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**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
MAY 18, 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  
Chief Lubins, Police Department  
Jacques Skutt, Director of Community Development  
Chief Richard Keith, Fire Department  
Tammy Rogers, Community Services Director  
Chris Thompson, Public Works Director  
Brad Hayes, Director of Utilities  
Joyce Ross, Communications Director

**I. CALL TO ORDER**

Mayor Wolfe called the meeting to order.

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor John Barham, First United Methodist Church, gave the invocation and those present recited the Pledge of Allegiance.

**III. APPROVAL OF AGENDA**

Mr. Drury said staff had no changes to the agenda.

**MOTION**

Sandy Gamble moved to approve the agenda, seconded by Lori Pfister. The motion carried unanimously 5-0.

**IV. APPROVAL OF MINUTES**

1  
2 **MOTION**

3  
4 Kirby Smith moved to approve the minutes of April 20, 2011 as submitted, seconded by  
5 Sandy Gamble. The motion carried unanimously 5-0.  
6

7 **V. PROCLAMATIONS/PRESENTATIONS**

8  
9 **VI) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

10  
11 Attorney Williams stated there were no quasi-judicial matters on the agenda.  
12

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

14  
15 Ms. Barnett read the following ordinance by title only:  
16

17 **ORDINANCE 2011-05**

18  
19 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE CITY'S**  
20 **LAND DEVELOPMENT REGULATIONS BY REASSIGNING CHAPTER 23**  
21 **(RESERVED) TO BE NEWLY TITLED "COMMUNITY ECONOMIC DEVELOPMENT**  
22 **INITIATIVES"; CREATING CHAPTER 23 DIVISION 1, IN GENERAL; CREATING**  
23 **CHAPTER 23 DIVISION 2, ECONOMIC DEVELOPMENT AD VALOREM TAX**  
24 **EXEMPTIONS; CREATING CHAPTER 23 DIVISION 3, IMPACT FEE WAIVERS;**  
25 **CREATING CHAPTER 23 DIVISION 4, POSTPONEMENT OF BUILDING PERMIT**  
26 **FEE PAYABLE FOR COMMERCIAL DEVELOPMENT; CREATING CHAPTER 23**  
27 **DIVISION 5, INDUSTRIAL DEVELOPMENT FINANCING; PROVIDING REQUIRED**  
28 **TEXT AMENDMENTS TO THE CODE OF ORDINANCES AND THE LAND**  
29 **DEVELOPMENT REGULATIONS TO REFERENCE THE CREATION OF THIS NEW**  
30 **CHAPTER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE**  
31 **DATE.**  
32

33  
34 **VIII) CONSENT AGENDA**

35  
36 Mayor Wolfe asked if anyone in the audience had objections to any item on the Consent Agenda.  
37 He asked if Council wished to pull any item.  
38

39 **MOTION**

40  
41 Kirby Smith moved to approve the Consent Agenda [Award of Request for Proposals for  
42 Meter Reading and Request to Submit Grant Application for COPS Funding], seconded by  
43 Bob Grenier. The motion carried unanimously 5-0.  
44

45 **IX. ORDINANCES/RESOLUTIONS – PUBLIC HEARING**

46

1 **Tab 3) Ordinance #2011-05 – Creating Chapter 23 of the Land Development Regulations for**  
2 **Economic Initiatives – Read for First Reading Only**

3  
4 **X. GENERAL GOVERNMENT**

5  
6 **Tab 3) Affordability Evaluation Report for Utilities Capital Projects**

7  
8 Mr. Drury summarized the utilities capital project status and discussed the previous presentations  
9 made. He noted this evening is an opportunity for further discussion and questions.

10  
11 Councilmember Smith stated on Page A-9, in 2017 there is an \$87,171 deficiency in funds. He  
12 asked Mr. Shannon of Malcolm Pirnie to comment.

13  
14 Mr. Shannon stated it would be a one year deficiency due to the timing of the debt service  
15 payment that year and new accounts coming on line.

