) (g) of the Land Development Regulations is a simple change that would allow private docks, boathouses and landing places for seaplanes, water vessels and boats provided that such structures maintain the same side yard as that required by the principal structure, and further that such structures comply with State and/or Federal regulations when applicable.

**OPTIONS:**

1. That City Council moves to approve Ordinance 2011-04, specifically allowing private docks, boathouses and landing places for seaplanes, water vessels and boats in residential districts.
1. That City Council denies the proposed amending ordinance.

**STAFF RECOMMENDATION:**

Staff recommends that Council moves to approve Ordinance 2011-04.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

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**ORDINANCE 2011-04**

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 8, SECTION-11(D)(1), PERMITTED ACCESSORY USES AND STRUCTURES IN RESIDENTIAL DISTRICTS, BY AMENDING CLAUSE (g ) TO SPECIFICALLY ALLOW PRIVATE DOCKS, HOUSING AND LANDING OF SEAPLANES PROVIDED THAT SUCH STRUCTURES COMPLY WITH STATE AND/OR FEDERAL REGULATIONS WHEN APPLICABLE, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, on October 21, 2009, the City of Tavares officially became **America's Seaplane City**; and

**WHEREAS**, the City of Tavares has embraced this brand with the construction and operation of the **Tavares Seaplane Base and Marina** in Wooton Park; and

**WHEREAS**, the City of Tavares actively encourages commercial development related to the Seaplane Industry as well as the private usage of seaplanes for recreational purposes and as an alternate and unique mode of transportation; and

**WHEREAS**, the Land Development Regulations presently allows private docks, housing and landings for boats in residential districts but does not specifically allow for the same accessory structures for seaplanes, and

**WHEREAS**, the City of Tavares has determined these changes are appropriate and in the best interest of the community; therefore;

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

**Section 1. Text Amendments**

That the City of Tavares Land Development Regulations be hereby amended as follows:

1 Chapter 8, Section 11(D)(1)(g)

2  
3 (g) Private docks, boathouses and landing places for seaplanes, water vessels and boats are  
4 permitted provided that such structures maintain the same side yard as that required for the  
5 principal structure, and further provided that such structures comply with State and/or Federal  
6 regulations when applicable.

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9 **Section 2. Severability and Conflicts**

10 The provisions of this ordinance are severable and it is the intention of the City Council of  
11 Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of  
12 competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the  
13 decision of such court shall not impair any remaining provisions of this ordinance.  
14

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16 **Section 3. Effective Date**

17 This Ordinance shall take effect immediately upon its final adoption by the Tavares City  
18 Council.

19  
20 **PASSED AND ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2011 by the City Council of the  
21 City of Tavares, Florida.

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23 \_\_\_\_\_  
24 Robert Wolfe, Mayor  
25 Tavares City Council  
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27 First Reading: \_\_\_\_\_

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29 Second Reading: \_\_\_\_\_  
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32 ATTEST:

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34 \_\_\_\_\_  
35 Nancy A. Barnett, City Clerk  
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38 Approved as to form:  
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42 \_\_\_\_\_  
43 Robert Q. Williams, City Attorney

Orlando Sentinel/Lake Sentinel  
Sunday, March 27, 2011 Edition  
Ordinance 2011-04

City of Tavares

NOTICE IS HEREBY GIVEN that the Tavares City Council will consider the Ordinance 2011-04, Second Reading, on April 6, 2011 at 4:00 p.m., Tavares City Hall, 201 E. Main Street, Tavares, FL 32778.

ORDINANCE 2011-04

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 8, SECTION 11(D)(1), PERMITTED ACCESSORY USES AND STRUCTURES IN RESIDENTIAL DISTRICTS, BY AMENDING CLAUSE (g) TO SPECIFICALLY ALLOW PRIVATE DOCKS, HOUSING AND LANDING OF SEAPLANES PROVIDED THAT SUCH STRUCTURES COMPLY WITH STATE AND/OR FEDERAL REGULATIONS WHEN APPLICABLE, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

The Ordinance may be inspected by the public at the office of the City Clerk, at the Tavares City Hall, 201 E. Main Street, Tavares, Florida, between the hours of 8 a.m. and 5 p.m. on business days. All interested parties may appear at the meeting and be heard or submit their comments prior to the meeting.

LAK1120730 03/27/2011

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
APRIL 6, 2011**

**AGENDA TAB NO. 6**

**SUBJECT TITLE: Resolution 2011-06  
Special Use Permit for a School Facility  
Woodlea Road Property (Bus-Barn Interlocal Agreement)**

---

**OBJECTIVE:**

To consider a petition for a special use permit to allow a school facility off Woodlea Road. This property is part of the Bus Barn Interlocal Land Transfer Agreement.

**SUMMARY:**

On February 2, 2011, City Council approved an Interlocal Agreement between Tavares, Lake County and the Lake County School Board pertaining to land transfers that included the transfer of title of approximately 20 acres of city owned property located about 300 feet south of Woodlea Road. The Lake County School Board has determined that this property would be appropriate for the site of a future public school. The approved Interlocal Agreement states that the City shall apply, on behalf of the School Board, to rezone this property to a zoning designation that would allow the use of this property as a school facility.

