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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JULY 1, 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
Lindsay Holt, 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

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

MOTION

1 **Robert Wolfe moved to approve the July 1, 2009 City Council Agenda, seconded**
2 **by Norb Thomas. The motion carried unanimously, 5-0.**

3
4 **IV. APPROVAL OF MINUTES**

5
6 Mayor Clutts noted approval of the minutes of June 17, 2009 Regular City Council
7 meeting will be deferred until July 15, 2009.

8
9 **V. PROCLAMATIONS/PRESENTATIONS**

10
11 **Tab 2) Retirement Presentation to Lieutenant Tom Sweeza**

12
13 Chief Keith commended and thanked Mr. Tom Sweeza for his thirty years of dedication
14 and service to the City of Tavares beginning in 1976 as a volunteer fireman. Mayor
15 Clutts presented Mr. Sweeza with his fire helmet. Tom Weikel and Denise Laratta, Fire
16 Pension Board members, presented a plaque to Mr. Sweeza.

17
18 **VI.SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE**
19 **CONTACTS**

20
21 Attorney Holt stated there were no quasi-judicial matters on the agenda.

22
23 **VII.READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

24
25 Ms. Novack read the following ordinances for first reading into the record by title only:

26
27 **ORDINANCE 2009-18**

28
29 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, CREATING**
30 **DIVISION II OF CHAPTER 15 OF THE CITY OF TAVARES LAND**
31 **DEVELOPMENT REGULATIONS, PERTAINING TO PROCEDURES**
32 **FOR REDUCING THE INTRODUCITON OF PULLUTANTS INTO THE**
33 **CITY STORMWATER DRAINAGE UTILITY SYSTEM; PROVIDING**
34 **PROCEDURES FOR REGULATING CONNECTIONS TO THE CITY**
35 **STORMWATER UTILITY DRAINAGE SYSTEM; PROVIDING**
36 **DEFINITIONS; PROVIDING FOR AUTHORITY; PROVIDING FOR A**
37 **FEE; PROVIDING FOR PUBLICATION ACCORDING TO LAW;**
38 **PROVIDING FOR REPEAL OF CONFLICITNG ORDINANCES; AND**
39 **PROVIDING FOR AN EFFECTIVE DATE.**
40

ORDINANCE 2009-23

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING PD ORDINANCE 89-30 FOR SUNSHINE CHRISTIAN HOMES FOR APPROXIMATELY 32.71 ACRES LOCATED WEST OF STATE ROAD 19, SOUTH SIDE OF WOODLEA ROAD; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Tab 3) 2009 Election Proclamation

Mayor Clutts read the 2009 Election Proclamation in its entirety and which announces the November 2009 election and qualifying date of August 17, 2009;

**PROCLAMATION
BY ORDER OF THE MAYOR OF THE CITY OF TAVARES**

The 2009 City Election will be held on Tuesday, November 3, 2009 in the City Hall Council Chambers, First United Methodist Church, Lake County Agricultural Center, Lake Frances Estates Clubhouse, Tavares Masonic Lodge Building, Imperial Terrace Clubhouse East, and Royal Harbor Social Hall, for the purpose of electing two non-partisan Councilmembers to serve at large for two year terms of office.

NOTICE IS HEREBY GIVEN that the registration for Lake County is now open for registration of all qualified voters of the City of Tavares at the office of the Supervisor of Elections for Lake County in the Administrative Building, 315 W. Main Street, Tavares, Florida, during the usual office hours.

Registration of electors of the City of Tavares who have registered on or prior to October 5, 2009 will be processed for voting at the City Election to be held on the 3rd day of November, 2009.

Persons who wish to be qualified as a candidate for City Council must submit a petition signed by at least twenty-five (25) qualified electors of the City of Tavares, along with other required documents, to the City Clerk by 12:00 noon, at City Hall on or before the 17th day of August, 2009.

Dated this 1st day of July 2009.

