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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
OCTOBER 7, 2009
CITY COUNCIL CHAMBERS**

COUNCILMEMBERS PRESENT

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

ABSENT

Norb Thomas, Councilmember
Lori Pfister, Councilmember

STAFF PRESENT

John Drury, City Administrator
Bob Williams, City Attorney
Nancy Barnett, City Clerk
Lori Tucker, Director of Human Resources
Jacques Skutt, Director of Community Development
Chief Richard Keith, Fire Department
Chris Thompson, Interim Public Works Director
Tamera Rogers, Director of Community Services
Brad Hayes, Director of Utilities
Lt. David Myers, Police Department

CALL TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor William Tyson, Union Congregational Church, gave the invocation and those present recited the pledge of allegiance.

APPROVAL OF AGENDA

Mr. Drury stated that he would like to add Tab 10A (Request to Approve Work Authorization for Grant Management Services for the Water Treatment Plant Improvements of Environmental protection SRF/ARRA Loan and Grant). He also

1 requested to have a brief discussion with Council regarding Tab 5—Amendment to
2 Impact Fee Waiver Ordinance.

3
4 **MOTION**

5
6 **Robert Wolfe moved to approve the agenda with the discussed changes,
7 seconded by Robert Grenier. The motion carried unanimously, 3-0.**

8
9 **APPROVAL OF MINUTES**

10
11 **Robert Wolfe moved to approve the minutes of the September 16, 2009 Regular
12 City Council Meeting with the following correction:**

13
14 **Page 1, Delete “Norb Thomas Councilmember” as being present.**

15
16 **The motion was seconded by Robert Grenier. The motion carried unanimously,
17 3-0.**

18
19 **PROCLAMATIONS/PRESENTATIONS**

20
21 **Presentation to G&T Conveyor Company of Tavares**

22
23 Mayor Clutts stated that a video would be shown of the G&T Conveyor Company. The
24 video, narrated by Actor John Ratzenberger, was shown to the audience. Mayor Clutts
25 then read a proclamation to G&T Conveyor as follows:

26
27 **Outstanding Achievement in Business Award**

28
29 **Whereas**, G&T Conveyor, Inc. was incorporated in Florida in 1987 and has its headquarters in
30 Tavares; and

31
32 **Whereas**, G&T Conveyor, Inc. is the only American owned and largest privately held turnkey
33 baggage handling systems manufacturer in the United States; and the last American owned and
34 operated company in their industry; and

35
36 **Whereas**, on July 15th, 2009, G&T Conveyor, Inc. was awarded the Safety and Health
37 Achievement Recognition Program Award (SHARP) by the Occupational Safety and Health
38 Administration (OSHA), thereby qualifying G&T Conveyor, Inc. as a model amongst its peers for
39 worksite safety and health; and

40
41 **Whereas**, G&T Conveyor, Inc. is the 53rd company in Florida and the 2nd company in Lake
42 County to achieve such an accomplishment; and

1
2 **Whereas**, on September 17th, 2009, G&T Conveyor, Inc. was awarded the prestigious
3 “Schwartz Industry and Innovation” award by the Orlando Economic Development Commission;
4 and
5

6 **Whereas**, G&T Conveyor, Inc. is Designated and Certified as using Qualified Anti-Terrorism
7 Technology under the Safety Act enacted by the U.S. Department of Homeland Security.
8

9 Mayor Clutts presented the proclamation to John Cottrell, Vice President of G&T
10 Conveyor. Mr. Cottrell expressed appreciation for the award and for the city’s support
11 during the years they had worked to establish their company.
12

13 Mr. Bob Wiese, John Cottrell (VP / General Manager), Orin Owen, Paul Shaffer (CFO),
14 and Pete Ruffing joined Mayor Clutts and Council for a photograph.
15

16 **SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE**
17 **CONTACTS**
18

19 Attorney Williams stated there were no quasi-judicial matters on the agenda.
20

21 **READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**
22

23 Ms. Barnett read the following ordinances and resolution into the record by title
24 only. She noted they would all be advertised for second reading for the
25 November 4, 2009 City Council meeting.
26

27 **ORDINANCE 2009-29**
28

29 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, THAT**
30 **PROVIDES FOR AN ECONOMIC DEVELOPMENT INCENTIVE**
31 **PROGRAM; SUSPENDING CERTAIN CITY WATER, SEWER, POLICE,**
32 **FIRE AND PARK IMPACT FEES FOR A SPECIFIED PERIOD OF TIME;**
33 **SPECIFYING THE AREAS OF THE CITY AND THE TYPES OF**
34 **PROPERTIES THAT ARE ELIGIBLE FOR THIS PROGRAM;**
35 **PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING AN**
36 **EFFECTIVE DATE.**
37