This property is zoned Public Facilities District (PFD) and use of this property for a public school requires City Council to approve a permit for a Special Use under the city's Land Development Regulations.

City staff concurs with the School Board that this would be an ideal site for a future school. The property is relatively close to our downtown, is near an adequate access road and is across the street from the Woodlea Sports Complex where sports facilities may be shared. Since the actual school construction may occur several years in the future, the special use permit is conditioned so that the proposed facility will comply with all applicable regulations in force at the time of construction.

**OPTIONS:**

1. That City Council moves to approve Resolution 2011-06, A Special Use Permit for the siting of a Public School off Woodlea Road.
2. That Planning & Zoning Board recommends denial of the proposed Special Use Permit.

**PLANNING & ZONING BOARD RECOMMENDATION:**

At its March 17<sup>th</sup> meeting, the Planning & Zoning Board voted unanimously to recommend approval of Resolution 2011-06.

**STAFF RECOMMENDATION:**

Staff recommends that City Council moves to approve a Special Use Permit, Resolution 2011-06, to allow a school facility on the subject Woodlea Road Property.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

This Resolution has been reviewed by the City Attorney and approved for legal sufficiency.

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**RESOLUTION 2011-06**

**A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A SPECIAL USE PETITION FOR THE OPERATION OF A PUBLIC SCHOOL ON APPROXIMATELY 20 ACRES OF PROPERTY LOCATED SOUTH OF WOODLEA ROAD AND MORE ACCURATELY DESCRIBED WITHIN THIS RESOLUTION; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Tavares is the owner of approximately 20 acres of property, generally located 300 feet south of Woodlea Road and the Woodlea Sports Complex and legally defined in Exhibit "A" of this resolution and henceforth described as the Subject Property, and

**WHEREAS**, on February 2, 2011, City Council approved an Interlocal Agreement between Tavares, Lake County and the Lake County School Board pertaining to land transfers that included the transfer of title of the Subject Property to the Lake County School Board for the future construction of a school facility, and

**WHEREAS**, said Interlocal Agreement states that the City shall apply, on behalf of the School Board, to rezone the Subject Property to a designation that supports the use of this property as a school facility; and

**WHEREAS**, the subject property is zoned Public Facilities District (PFD) and use of this property for a public school requires City Council to approve a petition for a Special Use under the city's Land Development Regulations, and

**WHEREAS**, the City Council and the Lake County School Board have determined that the subject property is appropriate for a future school, therefore,

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

3

4           That in addition to the uses permitted in the Public Facilities District, the property  
5 defined in Exhibit "A" attached to this resolution is allowed to be used as a public school  
6 facility provided that all applicable regulations in force at that time of construction of said  
7 facility are complied with.

8

9 **THIS RESOLUTION** will become effective upon approval by the Tavares City Council.

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12 **PASSED AND RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the Tavares City  
13 Council.

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23 **ATTEST:**

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Nancy A. Barnett, City Clerk

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Approved as to form:

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Robert Q. Williams, City Attorney

