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**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
SEPTEMBER 7, 2011  
CITY COUNCIL CHAMBERS  
4:00 p.m.**

**COUNCILMEMBERS PRESENT**

**ABSENT**

Robert Wolfe, Mayor  
Bob Grenier, Vice Mayor  
Sandy Gamble, Councilmember  
Lori Pfister, Councilmember  
Kirby Smith, Councilmember

**STAFF PRESENT**

John Drury, City Administrator  
Lori Houghton, Finance Director  
Bob Williams, City Attorney  
Nancy Barnett, City Clerk  
Chief Stoney Lubins, Police Department  
Jacques Skutt  
Chief Richard Keith, Fire Department  
Joyce Ross, Communications Director  
Bill Neron, Economic Development Director  
Tammey Rogers, Community Services Director  
Brad Hayes, Utilities Director  
Lori Tucker, Human Resources Director

**I. CALL TO ORDER**

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

**II. INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Doug Dykstra, Mid Lake Christian Church, gave the invocation and those present recited the Pledge of Allegiance.

**III. APPROVAL OF AGENDA**

Mayor Wolfe noted that the Public Hearing on the Millage and Budget would be held at 5:05 pm.

**MOTION**

1 **Bob Grenier moved to approve the agenda with the Public Hearings on Millage and Budget**  
2 **to be heard at 5:05 as noted by the Mayor, seconded by Kirby Smith. The motion carried**  
3 **unanimously 5-0.**

4  
5 **IV. APPROVAL OF MINUTES**

6  
7 **MOTION**

8  
9 **Sandy Gamble moved to approve the minutes of the Golden Triangle Meeting of March 23,**  
10 **2011, the Budget Workshop of July 27, 2011, and the Regular Council Meetings of August**  
11 **3 and August 17, 2011 as submitted, seconded by Bob Grenier. The motion carried**  
12 **unanimously 5-0.**

13  
14 **V. PROCLAMATIONS/PRESENTATIONS** - None

15  
16 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

17  
18 Attorney Williams noted there were no quasi-judicial items on the agenda.

19  
20 Councilmember Smith stated that he owns property south of the parcel mentioned in the Minor  
21 Subdivision Plat Amendment for Lake Elsie Reserves.

22  
23 Attorney Williams advised that he had recommended Councilmember Smith bring up this issue.  
24 He said there is no voting conflict for Councilmember Smith as he has no pecuniary interest in  
25 this matter.

26  
27 **VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

28  
29 Ms. Barnett read the following ordinances by title only:

30  
31 **ORDINANCE 2011-10**

32  
33 **AN ORDINANCE REPEALING SECTION 11-2 OF CHAPTER 11 OF THE CITY**  
34 **OF TAVARES CODE OF ORDINANCES RELATING TO THE DISCHARGE OF**  
35 **FIREARMS; PROVIDING FOR AN EFFECTIVE DATE.**

36  
37 **ORDINANCE 2011- 11**

38  
39 **AN ORDINANCE AMENDING SECTION 12-1 (G) OF CHAPTER 12 OF THE**  
40 **CITY OF TAVARES LAND DEVELOPMENT REGULATIONS RELATED TO**  
41 **DEFINITIONS, PROVIDING FOR AN EFFECTIVE DATE.**

42  
43  
44 **VIII. CONSENT AGENDA**

45  
46 Mayor Wolfe asked if anyone in the audience had objections to the items on the Consent Agenda.  
47

1 **MOTION**

2  
3 **Bob Grenier moved to approve the Consent Agenda [Tab 2 – Approval of Minor Plat**  
4 **Amendment for Lake Elsie Reserve; Tab 3 – Solid Waste Services – Palm Gardens RV Park**  
5 **& Cottage Report; and Tab 4 – Draft Ordinance for Liening Utility Accounts], seconded by**  
6 **Sandy Gamble. The motion carried unanimously 5-0.**

7  
8 **VIII. PUBLIC HEARING – FISCAL YEAR 2012 MILLAGE & BUDGET – 5:05 PM**

9  
10 **Tab 5) Resolution #2011-18 – Tentative Millage Rate Fiscal Year 2011/2012**

11  
12 Ms. Barnett read the resolutions in their entirety as follows:

13  
14 **RESOLUTION 2011- 18**

15  
16 **A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.95**  
17 **FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM**  
18 **TAXES FOR FISCAL YEAR 2011-2012; SETTING FORTH THE**  
19 **PERCENT BY WHICH THE MILLAGE RATE IS LESS THAN THE**  
20 **"ROLLED-BACK" RATE.**

21  
22 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**

23  
24 **WHEREAS**, the City of Tavares of Lake County, Florida on September 7, 2011, adopted  
25 the 2011-2012 Fiscal Year Tentative Millage Rate following a public hearing as required by  
26 Florida Statute 200.065.

