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**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
APRIL 15, 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  
Robert Q. Williams, City Attorney  
Nancy Barnett, City Clerk  
Lori Houghton, Director of Finance  
Bill Neron, Economic Development Director  
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  
Jennifer Dempsey, Senior Executive Assistant

**I. CALL TO ORDER**

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

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**III. APPROVAL OF AGENDA**

1 Mr. Drury announced that staff would like to pull Tab 4 (Berens Development  
2 Agreement) under the Consent Agenda and add Tab 12 (Police Department building)  
3 under Old Business.

4  
5 Mayor Clutts asked if Council had any changes to the agenda.

6  
7 **MOTION**

8  
9 **Robert Wolfe moved to approve the agenda with the recommended changes,**  
10 **seconded by Bob Grenier. The motion carried unanimously 5-0.**

11  
12 **IV. APPROVAL OF MINUTES**

13  
14 Mayor Clutts noted a correction to the Golden Triangle Meeting minutes of June 24,  
15 2008. Page 1, line 12 change to: Evelyn Smith, Mayor.

16  
17 **Norb Thomas moved to approve the minutes of the Golden Triangle Meeting of**  
18 **June 24, 2008 with the change referenced and the City Council Regular Meeting of**  
19 **April 1, 2009 as submitted, seconded by Robert Wolfe. The motion carried**  
20 **unanimously 5-0.**

21  
22 **V. PROCLAMATIONS/PRESENTATIONS**

23  
24 **Tab 2) National Public Safety Telecommunicators Week and Communications**  
25 **Officer of the Year**

26  
27 Mayor Clutts read a proclamation designating April 12-18 as National Public Safety  
28 Telecommunicators Week. Chief Lubins invited Lt. Myers to come forward to make the  
29 award of Dispatcher of the Year.

30  
31 Lt. Myers reviewed the history and the operations of the communications center since it  
32 reopened in 2006. He then presented the Dispatcher of the Year award to Jody Fischer  
33 and discussed her attributes and contributions to the City of Tavares.

34  
35 **Tab 3) National Public Works Week – April 27-May 1, 2009**

36  
37 Mayor Clutts read a proclamation designating April 27 – May 1, 2009 as National Public  
38 Works Week.

1 **VI.SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE**  
2 **CONTACTS**

3  
4 Attorney Williams said that Tab No. 6 was a rezoning application and would require  
5 those who wished to give testimony to be sworn in. He then swore in those staff and  
6 audience members who wished to give testimony.

7  
8 Attorney Williams asked if any councilmembers wished to disclose any exparte contacts  
9 they might have had related to the Cunningham rezoning application.

10  
11 Mayor Clutts said she had spoken to two residents at the Lakeside of Tavares regarding  
12 the rezoning as well as discussing this with Mr. Cunningham.

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

15  
16 Ms. Barnett read the following ordinances into the record by title only:

17  
18 **ORDINANCE 2009-08**

19  
20 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING**  
21 **THE CITY OF TAVARES CODE OF ORDINANCES BY ADDING**  
22 **SECTION 13-64, OPERATION OF GOLF CARTS ON PUBLIC CITY**  
23 **ROADS; ADDING SECTION 13-65, OPERATION OF GOLF CARTS ON**  
24 **COUNTY ROADS; PROVIDING FOR SEVERABLILITY AND**  
25 **PROVIDING AN EFFECTIVE DATE.**

26  
27 **ORDINANCE 2009-07**

28  
29 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING**  
30 **PCD ORDINANCE 2003-15 OF THE CITY OF TAVARES BY**  
31 **AMENDING THE PERMITTED USES SPECIFIED BY THE ORDINANCE;**  
32 **SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS**  
33 **ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN**  
34 **EFFECTIVE DATE.**

35  
36 **ORDINANCE 2009-05**

37  
38 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING**  
39 **SECTION 20 OF THE CITY OF TAVARES CODE OF ORDINANCES**  
40 **PERTAINING TO PARKING REGULATIONS; REDUCING THE**



1 Mr. Skutt said that this is a request to add additional uses that are associated with  
2 manufacturing sales, servicing, and testing of sea planes.