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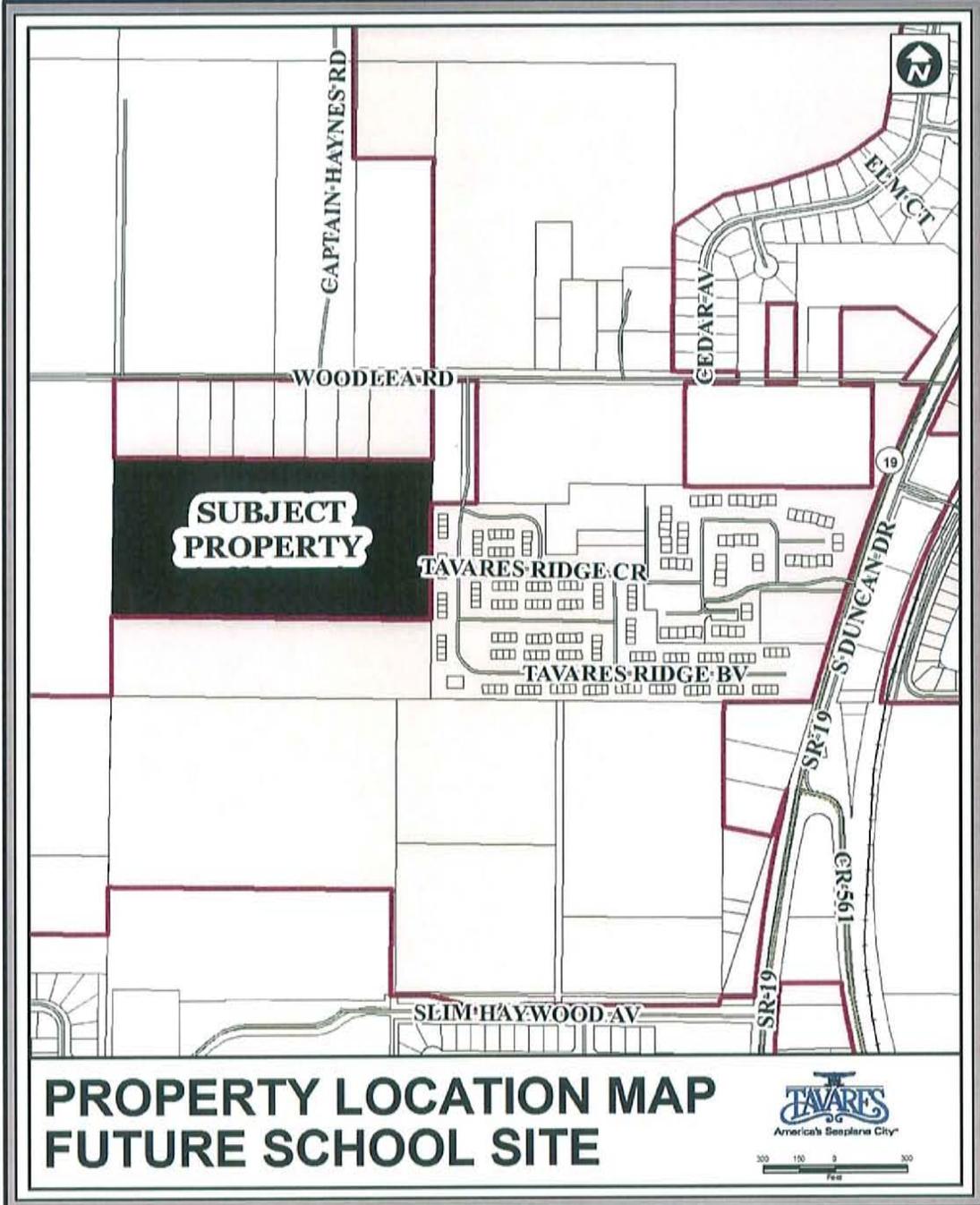
\_\_\_\_\_  
Robert Wolfe, Mayor  
Tavares City Council

**Exhibit "A"**

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The North Two-Thirds (N 2/3) of the South Three-Fourths (S 3/4) of the Southwest one-quarter (SW 1/4) of the Southwest One-Quarter (SW 1/4) of Section 31, Township 19 South, Range 26 East, Being 20 acres more or less;

# CITY OF TAVARES



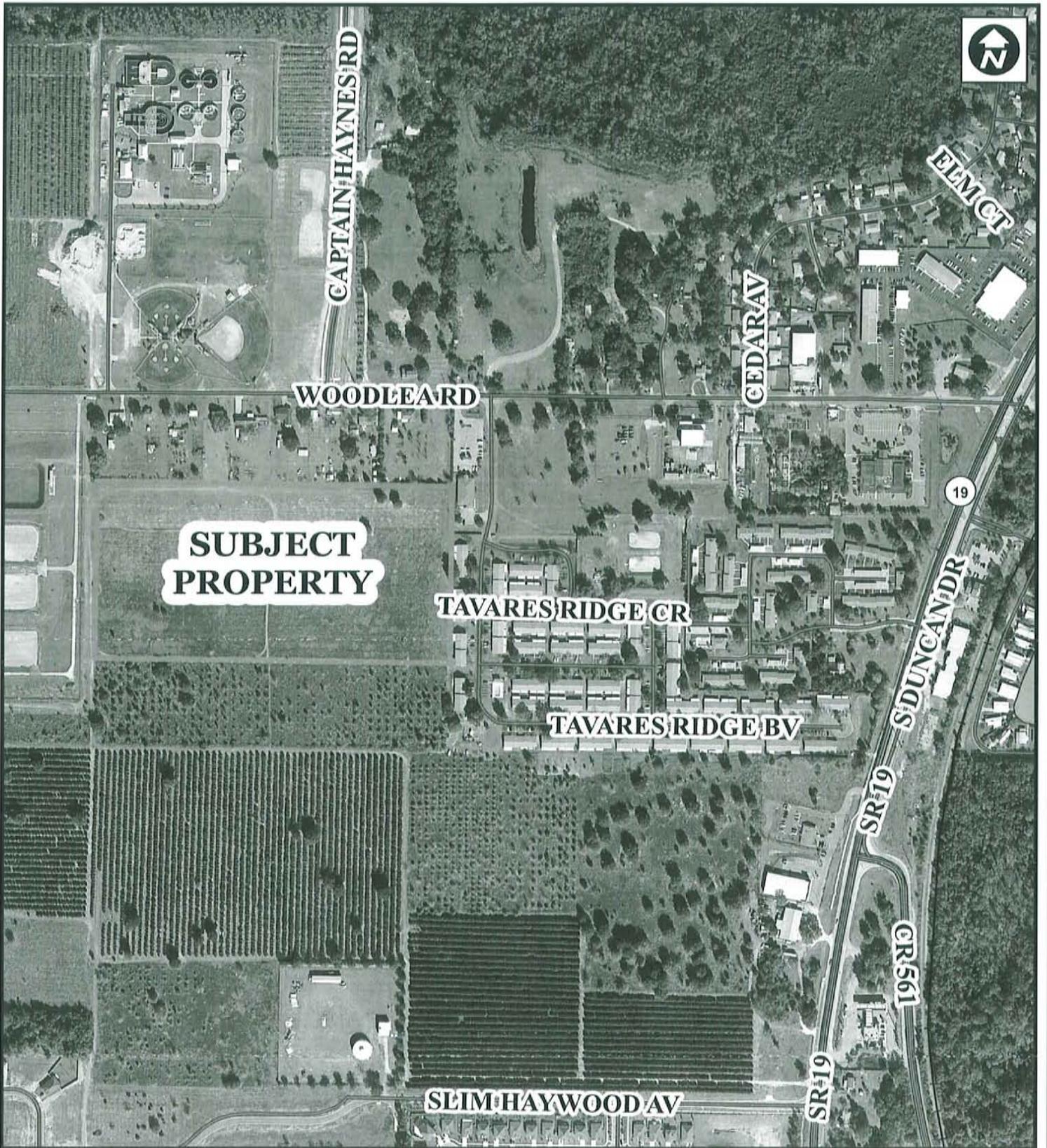
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Map Created on 3/1/11

