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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
SEPTEMBER 16, 2009
CITY COUNCIL CHAMBERS**

COUNCILMEMBERS PRESENT

Nancy Clutts, Mayor
Robert Wolfe, Vice Mayor
Bob Grenier, Councilmember
Lori Pfister, Councilmember

ABSENT

Norb Thomas, Councilmember

STAFF PRESENT

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

CALL TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Chaplain Pete Bandstra, Lake County Corrections, gave the invocation and those present recited the pledge of allegiance.

APPROVAL OF AGENDA

1 Mr. Drury stated that he would like to pull Tab 6 [Additional Alleyway Paving Contract
2 with Pillar Homes] from the consent agenda and place under General Government for
3 discussion.

4
5 Vice Mayor Wolfe said he would like to add a discussion on Impact Fees to be added
6 under New Business.

7
8 Mr. Drury stated that he would like to add a new item, Extension of the CDBG
9 Agreement for the Summerall Park Project, under General Government for
10 consideration.

11
12 **MOTION**

13
14 **Robert Grenier moved to approve the agenda with the discussed changes,
15 seconded by Robert Wolfe. The motion carried unanimously, 4-0.**

16
17 **APPROVAL OF MINUTES**

18
19 Councilmember Grenier asked for the following change to the September 2, 2009
20 Regular City Council Meeting Minutes; Page 4, Line 23: Remove 'Mr. O'Keefe' and
21 replace with 'Mr. Kooser.'

22
23 **Robert Wolfe moved to approve the minutes of the September 2, 2009 Regular
24 City Council Meeting, seconded by Robert Grenier. Mayor Clutts stated that for
25 point of order the minutes would be approved with the aforementioned change.
26 The motion carried unanimously, 4-0.**

27
28 **PROCLAMATIONS/PRESENTATIONS**

29
30 None.

31
32 **SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE
33 CONTACTS**

34
35 Attorney Williams stated there were no quasi-judicial matters on the agenda.

36
37 **READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

38

1 Attorney Williams stated Resolution 2009-13 [Final Millage Rate for Fiscal Year
2 2009-2010] and 2009-14 [Final Budget for Fiscal Year 2009-2010] will be read
3 into the record at 5:05 p.m.

4
5 **CONSENT AGENDA**

6
7 Mayor Clutts asked if anyone in the audience has an objection to any items on the
8 consent agenda.

9
10 **MOTION**

11
12 **Robert Wolfe moved for approval of the Consent Agenda excluding Tab 6 [Tab 2)
13 IAFF Contract; Tab3) Approval of Bid Award for Street Paving Projects & Related
14 Water Lines; Tab 4) Grant Application for Second Boat Ramp at Wooton Park –
15 Florida Boating Improvement Fund; Tab 5) Approval of Agreement with Florida
16 Central Railroad for Subleasing a Portion of Right of Way for Construction]. The
17 motion was seconded by Robert Grenier. The motion carried unanimously, 4-0.**

18
19 **GENERAL GOVERNMENT**

20
21 **Tab 6) Additional Alleyway Paving Contract with Pillar Homes**

22
23 Mr. Drury noted that a map has been included in the meeting folders with the location of
24 the proposed additional alleyway.

25
26 Mayor Clutts asked for comments from the audience.

27
28 Councilmember Pfister asked if the alleyway project will need to go back out to bid.
29 Attorney Williams said the original bid came in lower than anticipated and the proposed
30 alleyway can be added under the original bid. Mr. Drury stated the original bid was
31 conducted approximately six months ago.