38 **ORDINANCE NO. 2009-30**
39
40
41

1 AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER
2 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS'
3 PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE
4 CITY OF TAVARES; AMENDING SECTION 15-71, DEFINITIONS;
5 AMENDING SECTION 15-74, FINANCES AND FUND MANAGEMENT;
6 AMENDING SECTION 15-75, CONTRIBUTIONS; AMENDING SECTION
7 15-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION
8 15-77, PRE-RETIREMENT DEATH; AMENDING SECTION 15-78,
9 DISABILITY; AMENDING SECTION 15-80, OPTIONAL FORMS OF
10 BENEFITS; AMENDING SECTION 15-85, MAXIMUM PENSION;
11 AMENDING SECTION 15-86, MINIMUM DISTRIBUTION OF BENEFITS;
12 AMENDING SECTION 15-87, MISCELLANEOUS PROVISIONS;
13 AMENDING SECTION 15-88, REPEAL OR TERMINATION OF
14 SYSTEM; AMENDING SECTION 15-91, FORFEITURE OF PENSION;
15 AMENDING SECTION 15-94, DIRECT TRANSFERS OF ELIGIBLE
16 ROLLOVER DISTRIBUTIONS; AMENDING SECTION 15-97, PRIOR
17 POLICE SERVICE; AMENDING SECTION 15-98, DEFERRED
18 RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION;
19 PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL
20 ORDINANCES IN CONFLICT HERewith AND PROVIDING AN
21 EFFECTIVE DATE.

22
23 ORDINANCE NO. 2009- 31
24
25

26 AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER
27 15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS'
28 PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE
29 CITY OF TAVARES; AMENDING SECTION 15-101, DEFINITIONS;
30 AMENDING SECTION 15-103, BOARD OF TRUSTEES; AMENDING
31 SECTION 15-104, FINANCES AND FUND MANAGEMENT; AMENDING
32 SECTION 15-105, CONTRIBUTIONS; AMENDING SECTION 15-106,
33 BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-107,
34 PRE-RETIREMENT DEATH; AMENDING SECTION 15-108,
35 DISABILITY; AMENDING SECTION 15-110, OPTIONAL FORMS OF
36 BENEFITS; AMENDING SECTION 15-115, MAXIMUM PENSION;
37 AMENDING SECTION 15-116, MINIMUM DISTRIBUTION OF
38 BENEFITS; AMENDING SECTION 15-117, MISCELLANEOUS
39 PROVISIONS; AMENDING SECTION 15-118, REPEAL OR
40 TERMINATION OF SYSTEM; AMENDING SECTION 15-119,
41 DOMESTIC RELATIONS ORDERS, RETIREE DIRECTED PAYMENTS,

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RESOLUTIONS

Tab 8) Resolution #2009-15 – Authorization to Include Road Resurfacing and Alleyways Improvements in the Project Scope for the Capital Improvement Loan Fund Series 2008

Ms. Houghton reported that this was a request to consider the approval of Resolution #2009-15 regarding authorization to use Capital Improvement Funds Series 2008 to include alleyways and surfacing of roads.

She stated that the alleyways and resurfacing projects will be sent out for bid. She advised that the recommended priority list for alleyways and paving of roads had been provided in the agenda packet.

MOTION

Robert Wolfe moved to approve Resolution #2009-15, seconded by Robert Grenier. The motion carried unanimously 3-0.

GENERAL GOVERNMENT

Tab 9) City Wide Notification System

Mr. Drury explained that this was a request to authorize staff to solicit proposals to obtain an automated City Wide Notification System and amend the budget up to \$15,000 to purchase said system.

Mr. Drury stated due to a transformation in computer/phone technology new automated City wide Notification systems are now available which allow cities to send out important notifications to all of its residents within minutes to their e-mail address (up to two per resident), cell phones (up to two per resident), work phones, home phones, pagers or by text message. He said it is recommended that the City obtain proposals and budget approximately \$15,000 annually to have access to this system and that each department would budget for a share of the fee..