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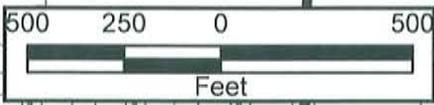
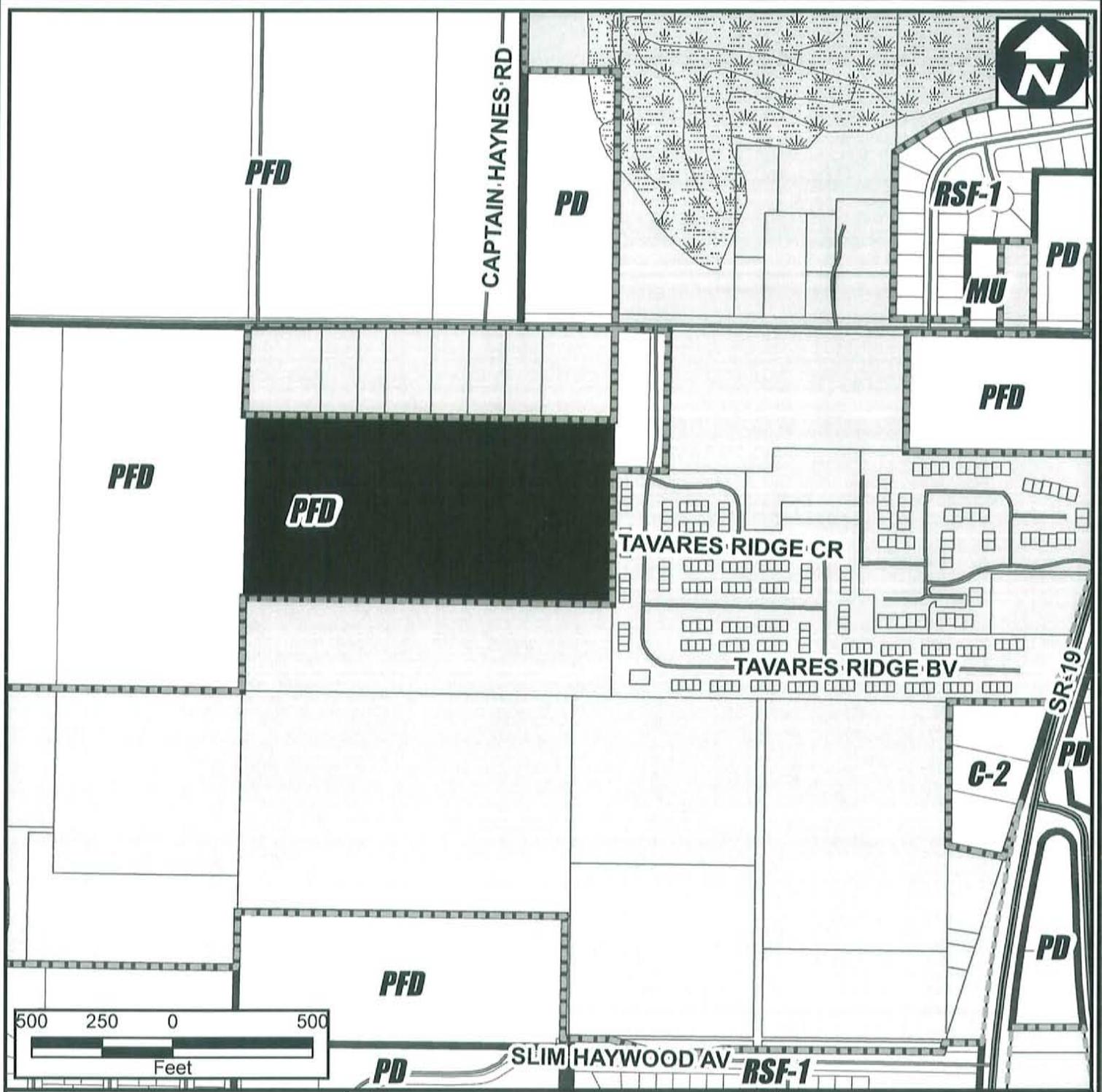
# CITY OF TAVARES