**Nancy Clutts, Mayor
City of Tavares**

VIII) CONSENT AGENDA

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

MOTION

Lori Pfister moved to approve the consent agenda (Tabs 4, 5, 6 and 7: Bartch Developer's Agreement; Approval of Proposal from Jones Edmunds Consulting for Development of Water System Construction Specification Manual; Grant Application for a Recover JAG Award; Ruby Street Storm Water Pipe Repair). The motion was seconded by Robert Wolfe. The motion carried unanimously, 5-0.

IX. ORDINANCES – PUBLIC HEARING

Mayor Clutts noted that Tab 8 – Ordinance 2009-18 and Tab 9 – Ordinance 2009-23 are before the Council for consideration at First Reading with discussion to be held until their Second Readings.

X. RESOLUTIONS – PUBLIC HEARING

None.

XI. GENERAL GOVERNMENT

Tab 10) Agreement with Tavares Chamber of Commerce for July 4th

Mr. Neron stated that for the past several years the Tavares Chamber of Commerce has assisted the City with certain activities relating to the City's Independence Day Celebration activities. The proposed agreement defines the Chamber's participation in the July 4, 2009 event and provides for the Chamber to reimburse the City \$1,795.00 to offset the rental of certain children activity centers. In return the Chamber will sell tickets for these activities for these activities with the ticket proceeds going to the Chamber.

T.J. Fish said he is available for questions.

1 Mayor Clutts asked for comments from the audience.
2

3 **MOTION**
4

5 **Robert Grenier moved for Option 1 (Approve the Agreement with the Tavares
6 Chamber of Commerce, Inc. for their participation in the City's Independence Day
7 Celebration activities.) seconded by Robert Grenier.**
8

9 Councilmember Pfister inquired about the timeliness of bringing the agreement before
10 Council. Mr. Drury noted that during discussions of the event both the City and
11 Chamber decided to formalize the joint participation in an agreement that had to be
12 approved by two boards. The Chamber drafted the first agreement and after
13 negotiations the Chamber Board approved the agreement during their last meeting;
14 June 24, 2009.
15

16 **The motion carried unanimously, 5-0.**
17

18 **Tab 11) Contract with NOVA Engineering for Building Inspection Services –
19 Request to Terminate Contract**
20

21 Mayor Clutts made a recommendation to table this agenda item in order for staff to have
22 an opportunity to meet with Nova Engineering to possibly renegotiate a contract at a
23 reduced cost.
24

25 **MOTION**
26

27 **Robert Wolfe moved to table Tab 11 (Contract with NOVA Engineering for
28 Building Inspection Services), seconded by Robert Grenier. The motion carried
29 unanimously, 5-0.**
30

31 **Tab 12) Selection of Members of Audit Selection Committee**
32

33 Mr. Drury said the current auditing contract with McDirmit Davis expired with the
34 completion of the audit for the fiscal year just ended, September 30, 2008. Florida
35 Statutes requires public notice of all proposals for auditing services. In addition the
36 Statute also requires the governing body of each Municipality to establish an audit
37 committee for auditor selection evaluation of prospective firms. An auditing Request for
38 Proposal was issued on May 17, 2009, and the selection process will begin in July.
39 Staff proposes that a ranking committee comprise of Vice Mayor Wolfe, John Drury and

1 Lori Houghton. Once the ranking is complete the proposals and ranking information will
2 come back before Council for approval.

3
4 **MOTION**

5
6 **Lori Pfister moved for approval of Option 1 (Move to approve Auditor Selection**
7 **Committee as submitted), seconded by Robert Grenier. The motion carried**
8 **unanimously, 5-0.**

9
10 **Tab 13) Ruby Street One Way to Two Way Traffic Pattern**

11
12 Mr. Drury provided the background history of Ruby Street and said that Ruby Street is
13 currently one way from Joanna Avenue to Sinclair Avenue with combined parking
14 spaces in the right-of-way. He said that now that the parking garage has been
15 completed the Sheriff's office staff that currently enjoys the right-of-way parking spaces
16 can utilize the parking garage as well as the Sheriff's office parking lots. He asked for
17 approval for staff to meet with Sheriff Borders to identify alternative parking
18 arrangements and return Ruby Street to a two way traffic pattern. Discussion was held
19 on what type of notice the City was required to provide the Sheriff's office.