Discussion

1 Councilmember Grenier asked if the \$15,000 estimate would remain the same the
2 second year of the contract. Mr. Drury said that the contract would be annually reviewed
3 and Council would review the cost and the impact at the time of review of the budget.
4

5 Mayor Clutts noted that she felt a policy should be developed as to the use of the
6 system. Mr. Drury stated that if Council decides to move forward on this program staff
7 will draft a policy for council review.
8

9 Mayor Clutts asked for comment from the public.

10
11 Mary Grenier, Bensenville, Illinois
12

13 (Mayor Clutts welcomed the parents of Councilmember Grenier.)
14

15 Mrs. Grenier stated that her state [Illinois] has that system and this system has been
16 accepted and appreciated by the public in that state.
17

18 Norm Hope – Fox Run Subdivision
19

20 Mr. Hope asked how the system compares to what the city had done in notifying the
21 residents regarding the boil water notification. He said that he felt almost all the
22 residents got notified and received their answers quickly. He asked about the security of
23 the information since a private firm would be managing the information.
24

25 Mr. Drury discussed the process that had taken place with the last boil water notice
26 when a reverse 911 system was used in conjunction with the Sheriff. He noted the data
27 had been limited to numbers registered under 911 and did not include cell phone
28 numbers. He noted he did not have an answer to the question regarding security but
29 that when staff goes through the RFP process through working with the City Attorney an
30 answer will be provided.
31

32 Sandy Gamble, 112 S. Lake
33

34 Mr. Gamble noted a message was not left by the Reverse 911 system on either of his
35 phone numbers. He said he had found out the information the following day. He said he
36 thought it was a great idea because of the email system as long as it can be privatized
37 and the information cannot be sold.
38

39 **MOTION**
40

1 **Robert Wolfe moved to authorize staff to solicit for proposals, do a budget**
2 **amendment where each department contributes a proportionate share towards**
3 **the cost as determined by the City Administrator up to a total of \$15,000 a year**
4 **and to ensure that as the proposal is drafted that the privacy of all the individuals**
5 **is secured which will be part of the proposal. The motion was seconded by**
6 **Robert Grenier. The motion carried unanimously 3-0.**

7
8 **Tab #10) Bacteriological Sampling Stations**
9

10 Mr. Hayes advised that this was a request to consider the purchase of additional
11 sampling stations for a cost of \$5,560.00. This cost figure is based on a quote given by
12 Ferguson – Orlando Waterworks. Two other quotes will be supplied to the Purchasing
13 Department prior to purchasing.

14
15 As background, Mr. Hayes reviewed the September 19, 2009 city-wide boil water
16 notice. During this time 16 sampling station were purchased. The funding for this
17 purchase was made available from a line item in the Fiscal Year Budget for 2010 –
18 2011 in the amount of \$16,000.00.

19
20 Proposed Recommendations:

- 21
22
 - Purchase an additional 54 sampling stations
 - Bring the total of additional sampling stations to 70
 - Install the 54 stations in various locations city wide
 - Allow additional area versatility for water distribution sampling

26

27 Mayor Clutts asked if there were comments from the audience.

28
29 **MOTION**
30

31 **Robert Grenier moved to approve the purchase of the needed additional sampling**
32 **stations in the amount of \$5,560.00 utilizing funds from the Water Wastewater**
33 **Reserves in addition to the approved budget amount of \$16,000 for a grand total**
34 **of \$21,560.00. The motion was seconded by Robert Wolfe. The motion carried**
35 **unanimously 3-0.**

36
37 **Tab 10) Request to Approve Work Authorization for Grant Management Services**
38 **for the Water Treatment Plant Improvements of Environmental Protection**
39 **SRF/ARRA Loan and Grant**
40

1 Mr. Drury said a grant was obtained sooner than anticipated that is coming from the
2 Recovery Act. This will require hiring grant administration services because of the
3 number of laws that are impacted. The request is to authorize an agreement with
4 Malcolm Pirnie in the amount of \$69,000 to handle the entire administrative grant
5 services and requirements by the American Recovery Reinvestment Act and the Davis-
6 Bacon Grant for the Water Treatment Plant.