## PROPERTY LOCATION MAP FUTURE SCHOOL SITE



# CITY OF TAVARES RESOLUTION # 2011-06



- RSF-A Residential Single Family
- RSF-1 Residential Single Family
- RMF-2 Residential Multi-Family
- RMF-3 Residential Multi-Family
- RMH-S Residential Manufactured Home Sub.
- RMH-P Residential Manufactured Home Park
- PD Planned Development District
- MU Mixed Use District
- C-1 General Commercial
- C-2 Highway Commercial
- CD Commercial Downtown District
- I Industrial District
- PFD Public Facilities District



**ZONING MAP**

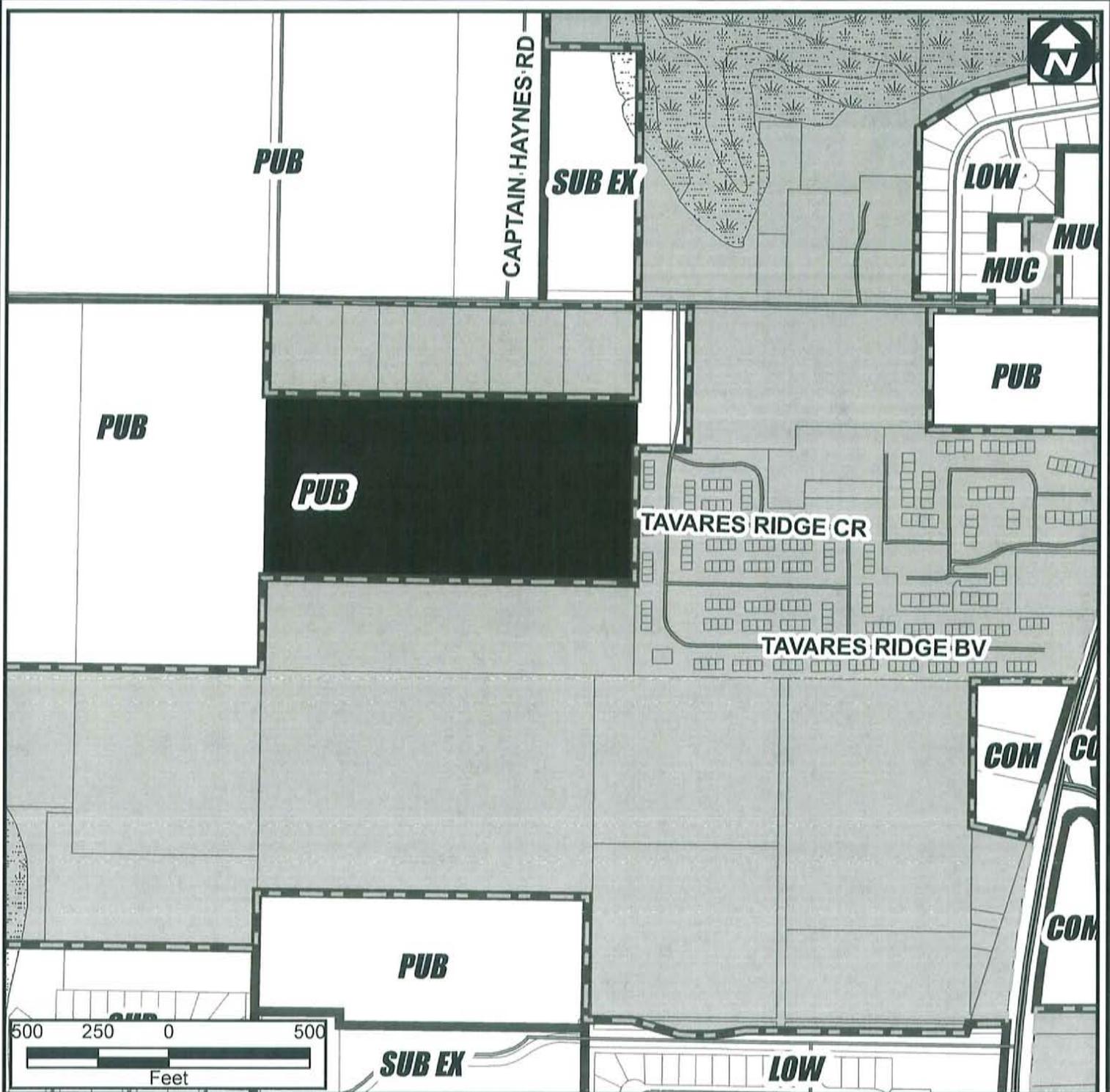
**Resolution # 2011-06**

**Future School Site**

Current Zoning:  
PFD (Public Facilities)  
20.0 ± Acres

- Legend**
- CITY BOUNDARY
  - MAJOR ROADS
  - ZONING
  - STREETS
  - SUBJECT PROPERTY
  - PARCELS
  - UNINCORPORATED
  - CONS/WETLANDS

