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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
NOVEMBER 4, 2009
CITY COUNCIL CHAMBERS**

COUNCILMEMBERS PRESENT

ABSENT

Nancy Clutts, Mayor
Robert Wolfe, Vice Mayor
Bob Grenier, Councilmember
Lori Pfister, Councilmember
Norb Thomas, 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
Chief Stoney Lubins, Police Department

CALL TO ORDER

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

INVOCATION AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF AGENDA

Mr. Drury said he has two items to add to the agenda;

- General Government – Item A: Proclamation by Mayor Clutts

- General Government – Item B: Discussion on the next City Council Meeting

MOTION

Norb Thomas moved to approve the agenda, seconded by Bob Grenier. The motion carried unanimously 5-0.

APPROVAL OF THE MINUTES

Robert Wolfe said he would like to change Line 25, Page 3 of the October 21, 2009 City Council Meeting minutes to correct the spelling of Edd Holder's name.

Motion

Robert Grenier approved the minutes of the October 21, 2009 meeting minutes with the aforementioned change, seconded by Norb Thomas. The motion carried unanimously, 5-0.

SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE CONTACTS

None

ORDINANCES/RESOLUTIONS – PUBLIC HEARING

Ms. Barnett read the following ordinances and resolution into the record by title only; Ordinance 2009-30, Ordinance 2009-31 and Resolution 2009-16.

Mayor Clutts noted there are no Consent Agenda items to be heard by City Council.

Ordinance 2009-30 – Amendments to Police Pension Ordinance – Second Reading

ORDINANCE NO. 2009-30

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-71, DEFINITIONS; AMENDING SECTION 15-74, FINANCES AND FUND MANAGEMENT; AMENDING SECTION 15-75, CONTRIBUTIONS; AMENDING SECTION 15-76, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION

1 15-77, PRE-RETIREMENT DEATH; AMENDING SECTION 15-78,
2 DISABILITY; AMENDING SECTION 15-80, OPTIONAL FORMS OF
3 BENEFITS; AMENDING SECTION 15-85, MAXIMUM PENSION;
4 AMENDING SECTION 15-86, MINIMUM DISTRIBUTION OF BENEFITS;
5 AMENDING SECTION 15-87, MISCELLANEOUS PROVISIONS;
6 AMENDING SECTION 15-88, REPEAL OR TERMINATION OF
7 SYSTEM; AMENDING SECTION 15-91, FORFEITURE OF PENSION;
8 AMENDING SECTION 15-94, DIRECT TRANSFERS OF ELIGIBLE
9 ROLLOVER DISTRIBUTIONS; AMENDING SECTION 15-97, PRIOR
10 POLICE SERVICE; AMENDING SECTION 15-98, DEFERRED
11 RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION;
12 PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL
13 ORDINANCES IN CONFLICT HERewith AND PROVIDING AN
14 EFFECTIVE DATE.

15
16 Chief Lubins noted that Mr. Norman Hope, Police Pension Board Chairman, is present
17 in the audience and is available for questions.

18
19 Mayor Clutts asked for comments from the audience.

20
21 Mayor Clutts asked for comments from Council.

22
23 **MOTION**

24
25 **Robert Wolfe moved to approve Ordinance 2009-30, seconded by Bob Grenier.**
26 **The motion carried unanimously, 5-0.**

27
28 **Ordinance 2009-31 – Amendments to Fire Pension Ordinance – Second Reading**

29
30 **ORDINANCE NO. 2009- 31**

31
32 **AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER**
33 **15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS'**
34 **PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE**
35 **CITY OF TAVARES; AMENDING SECTION 15-101, DEFINITIONS;**
36 **AMENDING SECTION 15-103, BOARD OF TRUSTEES; AMENDING**
37 **SECTION 15-104, FINANCES AND FUND MANAGEMENT; AMENDING**
38 **SECTION 15-105, CONTRIBUTIONS; AMENDING SECTION 15-106,**
39 **BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-107,**
40 **PRE-RETIREMENT DEATH; AMENDING SECTION 15-108,**
41 **DISABILITY; AMENDING SECTION 15-110, OPTIONAL FORMS OF**
42 **BENEFITS; AMENDING SECTION 15-115, MAXIMUM PENSION;**
43 **AMENDING SECTION 15-116, MINIMUM DISTRIBUTION OF**
44 **BENEFITS; AMENDING SECTION 15-117, MISCELLANEOUS**
45 **PROVISIONS; AMENDING SECTION 15-118, REPEAL OR**