3  
4 The Cunningham property is 8.42 acres in size located on the east side of SR 19,  
5 approximately 500 feet north of CR 448. The property abuts Lake Idamere. From this  
6 site, the owner operates a business that assembles and repairs pontoon boats in  
7 accordance with the permitted uses established by Ordinance 2003-15. Having a local  
8 industry that assembles and services sea planes would compliment and support the  
9 proposed sea plane base in Wooton Park and would be a desirable addition to the city.  
10 Pontoon boats and seaplanes have many similar characteristics and the addition of  
11 seaplane uses does not impact the surrounding area. The proposed amendment mirrors  
12 the uses presently associated with pontoon boats and adds the same uses and  
13 restrictions to include seaplanes.

14  
15 The Planning & Zoning Board recommended several minor changes to the ordinance.  
16 The changes were made and the Board voted unanimously to recommend approval to  
17 City Council. Staff recommends approval as it is presented.

18  
19 Mayor Clutts asked if Council had questions. She invited Mr. Neron to comment. Mr.  
20 Neron noted that staff has been soliciting a seaplane manufacturer to relocate to the  
21 community. If this zoning is approved this will enhance that effort as a possible location  
22 for this business.

23  
24 Mayor Clutts asked if any audience member wished to speak.

25  
26 Public input was closed.

27  
28 **MOTION**

29  
30 **Robert Wolfe moved to approve Ordinance #2009-07, seconded by Bob Grenier.**  
31 **The motion carried unanimously 5-0.**

32  
33 **Tab 7) Ordinance #2009-05 – Amendment to Land Development Regulations –**  
34 **Parking Regulations – Second Reading**

35  
36 Mr. Skutt advised that over the next few meetings staff will be bringing to Council  
37 proposed amendments to the Land Development Regulations that will allow and  
38 facilitate development to take place in a manner that is envisioned by the new master  
39 plan. The Downtown Master Plan encourages public transit, pedestrian friendly

1 development, and increased density in the urban core. He presented the highlights of  
2 the ordinance:

- 3  
4 1. Downtown Parking District: Presently the code provides for 100% parking  
5 exemption in the commercial downtown district if there is on street parking  
6 adjacent. The proposed ordinance would change that to within 60 feet of the  
7 development. This recognizes instances where it is not safe or practical to have  
8 street parking directly in front of the business.  
9
- 10 2. Reduction of Parking Requirements for Sites Served by Public Transit: The  
11 proposed ordinance would authorize staff to allow a reduction of parking spaces  
12 up to a maximum of 10% of the required spaces if the mandatory traffic review by  
13 the Lake-Sumter County MPO confirms that the site is served by public transit  
14 and therefore will experience a reduction in vehicular trips.  
15
- 16 3. Limitation on Number of Parking Spaces Constructed: Section 20-3 of the City's  
17 Land Development Regulations specifies the "minimum" number of parking  
18 spaces a business must provide. The proposed ordinance would change  
19 "minimum" to "required" spaces and would limit the amount of spaces  
20 constructed above the currently established minimum spaces to a maximum of  
21 5% more. To construct an additional 5%, the owner must contribute to a  
22 dedicated transportation amenities fund, 10% of the market rate cost of  
23 developing the desired additional spaces. The monies collected in this fund  
24 would be dedicated to transportation related improvements in the downtown such  
25 as covered bus shelters, sidewalk construction, public parking improvements,  
26 bicycle parking racks and commuter rail related improvements.  
27
- 28 4. Acceptable Construction Materials for Parking Lots: Section 20-6 (A) specifies  
29 acceptable construction materials that may be used for parking lots. The  
30 proposed ordinance adds that the use of light colored and/or porous material is  
31 encouraged. There are new innovative materials on the market that provide heat  
32 reduction and stormwater management benefits.  
33
- 34 5. Reduction in Required Parking Spaces for Large Retail or Shopping Centers: The  
35 proposed ordinance would incorporate the existing shopping center use into the  
36 retail use for the purpose of determining the required amount of parking spaces  
37 and set that number at 1 space per 250 square feet for up to 50,000 square feet;  
38 and 1 space per 500 square feet for the additional building area above 50,000  
39 square feet. Typically, the parking lots for large commercial stores are seldom