16  
17 Mayor Wolfe stated he had spoken with all of the advisors and has been assured with this  
18 conservative approach the City would not be at great risk, although he acknowledged the difficulty  
19 of predicting twenty years from now,

20  
21 Councilmember Smith added that he thought Malcolm Pirnie and staff had done their due  
22 diligence. He thanked the firm for meeting with him separately.

23  
24 Mayor Wolfe asked if anyone in the audience wished to speak.

25  
26 **MOTION**

27  
28 **Bob Grenier moved to approve the Affordability Evaluation Report as presented, seconded**  
29 **by Sandy Gamble. The motion carried unanimously 5-0.**

30  
31 **Tab 4) Request to Approve the Award of Bid for the Reclamation Project, Phase 1**

32  
33 Mr. Hayes stated 12 bids were received for this project. He said the estimated cost to do the  
34 project originally was approximately five million. He said the lowest bidder is E.T. MacKenzie of  
35 Florida Inc. at a price of \$2,519,249.00.

36  
37 Mayor Wolfe stated he did not want to see late change orders because something was missed in  
38 the bid.

39  
40 **MOTION**

41  
42 **Bob Grenier moved to approve the award of bid to E.T. MacKenzie of Florida Inc.,**  
43 **seconded by Kirby Smith. The motion carried unanimously 5-0.**

44  
45 **Tab 6) Discussion and Direction of Harvest Moon Event for 2011**

46

1 Ms. Rogers noted the previous event in 2010 had been inspired by Councilmember Pfister. She  
2 said the 2011 event will be held in October after the new fiscal year begins and the determination  
3 of funding needs to be done now so that the event can be developed. She said one week after  
4 the 2010 event the Downtown Business Development group and the Chamber put on a “Howl  
5 Fest” for Halloween. She said this is an opportunity for the two events to be combined. The  
6 Chamber has submitted a letter to the Mayor requesting an amount of \$15,890 to be budgeted  
7 from reserves to assist the Chamber in enhancing the “Howl Fest” and melding the two events.  
8

9 Ms. Rogers said \$20,000 was budgeted from reserves for the last Harvest Moon event which was  
10 to pay for the band and associated costs. The Chamber would create a two day event with music.  
11 The city would provide support as well with police, fire, portalets, etc. She discussed the various  
12 options presented.  
13

14 Councilmember Gamble asked if the city had stayed within the \$20,000 budget. Ms. Rogers  
15 confirmed.  
16

17 Mayor Wolfe asked the audience if they wished to speak.  
18

19 Jerry Wosika, 544 Reserve Drive, Tavares

20 Mr. Wosika spoke against making the expenditure due to the city’s deficit but said if the city  
21 wished to put on the event it should seek funding from other sources.  
22

23 Andrew O’Keefe  
24

25 Mr. O’Keefe said he is Chair of the Business Development Committee and was available to  
26 answer questions.  
27

28 Mayor Wolfe asked Mr. O’Keefe if the group would be soliciting from other sources to help with  
29 fundraising.  
30

31 Mr. O’Keefe said they would be attempting to fundraise.  
32

33 Mayor Wolfe asked if that would be money in addition to that requested from the city. Mr. O’Keefe  
34 said that was correct.  
35

36 Councilmember Smith asked how the \$15,890.00 figure was determined. Mr. O’Keefe asked if  
37 Council had seen the expense breakdown. He said he had a draft breakdown available and he  
38 distributed to Council.  
39

40 Denise Laratta  
41

42 Ms. Laratta said she would normally be against taking the money out of reserves but she believed  
43 that the expenditure has been beneficial to the business owners. She asked what had been the  
44 return to the business owners when the large events are held. She said she had heard the  
45 restaurants had been heavily booked and if that was true she thought it would be acceptable to  
46 spend some of the money and hopefully reduce the amount coming out of reserves in the future.  
47

1 Andrew O’Keefe

2  
3 Mr. O’Keefe said it does stimulate business in the community and is also a nice way to give back  
4 to the citizens.