1 Ms. Houghton said Resolution 2009-16 represents increases and/or decreases to
2 the adopted and revised budget for Fiscal Year 2009. The increases and/or
3 decreases represent adjustments to the budget for additional reserve
4 appropriations approved by the City Council, additional expenditure
5 requirements, estimated revenue adjustments, and proceeds from debt issuance
6 and transfers between budget line items. The resolution represents the third and
7 final amendment to the adopted budget for Fiscal Year 2008-2009 and which
8 revises the budget from \$37,508,858.00 to \$33,687,171.00.

9
10 Mayor Clutts asked for comments from the audience.

11
12 Mayor Clutts asked for comments from Council.

13
14 **Motion**

15
16 **Robert Wolfe moved to approve Resolution 2009-16, seconded by Bob**
17 **Grenier. The motion carried unanimously, 5-0.**

18
19 **GENERAL GOVERNMENT**

20
21 **Proclamation Honoring Norb Thomas**

22
23 Mayor Clutts read the following proclamation honoring Councilmember and former
24 Police Chief Thomas in its entirety;

25
26 **WHEREAS, Councilmember Thomas has been an active and**
27 **dedicated citizen of Tavares since 1993 when he began his**
28 **service to the community as the Chief of Police of Tavares;**

29
30 **WHEREAS, Councilmember Thomas has served as an elected**
31 **City Councilmember from 2000 to 2003, and from 2006 to 2009;**

32
33 **WHEREAS, during his years of service to the City,**
34 **Councilmember Thomas has been a dedicated advocate for the**
35 **community on public safety issues with a special concern for**
36 **upgrading the Police and Fire Public Safety Complex;**

37
38 **WHEREAS; the City Council, Staff, and Residents of Tavares**
39 **wish to express appreciation for all that Councilmember**

1 **Thomas has contributed during his years of service to the City**
2 **as both Police Chief and as an elected City Councilmember;**

3
4 **NOW, THEREFORE, BE IT RESOLVED that I, Nancy Clutts,**
5 **Mayor of the City of Tavares hereby proclaim special thanks**
6 **and recognition to Councilmember Norb Thomas.**

7
8 **DONE AND PROCLAIMED this 4th day of November 2009.**
9

10 The Council and audience expressed their appreciation for Councilmember Thomas.
11 Councilmember Thomas thanked the Council and the audience.

12
13 **Discussion of November 21, 2009 City Council Meeting**

14
15 Mr. Drury explained that after the Bush/Gore presidential election the election law was
16 changed to allow persons who come to vote and do not have identification, 48 hours to
17 prove they are eligible to vote and they are allowed to vote with “provisional” ballots.
18 This means that the Supervisor of Elections cannot certify the election until those ballots
19 have been researched. In Tavares it has been a tradition to induct the new
20 councilmembers the day after the election. Due to this law, staff is recommending to
21 hold the swearing in of the new council at the next regularly scheduled meeting on
22 November 18th.

23
24 Attorney Williams stated that the charter only requires that Council meet once a month
25 and that in the future, it will be recommended that the new Council convene the third
26 Wednesday of November. Attorney Williams then advised Mr. Gamble and Mr. Smith,
27 new councilmembers elect, that they are officially under the Sunshine Law even though
28 they have not been sworn in as yet.

29
30 **OLD BUSINESS**

31
32 None.

33
34 **NEW BUSINESS**

35
36 None

37
38 **AUDIENCE TO BE HEARD**

39
40 **AUDIENCE TO BE HEARD**

1
2 None.