32
33 **MOTION**

34
35 **Robert Grenier moved for approval [Tab 6) Additional Alleyway Paving Contract
36 with Pillar Homes], seconded by Robert Wolfe. The motion carried 3-1 as follows;**

37
38 **Nancy Clutts: Yes**
39 **Robert Grenier: Yes**
40 **Lori Pfister: No**

1 **Robert Wolfe** **Yes**

2
3 **Extension of CDBG Agreement for the Summerall Park Project**

4
5 Ms. Rogers said the Summerall Park project is near completion (mid-October) but the
6 current Community Development Block Grant (CDBG) Agreement will sunset on
7 September 30, 2009. Staff is asking for an extension to the CDBG Agreement with
8 Lake County in order to complete the additional amenities that were afforded as the
9 construction phase came under budget; handicap-accessible restrooms, additional
10 furniture, small gazebo and signage. Ms. Rogers noted that the grant is a non-
11 matching federal grant in the amount of \$220,000 and no local funds are being utilized
12 in the project.

13
14 **MOTION**

15
16 **Robert Wolfe moved to approve the extension of the CDBG Agreement, seconded**
17 **by Robert Grenier. The motion carried unanimously, 4-0.**

18
19 **OLD BUSINESS**

20
21 None.

22
23 **NEW BUSINESS**

24
25 **Discussion of Impact Fees**

26
27 Vice Mayor Wolfe said a new ordinance may come before Council in the future to
28 amend the Impact Fee Waiver Program within the Community Redevelopment Area
29 (CRA) District (approved by City Council June 4, 2008) and which allows for an impact
30 fee reduction for commercial development. He said that a new ordinance will be
31 brought forward to extend the program as well as include mixed-use and multi-family
32 residential projects in the high density core downtown. Mr. Wolfe said he would like to
33 see the city implement this waiver of impact fees throughout the entire city for any and
34 all new construction for commercial and/or residential to help promote growth and
35 businesses. He asked if there is any Council support to direct Staff to review all
36 agreements and draw up an ordinance.

37
38 Councilmember Grenier asked if an in-house study could be conducted. Mr. Drury
39 confirmed and said that Staff would review existing pioneer agreements and bond

1 covenants in order to provide Council with a clear recommendation. Councilmember
2 Grenier stated his support for a study and report.

3
4 Councilmember Pfister said she is not in support of a moratorium of impact fees and
5 that she would like to keep the program as it currently exists.

6
7 Mayor Clutts stated her support for programs designed for commercial to help business
8 investment. She noted her concern of possible unforeseen effects on the community by
9 extending the program throughout the entire City and to residential projects. She said
10 she is not in support of the housing element as it negates what is currently being
11 achieved in the urban core. Ms. Clutts said that pedestrian centers in the urban core
12 will bring investment into the business community and that there needs to be an
13 abundance of living options in the downtown.

14
15 **Mr. Drury said he hears a majority consensus for Staff to bring back a report and**
16 **clear recommendation on an impact fee abatement/deferral program and what**
17 **effects the program would have on the community.**

18
19 Mayor Clutts asked for comments from the audience.

20
21 Robert Kaiser, Community Redevelopment Area Advisory Committee (CRAAC)
22 member, said that on Monday, September 14, 2009 the CRAAC voted to recommend
23 the impact fee credit program be amended to include mixed use residential/commercial
24 and multi-family residential projects as well as restart the program for an additional
25 three years upon adoption of the amendment. He said the committee is also
26 recommending that the City approach Lake County and ask them to implement a similar
27 program in the Tavares Downtown CRA District as Tavares is the county seat. Mr.
28 Kaiser noted that the advantage of the program sunset extension would help shovel
29 ready projects which take time to implement.

30
31 **REPORTS**

32
33 **City Administrator**

34
35 Mr. Drury noted a list of upcoming meetings has been provided in the agenda packet.

36
37 **Richard Keith**

38
39 Chief Keith thanked Council for their approval of the IAFF contract. He said this has
40 been a tough year and there was a great partnering at the table. Chief Keith thanked

1 the negotiation team; Alan Gagne, Jeff Hosterman, Vice Mayor Wolfe and chief
2 negotiator John Drury. Mayor Clutts thanked the team on behalf of the citizens and said
3 the results were historic.