1 completely full. This amendment recognizes this waste and provides a sliding  
2 scale for calculating required parking for large commercial stores.  
3

4 6. Shopping Cart Return Facility: The proposed ordinance requires a minimum of  
5 one shopping cart return facility on those sites which offer the introduction of  
6 shopping carts into the parking lot (such as grocery stores). Presently our  
7 regulations do not address shopping carts. The unorganized collection of "stray"  
8 shopping carts in a parking lot is obviously a potential danger to both shoppers  
9 and employees.  
10

11 7. Pedestrian Walkways into and throughout parking lots: The proposed ordinance  
12 would create a section within the parking regulations which would require clearly  
13 defined and dedicated pedestrian walkways into and throughout commercial  
14 parking lots. This would include crosswalk striping between the main entryway of  
15 the commercial site and the parking area.  
16

17 Mr. Skutt stated that the Planning & Zoning Board and staff recommended approval of  
18 the ordinance as presented.  
19

20 Mayor Clutts asked if Council had questions. She invited comment from the audience.  
21

22 **MOTION**  
23

24 **Norb Thomas moved to approve Ordinance #2009-05 as presented, seconded by**  
25 **Bob Grenier. The motion carried unanimously 5-0.**  
26

27 **Tab 7) Ordinance #2009-06 – Amendment to Land Development Regulations –**  
28 **Landscaping Regulations – Second Reading**  
29

30 Mr. Skutt stated that the Downtown Master Plan encourages pedestrian activity and the  
31 preservation and enhancement of vegetative foliage and landscaping. These  
32 amendments address these goals.  
33

34 Highlights of Proposed Ordinance:  
35

36 1. Multi-Family Landscaping: The proposed amendment would require 20 feet of  
37 landscape area at the entryway of each private exterior ground floor unit of a  
38 townhome or multifamily development.

- 1        2. Urban Garden or comfort space in large commercial developments over two  
2        acres in size. This amenity must be a minimum of 1% of the total site acreage.  
3        Basic design standards are included.
- 4        3. Increases the vegetative density of C type landscape buffer. This is a type of  
5        buffer normally required between a commercial site and an arterial road. This is  
6        to make the buffer look more natural and fuller.

7  
8 The Planning & Zoning Board recommended approval and staff recommends approval.  
9

10 Mr. Drury added that all of the ordinance changes go through one of the Horizon Project  
11 teams which has a member of the council, staff, and planners. He thanked Mayor Clutts  
12 for participating on this Horizon project team and staff for working for the last six months  
13 in improving the zoning ordinances so that they mirror the visioning and master planning  
14 of the community.

15  
16 Mayor Clutts asked if Council had questions. She then invited the audience to comment.  
17

18 Michael Antley, 32112 Industry Drive, Unit B, Tavares  
19

20 Mr. Antley asked how he could obtain a copy of the five year master plan. Mr. Drury  
21 stated that staff could mail a hard copy or a CD. Mr. Antley asked that it be mailed.  
22 Mayor Clutts noted that the plan is also available on the web site. Mr. Drury asked Mr.  
23 Antley to call City Hall if the document was not received.  
24

## 25 MOTION

26  
27 **Bob Grenier moved to approve Ordinance #2009-06 as presented, seconded by**  
28 **Robert Wolfe. The motion carried unanimously 5-0.**  
29

## 30 X. RESOLUTIONS – PUBLIC HEARING

31  
32 None.  
33

## 34 XI. GENERAL GOVERNMENT

### 35 36 Tab 8) Request for Reimbursement of Fines for Sinbad's 37

38 Attorney Williams said this is a request to Council as a legislative body to grant  
39 equitable relief in the form of a fine forgiveness or reduction for the amount of a code  
40 enforcement fine that has been paid. He noted the case summary has been provided.