20
21 Mayor Clutts asked for comments from the audience.

22
23 **MOTION**

24
25 **Lori Pfister moved to give authority for staff to two way Ruby Street, seconded by**
26 **Robert Grenier. The motion carried unanimously, 5-0.**

27
28 **Tab 14) Sinclair Avenue Storm Water Study**

29
30 Mr. Thompson said there is a drainage problem at Sinclair Avenue with back-up and
31 overflow of the school retention pond causing severe flooding issues including flooding
32 of a home nearby. He said the intent of the proposed study is to evaluate the
33 contributing watershed, perform hydrologic and hydraulic analysis and identify
34 modifications needed to improve the flow and capacity of the system.

35
36 Mr. Drury said it is believed that the problem lies within the wetland hydrology, sizes of
37 the ponds, and inadequate sized pipes that do not allow for proper drainage. He said it
38 becomes an issue when there is a large amount of rainfall in a short amount of time. He
39 noted the importance of having an engineer approve any design to ensure that any

1 repairs will not cause flooding into another home as well as determine the elevations
2 and flows of the ponds and types of flows needed.

3
4 Mayor Clutts asked for comments from the audience.

5
6 **MOTION**

7
8 **Robert Wolfe moved to approve Option 1 (Fund the study at \$5,000 to come from**
9 **Storm Water Reserves), seconded by Norb Thomas. The motion carried**
10 **unanimously, 5-0.**

11
12 **Tab 15) Appointment to Lake County Cultural Affairs Council**

13
14 Mayor Clutts provided a background and history of the Lake County Cultural Affairs
15 Council and recommended that Debbie Stivender be designated as an official
16 representative for the City of Tavares to the Lake County Arts and Cultural Alliance.
17 She said Tamara Rogers would continue as the Staff Liason to the Council.

18
19 **MOTION**

20
21 **Norb Thomas moved to approve the Mayor Clutts' recommendation to appoint**
22 **Debbie Stivender as an Official Representative for the City of Tavares to the Lake**
23 **County Arts and Cultural Alliance, seconded by Robert Grenier. The motion**
24 **carried unanimously, 5-0.**

25
26 **Tab 16) Voting Delegate to Florida League of Cities Conference August 13-15,**
27 **2009**

28
29 Mayor Clutts noted that Vice Mayor Wolfe has generously provided his time and talent
30 as the City's voting delegate to the Florida League of Cities the past year.

31
32 **MOTION**

33
34 **Robert Grenier moved to designate Robert Wolfe as the City of Tavares official to**
35 **be the voting representative to the Florida League of Cities, seconded by Lori**
36 **Pfister. The motion carried unanimously, 5-0.**

37
38 **Tab 17) Partnership with Tavares Chamber of Commerce**

1 Mr. Neron noted that in the 2004-2005 Fiscal Year the City Council approved financial
2 support for the Tavares Chamber of Commerce in the amount of \$20,000. The Council
3 continued that financial support in reducing amounts during ensuing fiscal years with an
4 appropriation of \$10,000 during the current fiscal year. The Tavares Area Chamber of
5 Commerce has requested the City continue this partnership arrangement in the amount
6 of \$10,000 for the 2010 Fiscal Year.

7
8 Ms. Colleen McGinley introduced Rebecca Sargent, Tavares Chamber of Commerce
9 President. Ms. Sargent thanked the City for its partnership and working relationship.
10 She provided a history of the success of the Chamber of Commerce over the past
11 several years.