# CITY OF TAVARES RESOLUTION # 2011-06



SUB	Suburban	3.0 DU/Acre
SUB EX	Suburban Expansion	4.0 DU/Acre
LOW	Low Density	5.6 DU/Acre
MOD	Moderate Density	10 DU/Acre
MED	Medium Density	12 DU/Acre
HD	High Density	12-25 DU/Acre
MH	Mobile Home	8.7 DU/Acre
MUN	Mixed Use Neighborhood	12 DU/Acre
MUC	Mixed Use Commercial	25 DU/Acre
COM	Commercial	
CD	Commercial Downtown	25 DU/Acre
IND	Industrial	
PUB	Public Facility/Institutional	
CONS	Westlands & Conservation	

**FUTURE LAND USE MAP**  
**Resolution # 2011-06**  
**Future School Site**

Current FLU:  
 PUB (Public)  
 20.0 ± Acres

**Legend**

	CITY BOUNDARY		MAJOR ROADS
	FLU		STREETS
	SUBJECT PROPERTY		CONS/WETLANDS
	UNINCORPORATED		PARCELS

SENIORS ON THE GO

# Trip to New York City offers useful lessons

By Ed Perkins  
TRIUMPH MEDIA SERVICES

Travel is miserable in bad weather — really miserable in really bad weather. That's nothing new, but it bears repeating, along with a few other reminders I experienced recently.

The first rule of bad weather flying and traveling is "stay home." But that's not always possible: I had to make an appearance in New York, so I experienced some of the typical problems of air travel in winter and of visiting New York.

Despite bad weather forecasts, the trip from my home airport in Modford, Ore., was just as it should have been. Modford Denver Chicago-Newark, with on-time departures and arrivals on all flights. But returning was a totally different story. The weather throughout the Northeast had turned decidedly worse, with snow through the region. The flight board (and online display) for my flight from LaGuardia to Denver on a LaGuardia Denver-Modford itinerary still showed "on time" until well after I got to the airport. But shortly after board, the display changed to "see agent," and by the time I got through the line to an agent, the display read "canceled." Most other

LaGuardia departures eventually showed "canceled" as well.

The agent immediately started poking her computer and surprisingly quickly rebooked me on a different JFK San Francisco-Medford itinerary that was showing as still operating. I schlepped over to JFK, waited a few hours, boarded, made my San Francisco connection, and arrived home — four hours late, but still the same day. Lots of folks didn't do anywhere near that well.

I was lucky: More than half the flights out of JFK were canceled, including both earlier and later trips to San Francisco. At the next gate, one of the few

flights to Los Angeles still operating was oversold, and the bidding for volunteers to take a "later flight" was then at 6000 vouchers and climbing. I have no idea how high the airline finally had to go to get enough folks to accept.

Some conclusions: ■ When bad weather threatens major delays, airlines are now making wholesale "proactive" cancellations. That means (1) cancellations are more likely than before and (2) they're made earlier than before. But (3) your airline will probably be very generous in allowing you to rebook your trip without extra fare collection or change fees. If you have

time to wait out a storm, you'll probably be better off rescheduling.

■ If you aren't bound to a tight itinerary, you can probably make out very well by volunteering to get off a flight that really operates.

■ Despite a major crunch, most airline personnel generally remain helpful. They really do want to solve your problem.

■ When your flight is canceled and an agent offers anything like a reasonable alternative, take it. Waiting around for something "better" is asking for additional delay.

As for New York, I relearned some useful lessons:

■ Even though LaGuardia is the closest New York airport, the rail connections to Manhattan from JFK or Newark are much less expensive and more reliable than taxis, especially in bad weather. But they drop you at Penn Station, so they work best if you're staying on the West Side. LaGuardia, with cabs, is probably a better bet for the East Side, despite the likelihood that a taxi will take you for a "ride" over the Triborough Bridge.

■ Ignore the hype for the

city's latest "trendy" and "hip" (and expensive) boutique hotels; you can still find plenty of comfortable rooms in Manhattan for under \$50 a night, and even quite a few under \$25. If you're flexible, you can do even better on Hotwire or Priceline or through a private sale website.

■ Good restaurant meals don't have to cost a fortune. Forget those high-rated, high-cuisine places. You'll find attractive and reasonable eateries along Third, Second, or First avenues.

Send e-mail to Ed Perkins at [ep@triumph.com](mailto:ep@triumph.com).

Client Name: CITY OF TAVARES  
Advertiser: Lake/D 5/LAK  
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# Orlando Sentinel

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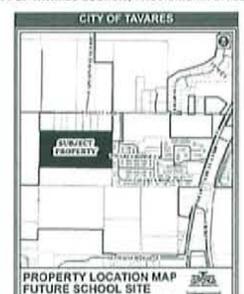
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## THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Resolution 2011-06 titled as follows:

**RESOLUTION 2011-06**

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A SPECIAL USE PETITION FOR THE OPERATION OF A PUBLIC SCHOOL ON APPROXIMATELY 20 ACRES OF PROPERTY LOCATED SOUTH OF WOODLEA ROAD AND MORE ACCURATELY DESCRIBED WITHIN THIS RESOLUTION; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.