1 He said the case was fully heard by the Code Enforcement Special Master and resulted  
2 in the imposition of some penalties and an initial fine, then the reduction of the fine in  
3 the amount of about \$3100 that has now been paid. Attorney Williams advised that  
4 while Council has the ability to reduce or forgive a fine and to pay out public money for  
5 public purposes, it is not the appellate board for Code Enforcement. This is a matter that  
6 is clear under Florida State Law under Chapter 162. Under that statute, decisions made  
7 by the Special Master can be appealed to the Circuit Court to get reversed in terms of  
8 findings of fact. He said the statute says that either when a lien is imposed or when a  
9 fine is paid, then City Council as the primary legislative body, has the responsibility to  
10 review that fine and can make equitable adjustments.

11  
12 Mayor Clutts said she had spoken with the property owner about the remarks she would  
13 be making at this meeting. She said based on the advice of Attorney Williams, and in  
14 her position as Chair of the meeting, she wished to state that Council would not be  
15 rehearing the case. She said those people who are involved with the case (City  
16 Attorney, Mr. Hoban, Mr. and Mrs. Burroughs, and any witnesses or staff members  
17 involved) will be able to provide testimony whether it be new testimony or testimony for  
18 clarification. She said outside of that it will not be open for public discussion as this is  
19 providing potential for equitable relief, not reviewing the Findings of Facts.

20  
21 Mayor Clutts invited Mr. Hoban, the attorney representing Sinbad's to come forward

22  
23 Mr. Hoban distributed a handout. Mayor Clutts asked Mr. Hoban if he was aware that  
24 Council had a copy of every document related to the case. Mr. Hoban affirmed this and  
25 added that he agreed with the comments made by Mr. Williams.

26  
27 Mr. Hoban said that Mr. Burroughs was dumping rinse water with traces of vegetable oil  
28 on his back yard. He reviewed the incident. Mayor Clutts asked for new information  
29 only.

30  
31 Mr. Hoban said Mr. Burroughs hired a professional geologist who specialized in  
32 pollution cleanups. He said the geologist advised that he had never heard of a  
33 vegetable oil cleanup and they could not get a price to test the soil. He said they had  
34 receipts showing that all the vegetable oil had been recycled and eventually received a  
35 letter from FDEP stating there was no pollution or cleanup required. He said the  
36 rehearing date was not until three months later. He said the new hearing was not  
37 granted however the fine was reduced from \$44,000 to \$3,157. He said the legal  
38 consequences of Tavares' recording of the Findings of Fact means that there is a good  
39 chance that when Mr. Burroughs goes to try to sell his property the bank will require a  
40 Phase 3 environmental audit. Mr. Hoban said he believed the fine was overly punitive

1 for dumping rinse water. He said in the other neighboring jurisdictions if a mistake was  
2 made it could be administratively dismissed with no fine. He said the Tavares code  
3 forces the hiring of an attorney because of the requirement to go to a public hearing. He  
4 said the code needs to be amended. He said the applicant is requesting that Council  
5 direct he and Mr. Williams to develop something that can be recorded in the public  
6 records that says there are not irreversible, irreparable damages, or violations at Mr.  
7 Burrough's property; refund the money spent after it was proved that he was innocent,  
8 (\$12000), and amend the code enforcement law.  
9

10 Mr. Burroughs said he wished to thank his friends who had come to the meeting. He  
11 said City Council knows the story. He said after 21 years of no violations, to receive  
12 \$4500 in fines plus \$750 a day and have his property declared irreversible and  
13 irreparable was unimaginable.  
14

15 Mayor Clutts invited any official witnesses to come forward. She then asked Chief  
16 Lubins if he had new information.  
17

18 Chief Lubins stated that he had a police report written by Sergeant Goodnight from  
19 February 26<sup>th</sup>. The report stated that on February 26<sup>th</sup>, Mr. Burroughs had reported a  
20 theft of used cooking oil.  
21