27  
28 **WHEREAS**, the City of Tavares of Lake County, Florida, following due public notice as  
29 required by law, held a second public hearing on September 21, 2011, as required by Florida  
30 Statute 200.065 on the 2011-2012 Millage Rate; and

31  
32 **WHEREAS**, the gross taxable value for operating purposes not exempt from taxation  
33 within Lake County has been certified by the County Property Appraiser to the City of Tavares as  
34 \$624,303,974.

35  
36 **NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County, Florida,  
37 that:

- 38  
39 1. The City of Tavares Fiscal Year 2011-2012 operating millage rate to be levied is  
40 hereby set at 6.95 mills, which millage rate is less than the rolled back rate of  
41 7.6618 by 9.29%.
- 42  
43 2. The voted debt service millage is 0.00.
- 44  
45 3. This Resolution will take effect immediately upon its adoption.

46  
47 **PASSED AND RESOLVED** this 21st day of September 2011, by the City Council of the

1 City of Tavares, Florida.

2  
3 **RESOLUTION 2011- 19**

4  
5 **A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE**  
6 **CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2011-**  
7 **2012.**

8  
9 BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:

10  
11 WHEREAS, a public hearing on the proposed 2011-2012 budget was held at the  
12 Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on  
13 September 7, 2011, at 5:05 p.m., as required by Florida Statutes 200.065; and

14  
15 WHEREAS, the general public was given an opportunity to express its views  
16 pertaining to the proposed budget, and

17  
18 WHEREAS, the City Council approved the tentative budget for 2011-2012, and

19  
20 WHEREAS, a second public hearing on the proposed 2011-2012 budget was held  
21 in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares,  
22 Florida, on September 21, 2011, at 5:05 p.m.,

23  
24 NOW, THEREFORE, BE IT RESOLVED that the Budget for 2011-2012 fiscal year  
25 for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of  
26 \$31,503,654, at public hearing this 21st day of September, 2011.

27  
28 Ms. Houghton stated the tentative millage rate is based on the ad valorem rate of 6.95 mills which  
29 is 9.29% less than the rollback rate of 7.6618 mills and assessed taxable property value of  
30 \$624,330,974 which is a decrease of 7.89% from the prior year.

31  
32 Other points and assumptions presented:

- 33
- 34 • Ad valorem millage rate of 6.95 mills which is 9.29%% less than the rollback rate of
  - 35 7.6618 mills
  - 36 • An assessed taxable property value of \$624,303,974 which is a decrease of 7.89% from
  - 37 the prior year
  - 38 • No Cost of Living increases for employees (CPI as of March 2011 = 2.7)
  - 39 • No Merit increases for employees
  - 40 • FRS employer contributions are budgeted at blended rates as rates will increase effective
  - 41 July 1, 2012 (5.331% *Regular Class* & 8.838% *Senior Management Class*)
  - 42 • Staffing level decreases – do not fund 2 positions (GIS Technician, Police Officer)
  - 43 • Fire Pension contribution rate decrease from 22% to 21.1%
  - 44 • Police Pension contribution rate remains unchanged at 21.2%
  - 45 • Health insurance increases budgeted at blended rate of 7% (*assumes 50% participation in*
  - 46 *new health plan*)
  - 47 • Employees will pay 50% of premium cost for family health coverage

- 1 • Employees will pay 50% of premium increases for health insurance
- 2 • Proposed budget includes capital lease for a VOIP Phone System for telephone
- 3 expenditure savings
- 4 • Proposed Budget includes capital lease for purchase of replacement solid waste
- 5 automated truck
- 6 • Proposed Budget includes capital lease for purchase of replacement street sweeper
- 7 • Proposed Budget includes sponsorship for the Renaissance Faire in the General Fund in
- 8 the amount of \$4,000.
- 9 • Workers' compensation rate increase of 5%
- 10 • General liability rate increase of 5%
- 11 • Push capital replacements until the following year
- 12 • Fund only operational costs critical to the service delivery mission
- 13 • Maintain a similar level of service.
- 14 • Reserve appropriations of \$390,059 (revised from draft budget to include maximum
- 15 millage rate of 6.95, additional revenues anticipated from CST Tax and Municipal
- 16 Revenue Sharing)
- 17 • The General Fund proposed Reserve Fund Balance is proposed at \$1,296,257 or 11.1%.