4
5 **Tamera Rogers**

6
7 Ms. Rogers noted the Downtown Business Development Group and Tavares Chamber
8 of Commerce have coordinated the first 'Art Around Town' on Friday, September 18,
9 2009 from 5:00 p.m. to 7:00 p.m. She encouraged those present to come out and show
10 their support for the initiative.

11
12 **Councilmember Pfister**

13
14 Councilmember Pfister said she, John Drury and Bill Neron recently met with
15 Representative Hayes and Senator Baker regarding the pavilion permitting and
16 negotiations are going well.

17
18 **Councilmember Grenier**

19
20 Councilmember Grenier thanked Chris Thompson for removing a generator on St. Clair
21 Abrams and having it rebuilt.

22
23 **The meeting was adjourned at 4:31 p.m.; the meeting reconvened at 5:05.**

24
25 **Tab 7) Resolution 2009-13 – Final Millage Rate – Second Reading**

26
27 Ms. Novack read Resolution 2009-13 in its entirety.

28
29 **RESOLUTION 2009- 13**

30
31 **A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF**
32 **6.25 FOR THE CITY OF TAVARES, FLORIDA, FOR AD**
33 **VALOREM TAXES FOR FISCAL YEAR 2009-2010;**
34 **SETTING FORTH THE PERCENT BY WHICH THE**
35 **MILLAGE RATE IS LESS THAN THE "ROLLED-BACK"**
36 **RATE.**

37
38 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**

39
40 **WHEREAS, under the requirements of Amendment One, the prior year operating**

1 millage rate of 6.25 exceeded the prior year maximum millage rate of 4.5992 mills
2 allowed by majority vote for the fiscal year 2008-2009 by unanimous vote of the
3 City Council, and
4

5 WHEREAS, the City of Tavares, having conducted its first public hearing on
6 September 2, 2009, pursuant to Section 200.065 of the Florida Statutes, is now
7 prepared to set its final millage rate of 6.25; and
8

9 WHEREAS, the City Council of the City of Tavares has voted (4-0) to maintain its
10 annual millage rate of 6.25 mils for 2009-2010; and
11

12 WHEREAS, the final millage rate of 6.25 mils is less than the non adjusted "rolled-
13 back" rate of 6.8570 mils by 8.85 percent;
14

15 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Tavares,
16 Florida, that the final millage for fiscal year 2009-2010 is set at 6.25 which final
17 millage rate is less than the non adjusted "rolled-back" rate by 8.85 percent;
18

19 PASSED AND RESOLVED this 16th day of September 2009, by the City Council of
20 the City of Tavares, Florida.
21

22 Ms. Houghton provided the following presentation;
23

24 On July 29, 2009, the City Administrator provided a "State of the City" to the City Council
25 and presented the Fiscal Year 2010 Proposed Operating Budget. In addition, the Finance
26 Director provided a detailed presentation of the proposed 2010 Budget. The City Council
27 set a Maximum Millage rate of 6.25 mills.
28

29 On August 5, 2009, the City Council held a workshop to discuss the proposed budget, and
30 in addition the Finance Director presented the draft Five Year Capital Improvement Plan to
31 the City Council.
32

33 On August 19, 2009, the City Council held the final workshop to discuss and/or adjust the
34 Proposed Fiscal Year 2010 Operating Budget.
35

36 On September 2, 2009, the City Council approved Resolution No. 2009-13 after holding
37 the Tentative Budget Hearing for the Tentative Millage and Tentative Budget.
38

39 The following provides a summary of the significant details presented as part of the
40 Presentation and Workshops and Hearings for the 2009- 2010 Proposed Operating Budget:
41