12
13 T.J. Fish noted the board members present in the audience and provided a history of
14 the economic and membership growth of the Chamber. He said the financial
15 partnership by the City was initially $\frac{3}{4}$ of their budget and is now to approximately 10%
16 of their budget.

17
18 Kelly Pisciotta stated the Chamber would be focusing on legislative developments and
19 economic development for the future. T.J. Fish noted that the Chamber looks forward
20 to a continued financial partnership even as it continues to become more self sufficient.
21 He said that with the City's current financial climate that they would be willing to discuss
22 the amount of partnership further if the City wishes. Mayor Clutts said she would like to
23 see a report showing the benefit of the amount that is contributed by the citizens as well
24 as a forecasted goal.

25
26 Mayor Clutts asked for comments from the audience.

27
28 **MOTION**

29
30 **Robert Wolfe moved for Option 1 (Approve that City staff be directed to include**
31 **\$10,000 funding support in the proposed FY 2010 budget.), seconded by Norb**
32 **Thomas. The motion carried unanimously, 5-0.**

33
34 **Tab 18) Partnership with Tavares Historical Society**

35
36 Mr. Drury said the Tavares Historical Society has been in existence and has operated
37 as a volunteer organization since about 1988. The City signed a lease agreement with
38 the Society in order to open its museum in 1999 in a city owned building at 121 E. Alfred
39 Street. The City provides utilities and basic maintenance on the building. He said the
40 Historical Society has requested to have a partnership with the city and receive annual

1 funding of \$2500 for operations such as transcribing equipment, protection of artifacts,
2 printing, office supplies, file cabinets et al.

3
4 Mayor Clutts asked for comments from the audience.

5
6 Betty Burleigh said the official name is Historical Society of Tavares and noted it was
7 founded in 1987.

8
9 Mayor Clutts said it would be helpful to Council if the Historical Society would provide
10 some type of business plan (annual or five year) and structure or strategies for
11 generating in-kind services and revenue.

12
13 Councilmember Grenier said that he understands that the City would need to keep in
14 mind its fiscal climate during the budget process. He noted the Chamber has assisted
15 staff with historical information for grants.

16
17 **MOTION**

18
19 **Robert Grenier moved for Option 1 (For staff to include in the 2009-2010 budget**
20 **financial support to the Historical Society of Tavares in the amount of \$2500),**
21 **seconded by Norb Thomas. The motion carried unanimously, 5-0.**

22
23 **Tab 19) City Administrator Evaluation**

24
25 Mr. Drury said he has enjoyed the past three years assisting the City implement its
26 vision and define itself for the future. He noted the challenging times and said the City
27 has one of the leanest budgets and staff that he has encountered in twenty years of
28 service. He asked Council for four to five broad goals for him to work on in the next
29 fiscal year.

30
31 Councilmember Pfister said Mr. Drury continues to exceed her expectations and she is
32 fortunate to be on the City Council at a time when the City is progressing and
33 transforming so positively. She said he is very supportive and thorough and thanked
34 him for being at the City and hopes that he will remain for the long haul to reach all fo
35 these goals together.

36
37 Councilmember Thomas said everyone is impressed with Mr. Drury and hopes that he
38 plans to spend a long time in Tavares. Mr. Thomas said the City has gone further and
39 faster since he moved to the City in 1993. He said that Mr. Drury has done a wonderful
40 job.

1
2 Robert Grenier said he has expressed in a letter to Mr. Drury, and which was included
3 with his evaluation, that he has great strength of character. He said that he feels very
4 fortunate to have Mr. Drury at the City.

5
6 Vice Mayor Wolfe said Mr. Drury has exceeded where others have never gone and
7 done a great job and knows that he will do as good or better in the future.