22 Mayor Clutts asked if Council had questions.  
23

24 Councilmember Pfister asked Mr. Hoban what the picture that had been distributed to  
25 Council, depicted. Mr. Hoban said it was a picture of the dirt. Councilmember Pfister  
26 said her picture showed the dirt glistening. Mr. Burroughs said that was the area that  
27 was supposedly polluted and that after he quit spraying his basket in that area, the  
28 grass grew back. Mr. Hoban said the code says that anytime there is a violation there is  
29 supposed to be a warning and if the violator complies he is not to get a fine.  
30

31 Mayor Clutts said that there are businesses in Tavares that fulfill considerable  
32 containment requirements for soapy water. Mr. Hoban discussed the issue of solid  
33 waste violations versus irreparable violations.  
34

35 Attorney Williams stated that the terms "irreversible and irreparable" come from Chapter  
36 162 and address instances where it does not require a right to cure. He said the reason  
37 it is in the statute is to provide the authority for the Code Enforcement Officer or  
38 magistrate to issue a fine without giving a violator a chance to clean it up for instances  
39 where remediation needs to be done right away. He said for the purposes of this  
40 particular property, they have the clearances to show that there are no violations on this

1 property and that he did not feel that those words will be damaging to that property. In  
2 addition, he stated that no one from Tavares accused Sinbad's of having pollution or  
3 environmental hazards. He said Sinbad's was cited for the improper disposal of solid  
4 waste and for the dumping of solid waste along the waters' edge.

5  
6 Mayor Clutts noted that the remediation that took place by obtaining the report from Sun  
7 State goes towards helping Mr. Burroughs to prove that there is not an issue currently  
8 on the property. Mr. Williams said he had not seen the report but that he believed it  
9 would.

10  
11 Mayor Clutts said she had requested a copy of the environmental assessments from Mr.  
12 Burroughs. She noted that Council has a copy of a payment made in the amount of  
13 \$255 to Sun State and another payment of \$600 for the actual assessment and testing.  
14 The total comes to \$855. She said Mr. Hoban is requesting a reimbursement of  
15 \$12,000. She said her recommendation to Council is to decrease the fine from \$3,157  
16 to a fine of \$250.00 and to reimburse Mr. Burroughs 50% of the environmental  
17 assessment. The total reimbursement would come to \$3,334.00. She said this is not  
18 saying that Mr. Burroughs did not violate the three codes and it is not a rehearing of the  
19 Finding of Facts.

20  
21 **MOTION**

22  
23 **Norb Thomas moved for the mayor's recommendation [Reduce fine from \$3,157**  
24 **to \$250 and reimburse 50% of the cost of the environmental assessment of \$427**  
25 **for a total reimbursement of \$3,334.00], seconded by Lori Pfister. The motion**  
26 **carried unanimously 5-0.**

27  
28 Mayor Clutts adjourned the meeting for a five minute break and reconvened the meeting  
29 at 5:10 p.m.

30  
31 **Tab 10) Settlement Agreement with DCA – Comprehensive Plan Amendments**

32  
33 Mr. Skutt stated that on May 21, 2008, City Council adopted three Large Scale Future  
34 Land Use Map amendments (Palm Gardens, Lake Idamere Townhomes and the  
35 Hospice property). The Department of Community Affairs challenged these  
36 amendments on the basis that the City's Ten Year Water Supply Plan had not as yet  
37 received final state approval. Procedurally, challenges of this nature are sent to the  
38 Florida Division of Administrative Hearings. In recognition that the City had transmitted a  
39 first draft of the 10 year plan to DCA, hired a water consultant to rework the plan to  
40 address concerns expressed in DCA's ORC report and that the final report was

1 undergoing final preparation for resubmittal to DCA, the DOAH postponed the  
2 mandatory hearing on the challenge. DCA has now approved the Ten Year Water  
3 Supply Plan and the attached agreement formally acknowledges that DCA's compliance  
4 issues respecting these Large Scale Amendments have been resolved and that DCA  
5 will file a Notice of Intent to approve these amendments