5  
6 Jerry Wosika

7  
8 Mr. Wosika questioned the concept of a “free event” with tax dollars supporting the private sector.  
9

10 City Council Discussion

11  
12 Councilmember Smith asked if the city chose not to contribute what would happen to the current  
13 Chamber event. Mr. O’Keefe said it would stay the same. He noted that event also brings in a  
14 good attendance

15  
16 Councilmember Gamble said last year the city recruited a band but he was noting that the  
17 Chamber is planning to have local bands and that there would be emphasis on gathering youth  
18 for the right reasons which he liked to see. He said had concerns about the budget but he was  
19 willing to consider it.

20  
21 Suzanne Cunningham, Bounty Circle, Tavares

22  
23 Ms. Cunningham said that bringing the businesses to downtown has increased the commercial  
24 tax payments which mean fewer taxes having to be paid by the residents.

25  
26 Mr. Drury commented that the economic development process takes some time but the city is  
27 beginning to see the results.

28  
29 Mayor Wolfe said he likes to see the businesses do well but the city is facing a large deficit and  
30 there may be a need to take money from reserves. He said it may be difficult to take this money  
31 from reserves in addition to the need for in-kind services. He said he would not be opposed to  
32 helping out with in-kind services and possibly up to \$3,000 to \$5,000 in funds.

33  
34 Councilmember Pfister said she agreed that it is a lot to pay out for this event as the city had paid  
35 \$20,000 last year with nationally known talent plus provided the in-kind services. She noted the  
36 city did receive some donations and did some fundraising. She said she would be comfortable  
37 with \$10,000.

38  
39 Vice Mayor Grenier said he is considering \$5,000 plus in-kind services.

40  
41 Councilmember Smith said he is against using reserves for anything especially when the city is  
42 facing a large budget deficit next year of an unknown value. He said he understood the  
43 contribution of the businesses to the tax base. He questioned the Chamber regarding their  
44 estimate of costs but noted he appreciates the willingness of the Chamber to put on this event.  
45 He said he will help with the event and assist with sponsorships.  
46

1 Ms. McGinley, Chamber Director, noted the Chamber will continue to do usual Halloween events  
2 but had come up with quick estimates in order to add the music component.

3  
4 **MOTION**

5  
6 **Lori Pfister moved to give \$7500 to the Chamber to help support this event.**

7  
8 **The motion failed for lack of a second.**

9  
10 **MOTION**

11  
12 **Sandy Gamble moved to forego this at this time until Council knows what is in the**  
13 **[upcoming] budget.**

14  
15 **The motion failed for lack of a second.**

16  
17 Councilmember Smith discussed options for the Chamber putting on the event and the City  
18 possibly contributing at a later time (e.g. July or August when budget workshops begin). Mr. Drury  
19 said the decision needed to be made sooner in order to plan and market the event effectively. He  
20 noted the Chamber would be having their event with or without the city and the only question is  
21 whether to add the music to the event.

22  
23 Councilmember Pfister said she had neglected to get this event into this year's budget and she  
24 did not know how that happened. She said there were other events that the city sponsors that got  
25 moved over as line items. She noted the committee had approached the Chamber thinking it  
26 would save money to combine the events.

27  
28 **MOTION**

29  
30 **Kirby Smith moved to put this in the fiscal year budget 2011-2012 with the other events,**  
31 **seconded by Sandy Gamble.**

32  
33 Councilmember Gamble said he is not against the event; he is just concerned about the city's  
34 finances. He said he would contribute one month of his councilmember pay (\$295) for one of the  
35 bounce houses.

36  
37 **The motion failed 3-2 as follows:**

38  
39 **Kirby Smith            Yes**  
40 **Sandy Gamble        Yes**  
41 **Robert Wolfe        No**  
42 **Bob Grenier         No**  
43 **Lori Pfister          No**

44 Mayor Wolfe passed the gavel to Vice Mayor Grenier.

45  
46 **MOTION**

47

1 **Robert Wolfe moved that in order to support the event the city will donate the in-kind**  
2 **services during the event but no money. The motion was seconded by Kirby Smith.**

3  
4 Councilmember Pfister said the Chamber would not be able to have their event in this case.  
5 Councilmember Gamble asked if the motion could include that the City will do this with the  
6 Harvest Moon inclusion of the Howl Fest.