18  
19 Attorney Williams noted the justification for the record is only technically required by the Statute if  
20 the tax is being increased.

21  
22 Mayor Wolfe asked if there was public comment on the millage. There was none.

23  
24 **Discussion**

25  
26 Councilmember Smith asked why Council had decided to go from 6.89 to 6.95 as he was not at  
27 the meeting [of July 27, 2011].

28  
29 Mayor Wolfe said it was set at 6.95 knowing it could go back down. He noted additional funds  
30 have been received for forfeitures and liens and asked if that amount could go back into the  
31 General Fund. Ms. Houghton said those funds will go into the General Fund in the current year  
32 and when the result of operations is known, it will be determined if there are additional funds to  
33 roll forward to the next fiscal year. Mayor Wolfe asked if Council decided to lower the millage  
34 back to 6.89 would that amount be taken from reserves. Ms. Houghton confirmed.

35  
36 Mayor Wolfe asked if there was comment from the audience on the tentative millage rate for  
37 2012.

38  
39 **Discussion**

40  
41 Councilmember Gamble asked about information received this week from the Property  
42 Appraiser's office. Ms. Houghton said that the Lake County Property Appraiser has a Fraud  
43 Investigative Unit which has been working with cities to compare utility bills with the tax roll. They  
44 have identified \$997,000 in property values that equate to Homestead Exemptions that were  
45 improperly provided to taxpayers. She said that will result in a little over \$6,000 in additional taxes  
46 to Tavares



1  
2 **The motion carried 4-1 as follows:**

3  
4 **Robert Wolfe** Yes  
5 **Kirby Smith** Yes  
6 **Sandy Gamble** Yes  
7 **Bob Grenier** Yes  
8 **Lori Pfister** No  
9

10 **Tab 6) Resolution #2011-19 – Tentative Budget**

11  
12 Ms. Houghton said she did not need to read the information into the record again unless Council  
13 wished her to do so.

14  
15 Mayor Wolfe asked if anyone in the audience would like to speak on the budget.

16  
17 **Norman Hope, Fox Run**

18  
19 Mr. Hope said he had met with Mr. Drury and Ms. Houghton and had gone through the budget  
20 line by line. He said all his questions had been answered and he could not find additional cuts  
21 unless some of the parks are closed, books are not purchased, etc. He said he appreciated  
22 Council's action of 6.89 which shows that Council is trying to be more austere.

23  
24 **MOTION**

25  
26 **Kirby Smith moved to approve the original budget proposed at 6.89 mils, seconded by**  
27 **Sandy Gamble. The motion carried 4-1 as follows:**

28  
29 **Robert Wolfe** Yes  
30 **Kirby Smith** Yes  
31 **Sandy Gamble** Yes  
32 **Bob Grenier** Yes  
33 **Lori Pfister** No  
34

35 **IX. ORDINANCES/RESOLUTIONS**

36  
37 **Tab 7) Ordinance #2011-10 – Amendment to Section 11-2 of Code of Ordinances –**  
38 **Discharge of Firearms – Read for First Reading Only**

39  
40 **Tab 8) Ordinance #2011-11 – Amendment to Noise Ordinance to Chapter 12 of the Land**  
41 **Development Regulations – Read for First Reading only**

42  
43 **X. GENERAL GOVERNMENT**

44  
45 **Tab 9) Approval of Agreement with BESH Engineering for Design and Administration of**  
46 **the Pavilion Project**

47

1 Ms. Rogers stated that BESH was hired to construct the Wooton Park project and the pavilion  
2 construction is a continuation of the project. The pavilion was left to the end to allow for the FDEP  
3 permitting phase to be completed. The agreement is with BESH and their subcontractor is the  
4 architectural firm, Blais and Fiebach. The cost is about 11% of the project cost which is budgeted  
5 at \$3.36 million.  
6

7 Councilmember Smith asked Mr. Ern for clarification on his role with the the project. Mr. Ern  
8 answered that his firm will be overseeing the design of the marina components and Mr. Sapp will  
9 be the general contractor in charge of the construction. Councilmember Smith asked Mr. Ern if  
10 there was a problem between the general contractor and the subcontractor, would he be involved  
11 with those negotiations. Mr. Ern confirmed.  
12