8
9 Mayor Clutts said Mr. Drury is immediately responsive to the community at all levels.
10 She said that he came to the City and saw its potential and stated that it is important to
11 her as a Councilmember and he is immediately responsive to the community. She said
12 that she receives thank you cards and good comments from the citizens on the staff and
13 direction of the city.

14
15 Mr. Drury said he has enjoyed working for the City and look forward to working for a
16 long time. Mayor Clutts asked Mr. Drury when Council needs to bring back the four to
17 five broad goals for vote. He said the goals for FY 2010 will need to be set by October
18 1, 2009. He said that after he receives each Councilmember's individual goals for him
19 he will then bring a list back for a discussion at an appropriate meeting during the
20 summer. Mayor Clutts said that it is customary during the administrative process for
21 there to be a request from the Mayor to ask for permission to negotiate the terms of
22 contract. She said that this year Mr. Drury is not asking for any increase in benefits or
23 salary and is reflecting the same scenario as all staff. Mr. Drury said that due to
24 budgetary constraints he is asking staff to take a pass on any COLA or raises and that
25 he needs to be in the same camp as his staff.

26
27 **XII. OLD BUSINESS**

28
29 None.

30
31 **XIII. NEW BUSINESS**

32
33 Mr. Neron said that at the request of the prospective construction companies staff would
34 like to extend the deadline for the bids for the construction phase of the Wooton Park
35 Multi Modal project (due July 2, 2009) by one week. He said that due to the projects
36 tight schedule staff is also requesting to work with the Mayor to schedule a Special
37 Council meeting for final bid approval the weeks of either July 20 or July 27, 2009. The
38 Councilmembers provided their availability dates. Mr. Drury said Ms. Dempsey will be
39 contacting the Council to schedule a Special Meeting.

1 **XIV. AUDIENCE TO BE HEARD**

2
3 Mayor Clutts asked if there are any audience members who would like to speak to
4 Council on any matters not included in the agenda.

5
6 Betty Burleigh noted the City recently lost a member of one of its pioneer families; Dale
7 Coven. She spoke of local allstars Jermaine Taylor (drafted by the Houston Rockets)
8 who will be unable to participate in the 4th of July parade, and Justin Justice who was
9 recently drafted by the Detroit Tigers.

10
11 **XV. REPORTS**

12
13 **City Administrator**

14
15 Mr. Drury noted the first budget workshop is scheduled July 29, 2009 where the
16 maximum millage rate will be set. He noted that once the millage rate is set it cannot be
17 raised. Mr. Drury also noted the Fire Assessment Hearing scheduled July 15, 2009.

18
19 **Tamera Rogers**

20
21 Ms. Rogers noted the upcoming July 4th celebrations.

22
23 **Richard Keith**

24
25 Chief Keith thanked Council for allowing the time to honor Mr. Sweeza for his service
26 to the City. He noted that an Automated External Defibrillator (AED) machine was
27 recently installed in City Hall and is located above the water fountains on the first floor.

28
29 **Councilmember Pfister**

30
31 None.

32
33 **Councilmember Thomas**

34
35 None.

36
37 **Councilmember Grenier**

38

1 Councilmember Grenier said that Ms. Burleigh is a treasure in all that she does and that
2 the City must keep its history alive. He said the pioneering families would enjoy what
3 we are doing.

4
5 **Vice Mayor Wolfe**

6
7 Vice Mayor Wolfe noted that he attended the draft reception for Jermaine Taylor on
8 behalf of the Mayor and the City of Tavares. He said that he congratulated Mr. Taylor
9 on behalf of the City for his past accomplishments and wished him a successful future.
10 He said the City will set a proclamation to honor Mr. Taylor in the future.

11
12 **Mayor Clutts**

13
14 Mayor Clutts noted her appreciation for Staff and Council.

15
16 **Adjournment**

17
18 There was no further business and the meeting was adjourned at 5:33 p.m.

19
20 Respectfully submitted,

21
22
23
24
25 _____
26 Susie Novack, C.M.C.
Deputy City Clerk