6  
7 Mayor Clutts asked if there were questions and if there were comments from the public.  
8

9 **MOTION**

10  
11 **Robert Wolfe moved to approve the Settlement Agreement with DCA, seconded**  
12 **by Bob Grenier. The motion carried unanimously 5-0.**

13  
14 **Tab 11) Award of Branding Program Request for Proposals**

15  
16 Ms. Dempsey reviewed the process followed by the committee that had reviewed the  
17 Request for Proposals for branding. She noted that 12 firms responded. Interviews were  
18 conducted with the top three ranked firms and the results were 1) Wilesmith Advertising  
19 and Design, 2) Curley & Pynn, and 3) KZF.

20  
21 Staff recommendation is to move to approve the ranking and to authorize staff to  
22 negotiate a contract and scope of services with Wilesmith Advertising and Design to  
23 provide branding and marketing services to the City of Tavares.

24  
25 Mayor Clutts stated that the intent is to provide a road map for the City in terms of the  
26 look and feel of the community, what type of businesses the city wishes to attract, etc.  
27 This will assist in projecting an image of the city to support the work the citizens have  
28 done over the last several years. She noted that Ms. Wilesmith and her staff had come  
29 to the city and videotaped residents and stakeholders talking about the city.

30  
31 Ms. Wilesmith spoke about the process of developing a brand, noting it creates a value  
32 asset for economic development and tourism development.

33  
34 Mr. Drury noted that the interviews held were very positive for the city and he  
35 understood that their firm had tried to find some criticism when conducting their  
36 interviews but had been unsuccessful.

37  
38 Ms. Wilesmith stated that she had been impressed by the inclusiveness of the process  
39 and participation of many citizens.  
40

1 Mayor Clutts asked if there were questions or comments by Council or by the public.

2  
3 **MOTION**

4  
5 **Robert Wolfe moved to approve the ranking to provide professional branding and**  
6 **marketing services for the City of Tavares, seconded by Lori Pfister. The motion**  
7 **carried unanimously 5-0.**

8  
9 **XII. OLD BUSINESS**

10  
11 **Tab 12) Police Department**

12  
13 Attorney Williams stated that under Chapter 166, offers and contract options for the  
14 purchase of real estate by a municipality are not public records until the time that the  
15 contract option is accepted and then they become public records. Staff is in negotiations  
16 that the Council authorized at the last meeting by approving a “not to exceed” figure.  
17 Based on that, he said the document (distributed by Mr. Drury), is the option contract to  
18 the owner of the particular building. He said the typewritten number is the offer that the  
19 city made which was within the authority granted by Council. The handwritten number  
20 that is initialed is the counter offer from the seller.

21  
22 Mr. Drury noted that previously Council voted 4-0 (with the mayor being absent) to  
23 authorize the City Administrator and the City Attorney to purchase a building for the  
24 Police Department (that each council member has toured) in an amount not to exceed  
25 the dollar figure set forth in the option contract that was presented to Council at the last  
26 meeting. He said offers on the property are subject to the following due diligence work:  
27 an acceptable financing plan to Council, two appraisals, a full inspection of the property,  
28 and clear title and an ingress and egress assessment. Based on that authority the city  
29 has made an offer (which is currently not a public record) which included 60 days to  
30 fulfill the above referenced due diligence work. The seller rejected the City’s initial offer  
31 and submitted the counter offer as shown. It is anticipated that the cost to fully renovate  
32 the building will be approximately \$1.2 million on top of the purchase price. By contrast  
33 the cost of constructing a new police station is estimated at four million as was  
34 presented in the study previously. The seller has another offer and it is estimated that  
35 any offer less than what they have countered for, will be rejected. The seller is  
36 anticipated to lose \$150,000 even at their counteroffer. The other offer appears to be a  
37 lease option to purchase. He said if the seller’s counter offer is accepted then the 60  
38 day due diligence work begins. Within 45 days answers to the due diligence work will be  
39 presented to Council.