42 Presentation:

- 1
- 2 • (Maintain Ad valorem rate at 6.25 – same as FY2009, but lower than rollback rate –
- 3 rollback rate 6.875 mills)
- 4 • No COLA, No Merit for employees
- 5 • Eleven positions eliminated
- 6 • Employees pay \$25/mo for single health insurance coverage
- 7 • Employees pay 50% of dependent health insurance coverage (was 28%/72%-average)
- 8 • Overtime – cut in half
- 9 • All employees will take a one half day furlough of unpaid leave per month
- 10 • Operating supplies reduced to mission critical
- 11 • No new debt
- 12 • Wooton Park Debt obligation will be paid from Sales Tax Fund
- 13 • Capital initiatives in infrastructure will be moved to 2010 fiscal year
- 14 • Workers Compensation increase estimated at 5%
- 15 • Police Pension contributions increased from 14.7% to 19.% or 29.3% increase
- 16 • Fire Pension contributions increased from 20% to 21.7% or 8.5%
- 17 • No capital expenditures in General Fund (exception-Library Collections)
- 18

19 The following provides a summary of Changes thus far to the Proposed Budget:

- 20
- 21 • TIF Fund revenues will be increased. Lake County Tourism Grants in the amount of
- 22 \$33,750 will be added to the proposed TIF budget to offset TIF Special Events.
- 23 • Overtime for Police Communication Dispatch was included in Police Patrol Division. A
- 24 correction will be made to the proposed budget to reflect Police overtime of \$75,000 and
- 25 Dispatch overtime of \$42,037. Net effect to the General Fund Proposed Budget is zero.
- 26 • The proposed budget will need to be adjusted to reflect the Alfred Street Design Project.
- 27 Once the amount is known, Transportation Impact Fee Participation Revenue and
- 28 estimated costs for design will be included. Transportation impact revenues will offset
- 29 proposed expenditures.
- 30 • The City Council voted on August 5th to remove the \$7,591 budgeted in the Special Event
- 31 Fund (106) for the Renaissance Faire.
- 32 • At the August 19th budget workshop, the City Council voted to provide funding in the
- 33 amount of \$4,000 within the Special Event Fund (106) for the Renaissance Faire. This
- 34 amount is in addition to in-kind support that will be provided by City of Tavares Staff for
- 35 the event.
- 36 • At the August 19th budget workshop, the City Council voted to move initiatives for city
- 37 branding way finding initiatives in the CIP from 2011 to 2010. These initiatives are
- 38 included with Streetscape Design, Streetscape Improvements and City Gateways in the
- 39 draft CIP document.
- 40 • Carry over amounts to the Proposed 2010 budget those amounts budgeted in Infrastructure
- 41 Sales Tax for Park Ball Fields and floating docks in fiscal year 2009 as projects are
- 42 ongoing. Ball fields: \$290,000, Docks: 42,500.

- 1 • Include awarded grants that have been awarded after budget workshops: Police Byrne
2 Grant: \$57,600, Police US Justice & Jag Grants: \$74,421. Library Humanities Grant:
3 \$2,236
4 In addition to the additions and or changes listed above, staff recommends the following
5 final change to the adopted budget for fiscal year 2009-2010.
- 6 • Include an additional \$22,946 for the Water/Wastewater Proposed Budget to allow for
7 Replacement of the air conditioning system at Woodlea Wastewater Complex. The current
8 unit was installed in 1985 and although staff originally thought that this unit could last
9 additional years, significant breakdowns in the last month indicates the need for
10 replacement to avoid frequent breakdowns and costly repairs.

11 The Proposed Adopted Budget is based on a millage rate of 6.25 mills.

12
13
14 Mayor Clutts asked for comments from the Council.

15
16 Mayor Clutts asked for comments from the audience.

17
18 Mr. Gary Santora, Lake Huron Lane, thanked Ms. Houghton for providing him with
19 information on the budget and applauded Council for their efforts.

20
21 **MOTION**

22
23 **Robert Wolfe moved to approve Resolution 2009-13 for final millage at 6.25 mills,**
24 **seconded by Robert Grenier. The motion carried unanimously, 4-0.**

25
26 **Tab 8) Resolution 2009-14 – Final Budget – Fiscal Year 2009-2010 – Second**
27 **Reading**

28
29 Ms. Novack read Resolution 2009-14 in its entirety.