13 Vice Mayor Grenier asked for clarification on the marina consultant. Mr. Ern answered that  
14 Dredging and Marine Consultants is their subcontractor to design the marina portion of the job  
15 which is the floating docks that will house the water taxis and the gangway leading to those  
16 docks. He said DMC was involved with the city on several other phases of the project as well.  
17

18 Mayor Wolfe asked if the audience had comments.  
19

#### 20 **MOTION**

21  
22 **Kirby Smith moved to approve the BESH contract, seconded by Bob Grenier. The motion**  
23 **carried unanimously 5-0.**  
24

#### 25 **Tab 10) Approval of Agreement with Emmett Sapp for the Construction of the Pavilion**

26  
27 Ms. Rogers stated that the construction fee is 10% of the cost of the project. The construction  
28 manager will be at the design table from the very beginning of the project and then will oversee  
29 the construction when it begins. The contractor will then be able to advise if changes need to be  
30 made in the design which will keep the costs in line and the design will coincide with the  
31 construction. Ms. Rogers reviewed the history of the bid process that had been done and noted  
32 Councilmember Pfister was the liaison to the project and served on the selection committee. She  
33 said Emmett Sapp was in attendance.  
34

35 Mayor Wolfe asked if there will still be a minimum of five bids for every component. Mr. Sapp  
36 indicated agreement from the audience.  
37

38 Councilmember Pfister stated she is thankful the agreement is being approved and noted the city  
39 and staff have worked very hard on this project.  
40

#### 41 **MOTION**

42  
43 **Lori Pfister moved to approve the contract with Emmett Sapp Builders, seconded by Bob**  
44 **Grenier. The motion carried unanimously 5-0.**  
45

#### 46 **Tab 11) Request to Approve Proposal with Malcolm Pirnie for Water Pressure Study at** 47 **Royal Harbor**

1  
2 Mr. Hayes stated this is a request to approve a work authorization for the potable water pressure  
3 monitoring and data evaluation work. He noted the hydraulic model was submitted to Council in  
4 September 2010. It included options to increase water pressure: of constructing a booster pump  
5 station at an estimated cost of approximately \$600,000 or installing a reclaim water distribution  
6 system throughout Royal Harbor (\$2.5 million). Due to the costs, the city decided to explore less  
7 costly options. Mr. Hayes said staff worked with the Royal Harbor Homeowners Association to  
8 obtain information on the proposed alternative option. The proposal is to monitor the pressure of  
9 15 of the homes for an extended period to collect data and to look for the unknowns, such as  
10 partially closed valves or improperly sized lines and to do some field monitoring of selected  
11 hydrants.  
12

13 Mr. Drury discussed the city's efforts in analyzing the water pressure problem at Royal Harbor.  
14 He said most of the work has been focused on the meter to the city's side. He said the city has  
15 concluded there is an adequate pressure to the meters. The city has requested that every  
16 resident that has had a problem report that problem to the HOA (82 homeowners have  
17 responded). Malcolm Pirnie will investigate the area from the meter into their homes. Some  
18 volunteers will be recruited to monitor their homes 24/7 for a period of time and find out if during  
19 construction something from the meter to these homes is the problem or will a larger water meter  
20 at the home produce the needed pressure.  
21

22 Vice Mayor Grenier asked if the city will be reviewing the drawings and the work that was done  
23 originally. Mr. Drury agreed and added that the focus will also be on when the problem is  
24 occurring.  
25

26 Mr. Shannon of Malcolm Pirnie stood to speak. He said the plan is to bridge the gap between  
27 what has been done in the past and where the complaints are originating. He noted that the  
28 complaints are widespread. He said normally this indicates that there would be something on the  
29 city's side of the system which is why the initial investigations were carried out in that model.  
30 Although instances were found when pressures were lower they were not low enough to justify  
31 the complaints that had been received. He said this study will look at what is occurring on both  
32 sides of the meter at the same time. He said that will be done long term for about 15 homes,  
33 however, in addition to that all 80 homes will be measured at the hose bib with portable meters.  
34 He said in addition a survey will be sent out that will ask specific questions about time of day, time  
35 of year and where in the home the problem occurs.  
36

37 Councilmember Pfister asked if this would fix the problem. She noted she has voted for every  
38 measure that has been presented since she came on Council and she had promised this would  
39 be fixed as part of her election to Council.  
40

41 Mr. Shannon said that to say unequivocally would require him to predict what will be found. He  
42 said he could not say with 100% certainty but that the design of the study has allowed for every  
43 reasonable possibility that could be causing the problem.  
44

45 Vice Mayor Grenier agreed that it makes sense that there is a need to go inside the boundaries of  
46 the subdivision and look in more detail.  
47

1 Councilmember Gamble asked if the 82 homes were at the top of the hill. Mr. Shannon said for  
2 the most part they are at the higher elevations however there are some down below.