7  
8 Mr. Drury said he did not think the Chamber would do a Harvest Moon event without any money  
9 from the city.

10  
11 **Mayor Wolfe rescinded his motion, seconded by Councilmember Smith.**

12  
13 **MOTION**

14  
15 **Robert Wolfe moved to not have the event [Harvest Moon], seconded by Kirby Smith.**

16  
17 **The motion carried 4-1 as follows:**

18  
19 **Kirby Smith Yes**  
20 **Sandy Gamble Yes**  
21 **Robert Wolfe Yes**  
22 **Bob Grenier Yes**  
23 **Lori Pfister No**

24  
25 Vice Mayor Grenier returned the gavel to Mayor Wolfe.

26  
27 **Tab 7) Request to Change Part-Time Positions to Full-Time Positions at the Seaplane**  
28 **Marina**

29  
30 Mr. Neron said the marina operation was opened in April of 2010 and the city has had a little over  
31 a year's experience now with the day to day operations. He noted that the operations are open 9  
32 am to 6 pm seven days a week, 362 days a year and that the operations have been very  
33 successful with over 7,000 seaplane operations during the first year and averaging over 120+  
34 seaplanes a month. The original budget was planned with no operations experience and at the  
35 time there were only three full-time positions with four part-time marina tech positions. These  
36 employees fuel the seaplanes, spray the docks and keep the dock area clean. During the first  
37 several months there was quite a bit of turnover due to the part-time positions which is inefficient.  
38 He said staff recommendation is to take two of the part-time positions and move them to full-time  
39 positions which will give the employees benefits. This change will be revenue neutral. It leaves  
40 another 20 hours a week of part-time hours to assist with weekend hours and special events.

41  
42 Mayor Wolfe asked Ms. Houghton to comment. Ms. Houghton said she had reviewed the request.  
43 She noted the hours for the part-timer that is left will need to remain within the limits. Mr. Neron  
44 confirmed.

45

1 Councilmember Pfister asked the financial status of the seaplane operations. Mr. Neron said Ms.  
2 Smith is working on a report that he hoped would be available early next week on the first six  
3 months of this fiscal year. Mr. Neron said the numbers are good and better than projected.

4  
5 Mayor Wolfe asked if the audience had comments.

6  
7 Jerry Wosika, 544 Reserve Drive  
8

9 Mr. Wosika questioned Mr. Neron on some of the data regarding the seaplane marina. He asked  
10 if the marina has a budget and if it was making a profit. Mr. Drury said it is not as yet and it will be  
11 a five year program. Mr. Wosika questioned Mr. Neron about the budget.

12  
13 Mr. Drury recommended to Mr. Woskiki that he set up an appointment with Mr. Neron to go over  
14 the budget. He said Mr. Wosika is trying to make a point that the enterprise is not self sufficient at  
15 this time which is acknowledged, however the marina was planned with the goal of becoming self  
16 sufficient within five years.

17  
18 **MOTION**

19  
20 **Kirby Smith moved to change the two part-time positions to full time, noting this will be a**  
21 **budget neutral decision, seconded by Bob Grenier, The motion carried unanimously 5-0.**

22  
23 **Tab 8) Award of Request for Proposals for Utility Bill Printing and Mailing**

24  
25 Ms. Houghton said the Request for Proposals requested pricing in addition to the scope of  
26 services. She discussed the points considered by the ranking committee. The committee is  
27 recommending Pinnacle Data Systems as top ranked.

28  
29 **MOTION**

30  
31 **Bob Grenier moved to approve the ranking and the number one firm, Pinnacle Data**  
32 **System, seconded by Kirby Smith. The motion carried unanimously 5-0.**

33  
34 Councilmember Smith noted that this new firm saves the city money from last year.

35  
36 **Tab 9) Authorization to Solicit Proposals for Special Magistrate for Code Enforcement**

37  
38 Chief Lubins stated that in 2004 the city passed an ordinance that provided for the appointment of  
39 a Special Magistrate to hear and decide cases involving code enforcement issues and  
40 enforcement of ordinances. Attorney Sam Mackie was appointed to the position by contract and  
41 has served since 2004. On May 10<sup>th</sup> Mr. Mackie submitted a letter of resignation due to his  
42 professional conflicts which will be effective June 15<sup>th</sup>.