3
4 **REPORTS**

5
6 **City Administrator**

7
8 Mr. Drury noted that the third Golden Triangle Summit Meeting is scheduled for
9 November 10th in Mt. Dora at 6 p.m. He noted the purpose is for the three cities to meet
10 and discuss areas of mutual interest and collaboration.

11
12 Mayor Clutts asked Mr. Hayes to comment on a recent grant award. Mr. Hayes
13 confirmed that the City has received 2.5 million in grant money from FDEP to allow the
14 city to go forward with the construction of the water treatment plant upgrades. In
15 addition he added staff has applied for a USDA grant for 20 million for the CRA area
16 infrastructure for water and wastewater.

17
18 Mayor Clutts commended Mr. Thompson on the alleyways currently being constructed.

19
20 Mayor Clutts asked Ms. Thompson about the downtown Halloween party. Ms. Rogers
21 commented on the various staff members who assisted.

22
23 **Attorney Williams**

24
25 Attorney Williams congratulated the new members who had been elected. He said he
26 was sorry to see Councilmember Thomas leave council. He said Councilmember
27 Thomas has been a great asset to the City.

28
29 **Councilmember Pfister**

30
31 Councilmember Pfister said the Seaplane Base and Marina should be finished about
32 the same time as the “Planes, Trains, and BBQ” event, and that because it will be a
33 major event, she thought there should be a major band headliner engaged. She said
34 she would like to do some investigations and bring the information back. She said she
35 believed the business community might donate the funds to hire a band.

36
37 Mayor Clutts asked if Councilmember Pfister wanted to put together a dedication team.
38 Ms. Pfister said at this point she just wants to make inquiries. Mayor Clutts
39 recommended that Councilmember Pfister make a request for a future agenda so that
40 the new members can give direction. Councilmember Pfister said that is correct and at

1 this point she just wished council to support her efforts to make inquires and then she
2 will bring back the information to Council.

3
4 **Council consensus for Ms. Pfister to do the research and bring back further**
5 **information.**

6
7 Councilmember Pfister said she would like to remain at her current seat on the dais. Mr.
8 Drury said she could remain at that place on the dais. Attorney Williams said by tradition
9 the seating on the dais has been picked by the Mayor.

10
11 Councilmember Pfister thanked Councilmember Thomas for his assistance and said his
12 knowledge and discussions have been helpful to her.

13
14 **Councilmember Thomas**

15
16 Councilmember Thomas stated it has been his honor and pleasure to work with all the
17 members of the City Council and that he has enjoyed his time with the City of Tavares.
18 He noted that the staff has been very helpful. He said he hoped that the city would
19 continue to be successful on all its dreams and plans. He said he would he have
20 enjoyed another term but that it was a very well run election. He thanked his wife,
21 Debbie Thomas, for her support.

22
23 **Councilmember Greiner**

24
25 Councilmember Grenier congratulated the new members of the Council. He noted he
26 would miss Councilmember Thomas and Mayor Clutts.

27
28 Councilmember Grenier noted staff had refurbished the Coven plaque and looked
29 forward to seeing it remounted on the new pavilion. He noted this Monday is the
30 quarterly Historic Society Luncheon with Rick Reed as the guest speaker, and Mr. Drury
31 will be speaking.

32
33 **Vice Mayor Wolfe**

34
35 Vice Mayor Wolfe thanked the staff for implementing the new logo in the council
36 binders.

37
38 He said it had been a pleasure to serve with Councilmember Thomas and a great honor
39 to serve with Mayor Clutts.

40

1 **Mayor Clutts**

2

3 Mayor Clutts said she had given each staff members a personal note of thanks. She
4 said each person was special and each person's responsiveness to Council was
5 appreciated. She noted that staff and Council have made her experience a once in a
6 lifetime opportunity. She expressed personal appreciation and thoughts on each
7 councilmember and department head.

8

9 **Adjournment**

10

11 There was no further business and the meeting was adjourned at 4:45 p.m.

12

13 Respectfully submitted,

14

15

16

17

18 _____
19 Nancy A. Barnett, C.M.C.
20 City Clerk

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