3  
4 Mayor Wolfe invited public comment.

5  
6 Bob Shapiro, 3268 Seven Seas Drive  
7

8 Mr. Shapiro stated he does back flow testing and has read pressures on many of the houses  
9 when there is no watering going on and has noted 25-35 lbs. of pressure in the houses on top of  
10 the hill. He said he did not think sizing of the piping will make a lot of difference. He said the  
11 pressure at the bottom of the hill is good.

12  
13 Ted Robbins, 3576 Tropical Seas Loop  
14

15 Mr. Robbins said he has been involved with the water issue since 2001 when he bought his  
16 house. He said there were less than 150 homes at that time. He said the majority of the homes  
17 on the top of the hill were built out. He said he changed fixtures to try to get better pressure. He  
18 said he came before Council in 2003 for the first time. He said he was told that the pressure  
19 meets Florida code at 40 psi. He said the people at the bottom of the hill were getting 60-65 psi  
20 and they were having problems blowing relief valves on top of their water heaters. He said his  
21 main concern is that at one of the last meetings he attended he told that in order to fight a fire  
22 involving more than one home, they would have to bring in a water tank.

23  
24 Gary Santaro, Lake Huron Lane  
25

26 Mr. Santaro said he has a five minute presentation. He said he wanted to bring Council's  
27 attention to some issues. He reviewed the work done by Jones Edmunds in 2008. He said they  
28 had recommended a second pressure zone within the subdivision by installing a booster pump,  
29 two pressure reducing valve systems, and closing the isolation valves (cost of \$600,000). He said  
30 the report found another contributor came from outside the subdivision. The subdivision is a  
31 looped system but is on a dead end main. In 2010 Malcolm Pirnie produced a water distribution  
32 system hydraulic model update. The monitoring period was conducted from September 18, 2009  
33 to October 1, 2009 however based on the limited flow and pressure data, a second pressure  
34 investigation was recommended (probably because the winter residents were not back in Royal  
35 Harbor). The second phase of the monitoring occurred between February 20<sup>th</sup> and March 4, 2010.  
36 No water pressure deficiencies were detected during either monitoring period. He noted their  
37 recommendation was to install a dedicated reclamation system.

38  
39 Mr. Santaro noted very little building construction has occurred along SR 19 corridor that would  
40 impact the water supplied by the water main on SR 19 and Royal Harbor is still served by a dead  
41 end water main. He discussed the Royal Harbor community and their landscaping system.

42  
43 Mr. Santaro recommended that the city not spend the \$61,000 on the study at this time, and wait  
44 until the reclaimed water distributions system comes on line which will provide the opportunity for  
45 a study to be done based on facts rather than computer modeling.

46  
47 Denise Laratta, Royal Harbor



1	<b>Kirby Smith</b>	<b>Yes</b>
2	<b>Bob Grenier</b>	<b>Yes</b>
3	<b>Sandy Gamble</b>	<b>No</b>
4	<b>Lori Pfister</b>	<b>No</b>

5  
6 **Tab 12) Approval of Renewal of Work Authorization with Malcolm Pirnie for Consumptive**  
7 **Use Permit**  
8

9 Mr. Hayes stated that previously Council approved the Consumptive Use Process which  
10 consisted of three phases that would take 3-5 years at a cost of approximately \$400,000. The first  
11 phase was the data collection and permit submittal to St. Johns (\$110,000) and the second phase  
12 was responding to St. Johns Water District management for RIA's (Request for Additional  
13 Information) (\$120,000). The final phase will require final studies and questions that need to be  
14 answered. This work authorization will bring the total costs to approximately \$345,000 and it will  
15 have taken about three years to accomplish. Staff recommendation is to approve this Work  
16 Authorization at a cost of \$115,088.

17  
18 Councilmember Smith asked if St. Johns has asked for additional information that should have  
19 been provided before. Mr. Hayes explained the process which consists of submitting the  
20 application, and then responding to questions from St. Johns. Councilmember Smith questioned  
21 the price of the contract.

22  
23 Mr. Shannon stated that the firm will only be responding to further questions from St. Johns. If it  
24 takes less, then that will be monies the city does not have to spend.