30
31 **RESOLUTION 2009- 14**

32
33 **A RESOLUTION ADOPTING THE FINAL BUDGET FOR**
34 **THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL**
35 **YEAR 2009-2010.**

36
37 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**

38
39 **WHEREAS, a public hearing was held at the Tavares City Hall Council Chambers**
40 **in the City of Tavares, Florida, on September 2, 2009, at 5:05 p.m., and**

1 **WHEREAS, the general public was given an opportunity to express its views**
2 **pertaining to the proposed budget, and**

3
4 **WHEREAS, the City Council approved the tentative budget for 2009-2010, and**

5
6 **WHEREAS, a second public hearing was held in the Council Chambers at the**
7 **Tavares City Hall, 201 East Main Street in the City of Tavares, Florida, on**
8 **September 16, 2009, at 5:05 p.m.,**

9
10 **NOW, THEREFORE, BE IT RESOLVED that the Budget for 2009-2010 fiscal year**
11 **for the City of Tavares, Florida is hereby adopted by the Tavares City Council in**
12 **the amount of \$26,171,168, at public hearing this 16th day of September, 2009.**

Fund Name	Fund Number	Estimated Revenues	Reserve Appropriations or (Non-Appropriated Revenues)	Estimated Appropriations
General Fund	001	\$ 11,573,388	\$ 24,524	\$ 11,597,912
Water/Wastewater Utility	401	7,215,025	(494,348)	6,720,677
Water/Wastewater Impacts	441	200,000	971,148	1,171,148
W/WW RR&I Fund	443	201,000	(201,000)	-
W/WW SRF Loan	445	678,857	-	678,857
Sanitation	402	2,217,865	(31,048)	2,186,817
Stormwater	403	446,608	(19,768)	426,840
Police Education	102	2,900	443	3,343
Police Automation	103	15,000	5,000	20,000
Community Redevelopment	105	255,735	(19,287)	236,448
Special Events	106	17,500	(13,500)	4,000
Police Impacts	110	30,500	(30,500)	-
Fire Impacts	111	56,000	60,021	116,021
Forfeiture Fund	112	-	-	-
Park Impacts	114	5,300	(5,300)	-
Infrastructure Sales Tax	150	974,779	807,641	1,782,420
Grant Fund	151	606,132	2,326	608,458
Debt Service Fund	201	272,522	-	272,522
Capital Project Fund	301	-	-	-
Dental Insurance Fund	501	66,880	2,825	69,705
Municipal Police Pension	601	499,595	(367,121)	132,474
Firefighter's Pension	602	1,376,708	(1,234,350)	142,358
Mildred Hunter Trust	605	168	-	168
Woodlea Park Playground Trust	606	170	830	1,000
		<u>\$ 26,712,632</u>	<u>\$ (541,464)</u>	<u>\$ 26,171,168</u>

13
14 **PASSED AND RESOLVED this 16th day of September, 2009, by the City Council**
15 **of the City of Tavares, Florida.**

16
17 Ms. Houghton said all of the same elements will apply to Resolution 2009-14 as
18 discussed in the previous resolution (2009-13) and is available for any questions.

19
20 Mayor Clutts asked for comments from the audience.

21
22 Mayor Clutts asked for comments from Council.

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MOTION

Robert Wolfe moved to approve Resolution 2009-14 final budget for fiscal Year 2010 at \$26,171,168.00, seconded by Robert Grenier. The motion carried unanimously, 4-0.

Mr. Drury thanked Staff for their help in crafting the budget during this difficult time, and Council for their understanding and hard work, engagement, tough questions and tough cuts. Mr. Drury said he is proud to be at the City during this time when everyone is rowing in the same direction.

Adjournment

There was no further business and the meeting was adjourned at 5:21 p.m.

Respectfully submitted,

Susie Novack, C.M.C.
Deputy City Clerk