7
8 Mr. Hayes reported that previously the City Council went out for proposals to hire a firm
9 to do all of the city utility upgrades, provide grant acquisition and management services
10 and government affairs services for the next five years. The Council selected Malcolm
11 Pirnie. Prior to hiring Malcolm Pirnie the city had hired BESH to design the Water
12 Treatment Plant Upgrades and over see the construction of the project. The budget for
13 the project was \$2.3 million. The City previously went out for bids and awarded the
14 Water Treatment Upgrades project to McMahan Construction in the amount of
15 \$2,305,000.00. This project was scheduled to be funded by a low interest Department of
16 Environmental Protection SRF loan in the amount of 2.5 million. After the award of bid,
17 Malcolm Pirnie was successful in securing an 85% grant through the American
18 Recovery and Reinvestment Act (ARRA) which would result in 85% (\$2,125,000) of the
19 Loan that the city previously secured being forgiven.

20
21 The \$2.125 million ARRA grant calls for extensive Federal reporting and documentation
22 including but not limited to the following:

- 23
24 1. Weekly Certification of Payroll Certification
25 2. Labor interviews at the construction site and the associated documentation
26 3. MBE/WBE compliance documentation
27 4. Buy American assurance documentation
28 5. Compliance with Davis –Bacon fair wage labor act
29 6. Audit management services of all invoicing
30 7. Grant agency contract approval process
31 8. Project close out auditing documentation services

32
33 Compliance to perfection with the ARRA and Davis Bacon Act are important to ensure
34 that the grant is secured in its totality and that a track record of full compliance is
35 maintained for future grant acquisition. The grant permits up to \$162,500 for these types
36 of services. Staff negotiated a contract for \$69,000 to administer all of the federal grant
37 management aspects of the project. The contract has been reviewed by the grant
38 agency for eligibility for reimbursement via the grant. It has also been reviewed for legal
39 sufficiency.

1 Mayor Clutts questioned some of the requirements of accepting the grant.

2
3 Mr. Shannon of Malcolm Pirnie noted that in this case the design for the project was
4 complete before the funding was approved so the funding agency knows exactly what
5 the city is intending to do and the reporting requirements do not impact that. He said this
6 will be reporting on the compliance with the stipulation that came with the funds.

7
8 **MOTION**

9
10 **Robert Wolfe moved to authorize the City Administrator to execute the attached**
11 **grant on the administration services contract in the amount of \$69,000 with**
12 **Malcolm Pirnie. The motion was seconded by Robert Grenier. The motion carried**
13 **unanimously 3-0.**

14
15 **OLD BUSINESS**

16
17 None.

18
19 **NEW BUSINESS**

20
21 None

22
23 **AUDIENCE TO BE HEARD**

24
25 **Betty Burleigh**

26 Ms. Burleigh announced that the Tavares Historical Society had nominated Doris Ragan
27 for the Lake County Women's Hall of Fame and the nomination was accepted yesterday
28 by the Lake County Commission.

29
30 **REPORTS**

31
32 **City Administrator**

33
34 Mr. Drury noted on his meeting report that at the next Council Meeting, as tradition for
35 an outgoing council member, a reception will be held for Mayor Clutts after the regular
36 meeting on October 21. He added there is a Golden Triangle Meeting to be hosted by
37 Mt. Dora set up for November 10th.

38
39 **Richard Keith**

40

1 Chief Keith stated he wished to give an invitation to those present to attend a “Fire
2 Fighter Challenge” on Saturday at the Institute for Public Safety.

3
4 **Brad Hayes**

5
6 Mr. Hayes said he wished to given an update on the Consumptive Use Permit. The
7 current CUP was issued in 2003 and expires in October of 2010. The City hired
8 Malcolm Pirnie to develop the application. The city is requesting a 20 year permit to
9 meet the demands through 2030. Specifically the city is requesting 5.046 million gallons
10 per day of ground water and is proposed to use .933 million gallons of reclaimed water
11 to meet a total demand of 5.935 million gallons per day through the year 2030. He said
12 the application will be submitted next week and St. Johns will begin the review process
13 which will last a couple of years. He said periodically he will come back to Council and
14 give an update.

15
16 **Councilmember Grenier**

17
18 Councilmember Grenier noted his parents were present and he appreciated their visit.

19
20 **Vice Mayor Wolfe**

21
22 No report.

23
24 **Mayor Clutts**

25
26 Mayor Clutts noted she had attended a Tavares Middle School Advisory Council
27 meeting. She said they are going through a new traffic control process and are buying
28 new gates. She asked Chief Keith to ensure the Fire Department has access. Chief
29 Keith said he would check into that.

30
31 **Adjournment**

32 There was no further business and the meeting was adjourned at 5:11 p.m.

33
34 Respectfully submitted,
35
36
37

38
39 _____
40 Nancy A. Barnett, C.M.C.
City Clerk