Proposed Resolution 2011-06 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on March 17, 2011, at 3 p.m.; and
2. Tavares City Council meeting on April 6, 2011, at 4 p.m.

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2011-06 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and be heard with respect to the proposed resolution. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department, City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skult, Community Development Director, at 742-6404.

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
APRIL 6, 2011**

**AGENDA TAB NO. 7**

**SUBJECT TITLE:     Resolution 2011-07  
                          Release of Petroleum and Mineral Rights  
                          Woodlea Road Property (Bus-Barn Interlocal Agreement)**

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**OBJECTIVE:**

To approve a resolution that waives the city's automatic reservation of mineral and petroleum rights for the Woodlea Road property that will be deeded to the Lake County School Board.

**SUMMARY:**

On February 2, 2011, City Council approved an Interlocal Agreement between Tavares, Lake County and the Lake County School Board pertaining to land transfers that included the transfer of title of approximately 20 acres of city owned property located about 300 feet south of Woodlea Road. Section 270.11(1) of the Florida Statutes summarily states that local government agencies automatically retain mineral and petroleum rights on property they sell unless they specifically release those rights. The School Board has requested that the city waive these rights. This resolution effectively releases the city's interest in mineral and petroleum rights on this property. The School Board and Lake County will be passing similar resolutions waiving their rights on properties they presently own that are part of the land transfer interlocal.

**OPTIONS:**

1.     That City Council moves to approve Resolution 2011-07, a resolution that releases the automatic, statutory reservation of petroleum and mineral rights on the Woodlea Road future school property.
2.     That City Council denies the proposed resolution.

**STAFF RECOMMENDATION:**

Staff recommends that City Council moves to approve Resolution 2011-07.

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

This Resolution has been reviewed by the City Attorney and approved for legal sufficiency.

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**RESOLUTION 2011-07**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING THE RELEASE OF THE AUTOMATIC, STATUTORY RESERVATION OF PETROLEUM AND MINERAL RIGHTS UNDER SECTION 270.11(1), FLORIDA STATUTES (2010) ON PROPERTY LOCATED AT WOODLEA ROAD IN TAVARES, FLORIDA, DESCRIBED ON EXHIBIT "A"; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City has entered into an Interlocal agreement with the School Board of Lake County, Florida and Lake County, Florida pertaining to land transfers; and

**WHEREAS**, the Interlocal Agreement requires the City to convey property to the School Board of Lake County ("prospective purchaser") referred to as the Woodlea Property; and

**WHEREAS**, the School Board of Lake County has requested the City release the automatic, statutory reservation of petroleum and mineral rights on the Woodlea Property upon conveyance.

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

That based on the petition of the prospective purchaser of the property, the Mayor and the City Clerk are authorized and directed to release the automatic, statutory reservation of petroleum and mineral rights under Section 270.11(1), Florida Statutes (2010), on the property located at Woodlea Road in Tavares, Florida, described on Exhibit "A", pursuant to the Interlocal Agreement between the City of Tavares, Florida; Lake County, Florida; and the School Board of Lake County, Florida. The release of the mineral and petroleum interest is justified by the fact the property is being conveyed to a public agency for the purpose of a future elementary school site.

**THIS RESOLUTION** will become effective upon approval by the Tavares City Council.

1 **PASSED AND RESOLVED** this \_\_\_\_ day of \_\_\_\_\_ 2011, by the Tavares City  
2 Council.

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Robert Wolfe, Mayor  
Tavares City Council

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12 ATTEST:

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15 \_\_\_\_\_  
Nancy A. Barnett  
16 City Clerk

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20 \_\_\_\_\_  
21 Approved as to form:  
22 Robert Q. Williams  
23 City Attorney