25  
26 Mayor Wolfe asked if there was audience comment

27  
28 **MOTION**  
29

30 **Sandy Gamble moved to approve the work authorization with Malcolm Pirnie to continue**  
31 **with Phase Three of the Consumptive Use Permit process with the St. Johns River Water**  
32 **Management District in the amount of \$115,088, seconded by Bob Grenier. The motion**  
33 **carried unanimously 5-0.**  
34

35 **Tab 13) Discussion of Annexation of Hickory Point Park**  
36

37 Mr. Drury stated that he had provided Council the previous agenda summary from 2009 when this  
38 issue was discussed. The summary provided a list of pros and cons of annexation. It was noted  
39 that if they do not annex in they pay a higher water and sewer rate and the county provides the  
40 sheriff and fire protection at no cost to the city. If they do annex in they pay a lower water and  
41 sewer rate and the city will provide police and fire protection. On the other hand, the city Fire  
42 Station is closer to the property than the county fire station; city police is patrolling the area in  
43 front of the area to be annexed because they go to Royal Harbor but they have no jurisdiction  
44 within the Hickory Point property; the Renaissance Faire is held there (an event advertised as  
45 being in Tavares) as well as the soccer games; and there is property behind the Water Authority  
46 that is currently an orange grove with an ingress and egress easement.  
47

1 Mr. Drury reviewed the past action when the Water authority entered into an agreement to obtain  
2 city water and as part of that agreement they agreed to annex in at some time in the future when  
3 the property became contiguous.  
4

5 Vice Mayor Grenier noted he and Councilmember Smith had both requested this issue be  
6 brought back to Council and he was pleased to see it under review.  
7

8 Mr. Drury said he believed the Water Authority's position on whether they have to annex in is not  
9 the same as the opinion of this Council. He said if Council decides they wish this property to be  
10 annexed into Tavares, they should instruct the City Attorney to meet with the Water Authority  
11 attorney and discuss the legal issues involved.  
12

13 Attorney Williams said when water was extended to Hickory Point the city entered into an  
14 agreement and as part of that agreement they were required to sign a Covenant to Annex when  
15 they became legally contiguous. He said they never signed the Covenant but did sign the contract  
16 that contained that obligation. He said when they became contiguous, the former City  
17 Administrator went to them to ask them to annex but they refused and the City did not pursue it  
18 further. More recently he said he and Mr. Drury had approached the Water Authority again but  
19 they had taken the same position that they are not required to annex even though they signed the  
20 utility agreement.  
21

22 Attorney Williams said there are three options: 1) continue as is by selling water only that includes  
23 a 25% surcharge; 2) demand them to annex under the covenant; and 3) pull the water meter  
24 (legal but extreme). He said option 2 would require a Declaratory Action with the court if they  
25 refused to annex. He said he thought their main concern is that there is property to the west side  
26 of their property which has access by an easement. He said he believed their concern is that the  
27 acreage to the west would then be contiguous and could annex into the city and be developed.  
28

29 Mr. Drury reiterated that Council needs to be aware of the requirements for the city to respond to  
30 all the public safety issues. Mayor Wolfe asked if the city would be responsible for the roads and  
31 stormwater problems. Attorney Williams responded the city would just be responsible for traffic  
32 enforcement. Mr. Drury commented that their infrastructure would probably not meet city  
33 requirements but they would be responsible for their roads, stormwater and sewer lines. He said  
34 the other property could technically annex in.  
35

36 Councilmember Pfister said economically it would not be an advantage to the city to annex them  
37 at this time.  
38

39 Councilmember Smith said they need to honor their agreement and it would resolve the issue of  
40 the Renaissance Faire event not being in the city.  
41

42 Mayor Wolfe said he thought it would be good for the city to have all of its major lakefront be in  
43 the City and he thought that was always the long term plan.  
44

45 Councilmember Gamble said the past minutes also reflected that some properties may be able to  
46 annex without being contiguous. Attorney Williams confirmed but noted it that also requires an  
47 Interlocal agreement with the County. Councilmember Gamble said the Water Authority Board



- 1       2. **Purchase 1.5 acres** to build additional boat ramp, parking, restroom, wildlife observation  
2       gazebo and complete the Tav-Lee trail connection between the park and Sinclair Ave.  
3       **(Cost = \$1,898,881)**  
4
- 5       3. **Lease 3.61 acres** to build additional boat ramp, parking, restroom, wildlife observation  
6       gazebo and complete the Tav-Lee trail connection between the park and Sinclair Ave.,**(10**  
7       **year cost = \$2,262,452)**  
8
- 9       4. **Purchase 3.61 acres** to build additional boat ramp, parking, restroom, wildlife observation  
10      gazebo and complete the Tav-Lee trail connection between the park and Sinclair Ave.,  
11      leaving approximately 2 acres of open space. **(Cost = \$3,301,652)**  
12