43  
44 Chief Lubins asked Council to seek RFP's and form a ranking committee to solicit a new special  
45 magistrate.  
46

1 Mr. Drury added that staff will bring back the ranking recommendation to City Council for its  
2 decision.

3  
4 **MOTION**

5  
6 **Sandy Gamble moved to authorize staff to seek RFP's for Special Magistrate services and  
7 form a ranking committee, seconded by Bob Grenier. The motion carried unanimously 5-0.**

8  
9 **XI. OLD BUSINESS**

10  
11 Mayor Wolfe asked Ms. Houghton if the RFP's have been sent out for banking services. Ms.  
12 Houghton said it is currently in process and the goal is to have it out within the next couple of  
13 weeks. She said she would contact the mayor when it has gone out to bid.

14  
15 **XII. NEW BUSINESS**

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

18  
19 **XV. REPORTS**

20  
21 **Tab 12) City Administrator**

22  
23 Mr. Drury thanked the department heads for their assistance with the budget preparation. He said  
24 he has worked with every department head over the past two months taking Council's general  
25 direction. He said he will be working with Ms. Houghton over the next few weeks to prepare the  
26 budget to submit to Council.

27  
28 **Attorney Williams**

29  
30 **Finance Director**

31  
32 Ms. Houghton said the financial report for 2010 has been completed and a copy of the CAFR will  
33 be put in Council's box. The auditor will be scheduled to make a presentation to Council.

34  
35 **Fire Chief**

36  
37 **Chief Lubins**

38 Chief Lubins expressed his appreciation to Chief Keith and the firefighters as well as the rest of  
39 city staff, community members, and councilmembers who attended the fundraiser for Officer  
40 Crow.

41  
42 **Communications Director**

43  
44 **City Clerk**

45  
46 **Utility Director**

47

1 **Community Services Director**

2 Ms. Rogers noted that work is progressing on the Woodlea sports complex with the bid  
3 documents being ready to go out shortly for the land grading and sodding.

4  
5 **Tab 14) City Council**

6  
7 **Councilmember Pfister**

8  
9 **Councilmember Gamble**

10 Councilmember Gamble reiterated that he was not against the Harvest Moon event but he had  
11 concerns about the status of the budget. He noted he will contribute the \$295 for the bounce  
12 house if he is contacted.

13  
14 Councilmember Gamble stated Council had received an invitation to go to the end of the year  
15 Babe Ruth awards celebration next Wed. and Thursday. He said he will attend on Wednesday if  
16 he can get back up to attend the Lake Community Actions Board meeting.

17  
18 **Vice Mayor Grenier**

19  
20 **Councilmember Smith**

21 Councilmember Smith said he would like to see an economic development report in the monthly  
22 department head reports.

23  
24 Councilmember Smith asked for clarification as to when the RFP will go out for banking services.  
25 Ms. Houghton responded it would be by June 15<sup>th</sup>. He noted Council only extended for six  
26 months for the current bank in order to get RFP's out. Ms. Houghton said she would review the  
27 dates and bring back an extension to Council if needed.

28  
29 Councilmember Smith said there had been good news on property valuations. Mr. Drury noted  
30 that the first report from the Property Appraiser had been that the Tavares property values would  
31 go down another 10% on top of the 17% that was the previous year. The preliminary numbers  
32 have now come in with several cities that are down in double digits. Tavares did very well and is  
33 at about a 4.6% decrease in valuation which is a significant reduction from what was originally  
34 predicted. This means that the property values in Tavares are holding much stronger than  
35 predicted.

36  
37 **Mayor Wolfe**

38  
39 **Adjournment**

40  
41 There was no further business and the meeting was adjourned at 5:13 p.m.

42  
43 Respectfully submitted,

44  
45  
46  
47 \_\_\_\_\_  
Nancy A. Barnett, C.M.C., City Clerk