1 Mr. Drury added that Congressman Grayson has submitted an earmark for federal  
2 stimulus funding for the public safety building. The results of this application will be  
3 known in September. Staff has confirmed that this purchase does not jeopardize that  
4 application however this will be re-confirmed.

5  
6 Mayor Clutts commented that she had received questions about the process being  
7 followed. Attorney Williams said that the discussion being held at this meeting is not  
8 considered to be a Shade Meeting. The appraisal, location of building, and contract  
9 negotiations are all considered exempt from public record until 30 days after the  
10 contract has been signed or the negotiations break off.

11  
12 Mayor Clutts and Councilmember Pfister stated that they preferred to see the Police  
13 Department remain downtown but understood the need to find more space and  
14 recognized this as a good opportunity.

15  
16 Vice Mayor Wolfe stated that he had been contacted by a couple of businessmen who  
17 own property on Alfred Street and inquired about the interest of the city in purchasing  
18 their property.

19  
20 Councilmember Thomas stated he would have preferred that the two agencies be co-  
21 located but that he felt the new location for the Police Department would be close  
22 enough to the downtown and the Caroline Street location would be more appropriate for  
23 the Fire Department.

24  
25 Mr. Drury noted that the Police Department responds from their vehicles as opposed to  
26 a specific location.

27  
28 Councilmember Grenier indicated his support for the new location.

29  
30 **MOTION**

31  
32 **Lori Pfister moved to pursue the property in question for the amount that was**  
33 **approved for the Police Department, seconded by Norb Thomas.**

34  
35 Vice Mayor Wolfe asked if the Horizon Team could visit the other property on Alfred that  
36 he had mentioned earlier, while the negotiations and due diligence is going forward.  
37 Councilmember Thomas agreed that he did not want to close any doors as yet. Mayor  
38 Clutts stated there appeared to be consensus to continue to explore other options.

39  
40 **The motion carried unanimously 5-0.**

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**XIII. NEW BUSINESS**

None

**XIV. AUDIENCE TO BE HEARD**

Mayor Clutts invited the audience to speak on matters not on the agenda.

Denise Laratta

Ms. Laratta expressed concern regarding Council’s decision on the Code Enforcement case. She said that she believed Council needed to support Code Enforcement.

Ralph Smith

Mr. Smith thanked Council for being conciliatory in their decision regarding Sinbad’s.

**XV. REPORTS**

**City Administrator**

Mr. Drury noted he had provided a list of meetings.

Mr. Drury discussed the Code Enforcement process. He said he has received feedback from citizens both in support of the process and in criticism of the process. He said the City cannot get involved in reviewing decisions until the judicial process is complete. He said both the Code Enforcement Officer and the Special Master were doing their jobs. He expressed support for the job that the Code Enforcement Officer is performing, noting he is one staff member covering the entire city. He said, however, he will be looking at some alternatives for the finding of fact process with Chief Lubins and will bring those options back to Council.

**Attorney Williams**

No report.

**Councilmember Pfister**

1 Councilmember Pfister congratulated the employees of the Water Dawg team who had  
2 placed first in their division in the Dragonboat Event.

3  
4 **Councilmember Thomas**

5  
6 Councilmember Thomas commended staff for their assistance in finding a missing  
7 wheelchair.

8  
9 **Councilmember Grenier**

10  
11 Councilmember Grenier stated he had toured all the city parks and areas that the city  
12 maintains this week. He commented on letter of commendation written about the  
13 employees in the Stormwater division. He expressed concern about the architectural  
14 features of the new Tax Collector's office, noting that he wished it had been more  
15 historical in its façade.

16  
17 **Vice Mayor Wolfe**

18  
19 No report.

20  
21 **Brad Hayes**

22  
23 Mr. Hayes noted a correction on the list of upcoming meetings, stating that he believed  
24 the Lake County Water Alliance meeting was moved to June.

25  
26 **Adjournment**

27  
28 There was no further business and the meeting was adjourned at 5:54 p.m.

29  
30 Respectfully submitted,

31  
32  
33  
34  
35 \_\_\_\_\_  
36 Nancy A. Barnett, C.M.C.  
City Clerk