13 Mr. Neron said that for either of the purchase options, staff recommends that there be a general  
14 obligation bond referendum with the associated costs and that the referendum be held sometime  
15 after the first of the year in 2012. If Council approves either of the purchase options, staff will  
16 return to Council with referendum dates and options. He said staff recommends option number  
17 four.  
18

19 Mr. Drury discussed the branding campaign of the city noting the amount of aircraft and response  
20 was not anticipated. He discussed his concerns about the aircraft having to share the ramp with  
21 boats although said that staff is doing everything it can to ensure the safety of the upcoming  
22 season. He said this would solve the problem by putting the boat ramp to a different location and  
23 limiting the current ramp to aircraft only and it will add additional recreation for the boaters.  
24

25 Mr. Neron said the city is averaging 150 seaplanes per month.  
26

27 Councilmember Smith said 15 spaces for boats would not be enough. He asked what the price of  
28 the property was during the first referendum. Mr. Neron answered that it was four million dollars  
29 and this is a 40% reduction. Councilmember Pfister asked if there had been a recent appraisal.  
30 Mr. Neron said there has not been a recent appraisal but had been given an estimate by the  
31 Property Appraiser's office of anywhere from anywhere from 1.5 to 1.9 million. He said the  
32 problem is that there are no recent sales for comparables. He said he believes it is a unique piece  
33 of property and is the last opportunity for the city to preserve its waterfront.  
34

35 Mayor Wolfe asked for comment from the audience.  
36

### 37 **Andrew O'Keefe, O'Keefe's Irish Pub**

38

39 Mr. O'Keefe stated on behalf of the Tavares Business Committee they would like to encourage  
40 Council to move forward with the purchase of the 3.6 acres to build the boat ramp, the parking  
41 and the waterfront improvements.  
42

### 43 **Norm Hope**

44

45 Mr. Hope said he has been 100% in support of this project from day one. He said this year as the  
46 city would be asking for less from the voters it should be more palatable. He said he would hate

1 to see the waterfront be lost. The improvements to the water would also be a positive aspect. He  
2 asked Mr. Drury about the city's ability to promote the referendum.

3  
4 Mr. Drury answered that the city as a whole cannot promote the referendum but each individual  
5 councilmember can speak to it. Attorney Williams said the city can provide information but cannot  
6 campaign.

7  
8 Councilmember Smith asked if the information in the agenda packet was available to be copied  
9 and given out. Attorney Williams responded that it was public record.

10  
11 Attorney Williams said Ms. Ross has extensive experience with referendums. Ms. Ross said staff  
12 can educate voters on the issue but cannot advocate a position. She said that would be the role  
13 of individual councilmembers and private citizens. Mr. Drury added there is no budget currently to  
14 provide the information. Ms. Ross said last time \$7,000 was authorized but only \$5,000 was  
15 spent. She said she anticipated approximately \$5,000 needed for this referendum depending on  
16 the timing of the election.

17  
18 **Charlotte Hope**

19  
20 Ms. Hope asked if there should be another Political Action Committee formed. Mr. Drury  
21 responded the city cannot advocate or get involved with a PAC. Ms. Ross said individual groups  
22 can form their own or have one large PAC but it is up to the individuals.

23  
24 **Linda Bennett, President of the Chamber of Commerce**

25  
26 Ms. Bennett said she has always been impressed by how well the city and the county works  
27 together and how Tavares has taken the lead in developing this part of the county. She said this  
28 would complete the waterfront and it would be an asset to the city. She said the Councilmembers  
29 would be invited to come to a Chamber event and the chamber would support the city as much as  
30 possible.

31  
32 **Discussion**

33  
34 Councilmember Gamble asked if the referendum would include both of the options. It was noted  
35 that the referendum could not contain more than one option. Councilmember Gamble stated there  
36 has been concern about taking waterfront property off of the tax roll so this would not support the  
37 city's efforts to increase commercial over residential. However, it will also make the waterfront  
38 more appealing to those buying on the north side of the railroad tracks in the future.

39  
40 **MOTION**

41  
42 **Bob Grenier moved to approve Option #4 [purchase 3.61 acres to build additional boat  
43 ramp, parking, restroom, wildlife observation gazebo and complete the Tav-Lee trail  
44 connection between the park and Sinclair Ave., leaving approximately 2 acres of open  
45 space]. The motion was seconded by Kirby Smith.**

46  
47 **The motion carried unanimously 5-0.**

1  
2 Mayor Wolfe thanked staff and for the support expressed by the audience members.