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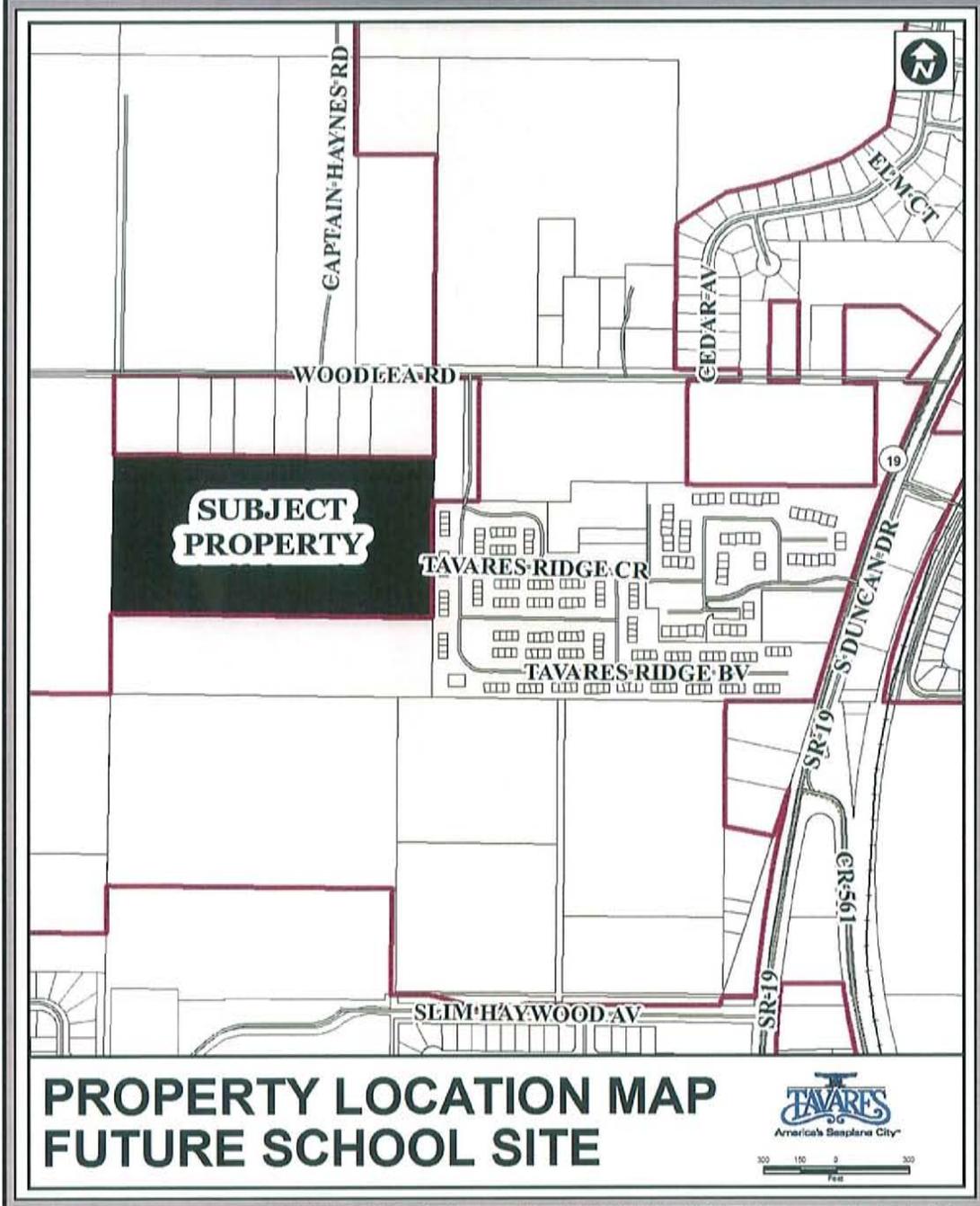
**EXHIBIT "A"**

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33 North Two-Thirds (N 2/3) of the South Three-Fourths (S 3/4) of the Southwest One-  
34 Quarter (SW 1/4) of the Southwest One-Quarter (SW 1/4) of Section 31, Township 19  
35 South, Range 26 East, Lake County, Florida.

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# CITY OF TAVARES



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Map Created on 3/1/11

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
DATE OF MEETING: April 6, 2011**

**AGENDA TAB NO. 8**

**SUBJECT TITLE: Request to Name FDOT Retention Pond "Welcome Lake"**

**OBJECTIVE:**

To consider a request from Doris Ragan of the Palm Gardens Club to name the FDOT retention pond "Welcome Lake."

**SUMMARY:**

At the March 2, 2011 Council meeting, Mrs. Doris Ragan requested, on behalf of the Palm Gardens Club, that Council consider naming the FDOT retention pond "Welcome Lake" as the pond is the Gateway to the City.

The fountain was named Chris Daniels Memorial Fountain in 2006 by City Council.

**OPTIONS:**

- 1) Move to approve the naming of the FDOT retention pond "Welcome Lake."
- 2) Do not approve

**STAFF RECOMMENDATION:**

Council discuss and direct staff on whether or not to name the pond "Welcome Lake."

**FISCAL IMPACT:**

N/A

**LEGAL SUFFICIENCY:**

Legally sufficient.

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
APRIL 6, 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 – April 20, 2011
- Code Enforcement Hearing – April 26, 5 p.m.
- Lake County League of Cities, Community Service Awards – Lake Receptions – April 27, 2011 – 6 p.m.
- Lake Sumter MPO – Board Meeting – April 27, 2011 – 2 p.m. – Tavares Civic Center
- Library Board – April 8, 2011– 8:30 a.m. Library Conference Room, 314 N. New Hampshire
- Planning & Zoning Board April 21, 2011 – 3 p.m.

**EVENTS:**

**Dragonboat Festival – April 8 and 9, 2011**

**Seaplane Fly In – April 16, 2011**

**March of Dimes Walk – April 23, 2011**

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**AGENDA SUMMARY  
TAVARES CITY COUNCIL  
APRIL 6, 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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