3  
4 **XIII. OLD BUSINESS**

5  
6 None

7  
8 **XV. AUDIENCE TO BE HEARD**

9  
10 **Norb Thomas**

11  
12 Mr. Thomas said as a former councilmember and resident since 1993 he has been concerned  
13 about the waterlines going out to Royal Harbor for some time. He said he believes the city owes it  
14 to the residents of Royal Harbor to solve their issue. He said he would hate for the city to wait  
15 until April when there are people with insufficient flows currently.

16  
17 **Norman Hope**

18  
19 Mr. Hope said [with regard to the upcoming 10<sup>th</sup> anniversary of September 11<sup>th</sup>) that on  
20 September 11, 2001, it was the only day since he retired that he had felt useless because his  
21 expertise with the FBI had been counter terrorism. He said this weekend there will be a prayer  
22 vigil at the First Methodist Church starting at 8:00 Saturday morning until 8:00 Sunday morning.  
23 He said the police officers will have security there. He encouraged those present to attend to pray  
24 for the military, for the police and fire, and for the enemies of the United States so they will learn  
25 they were wrong. He said the people that died had not done anything wrong other than being  
26 Americans.

27  
28 **XVI. REPORTS**

29  
30 **Tab 12) City Administrator**

31  
32 Mr. Drury said he provided meeting dates. He said the Tavares Chamber of Commerce Red  
33 Carpet Gala is September 15<sup>th</sup>. He said he will be providing the State of the city Address and it  
34 has generally had a good turnout of from businesses and individuals supporting Tavares. He said  
35 that Mr. Thompson had broken his leg yesterday while removing a tree but is already looking  
36 forward to getting back to work.

37  
38 **Economic Development Director**

39  
40 Mr. Neron noted service should be starting for the tourist train in early October. Vice Mayor  
41 Grenier asked to be kept informed. He said the National Railroad Historical Society has been  
42 following this project. He said they ask him frequently for an update. He said they have a chapter  
43 in Winter Garden.

44  
45 **Fire Chief**

46

1 Chief Keith said to add on to Mr. Hope’s comments, Friday morning there is a memorial  
2 dedication at the Lake County Administrative Building in the atrium area. He said they have a  
3 piece of the World Trade Center they will be dedicating it as a memorial.  
4

5 **Community Services Director**  
6

7 Ms. Rogers said that she had brought the low bidder to Council a few months prior for the  
8 Woodlea Sports Complex. She said staff has met with some complications during contract  
9 negotiations and have decided it is in the best interest of the project to rebid the project. She said  
10 there is a need for better clarification on the term “play-ready sod.”  
11

12 **Finance Director**  
13

14 Ms. Houghton said the advertisement for the budget and the millage rate will be in the newspaper  
15 on Sunday, September 17<sup>th</sup> and the banking RFP will also go out the same day.  
16

17 **City Attorney**  
18

19 Attorney Williams read from an article published in Florida Trend about the trains. He thanked Ms.  
20 Ross for her efforts in getting press coverage for the City.  
21

22 **Tab 14) City Council**  
23

24 **Councilmember Gamble**  
25

26 None  
27

28 **Councilmember Pfister**  
29

30 None  
31

32 **Vice Mayor Grenier**  
33

34 Vice Mayor Grenier acknowledged the 100<sup>th</sup> anniversary of the First Baptist Church in Tavares.  
35 He said a presentation will be made at the Tavares Historical Society luncheon on Monday.  
36

37 **Councilmember Smith**  
38

39 Councilmember Smith expressed appreciation for the hard work done by Cecilia Smith [Economic  
40 Development Coordinator] and stated he had wanted to wish her well in her future ventures.  
41

42 **Mayor Wolfe**  
43

44 Mayor Wolfe asked Vice Mayor Grenier if he could have the plaque from the Railroad Historical  
45 Society in Winter Garden that says “Tavares Gulf Rail” moved to Tavares.  
46

1 Vice Mayor Grenier said he would like to see a railroad connection between Tavares and Winter  
2 Garden.

3  
4 **Adjournment**

5  
6 There was no further business and the meeting was adjourned at 6:48 p.m.

7  
8 Respectfully submitted,

9  
10  
11  
12 \_\_\_\_\_  
13 Nancy Barnett, City Clerk