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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
DECEMBER 21, 2011
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

Robert Wolfe, Mayor
Sandy Gamble, Councilmember
Lori Pfister, Councilmember
Kirby Smith, Councilmember

ABSENT

Bob Grenier, Vice Mayor

STAFF PRESENT

Lori Houghton, Finance Director/Acting City Administrator
Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
Chief Stoney Lubins, Police Department
Chief Richard Keith, Fire Department
Brad Hayes, Utility Director
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Bill Neron, Economic Development Director
Tammey Rogers, Community Services 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 Mark Andrews, Bridges, gave the invocation and those presented recited the Pledge of Allegiance.

III. APPROVAL OF AGENDA

MOTION

Kirby Smith moved, to approve the agenda, seconded by Sandy Gamble. The motion carried unanimously 4-0.

IV. APPROVAL OF MINUTES

Tab 2) Approval of Minutes from the December 7, 2011 City Council Meeting

1 **MOTION**

2
3 Sandy Gamble moved to approve the minutes of December 7, 2011, as submitted
4 seconded by Kirby Smith. The motion carried unanimously 4-0.

5
6 **V. PROCLAMATIONS/PRESENTATIONS**

7
8 None

9
10 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

11
12 Attorney Williams stated there are no ex-parte communication issues or quasi-judicial hearings.

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

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

17
18 **ORDINANCE 2011-14**

19
20 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE**
21 **FOLLOWING SECTIONS OF THE CITY LAND DEVELOPMENT**
22 **REGULATIONS; CHAPTER 8, TABLE 8-2, PERMITTED AND SPECIAL USES,**
23 **AND ASSOCIATED NOTES; SUBJECT TO THE RULES, REGULATIONS AND**
24 **OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;**
25 **PROVIDING AN EFFECTIVE DATE.**

26
27 **ORDINANCE 2011-15**

28
29 **AN ORDINANCE AMENDING ORDINANCE 2010-22 OF THE CITY OF**
30 **TAVARES, FLORIDA PERTAINING TO THE WAIVER OF IMPACT FEES;**
31 **EXTENDING THE WAIVER TO JUNE 30, 2012; AND PROVIDING FOR AN**
32 **EFFECTIVE DATE.**

33
34 **RESOLUTION 2011 – 22**

35
36 **A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF A**
37 **MASTER LEASE AGREEMENT, AN ESCROW AGREEMENT, AND RELATED**
38 **INSTRUCTIONS, AND DETERMINING OTHER MATTERS IN CONJUNCTION**
39 **THEREWITH.**

40
41 **VIII. CONSENT AGENDA**

42
43 Mayor Wolfe asked if anyone in the audience opposed any item on the Consent Agenda.

44
45 Councilmember Gamble asked to pull Tab 2 for a question.

46
47 **MOTION**

1
2 **Sandy Gamble moved to approve the Consent Agenda Tabs 3 and 4 [Acceptance of Grant**
3 **from Emergency Management Services for Grant for Kayaks and Second Amendment to**
4 **Interlocal Agreement with Lake County – Extension of Agreement to December 2012],**
5 **seconded by Kirby Smith. The motion carried unanimously 4-0.**

6
7 **Tab 2) Acceptance of Grant for Floating Boat Dock for Tavares Recreation Park**

8
9 Councilmember Gamble asked for clarification on the fiscal impact. Ms. Houghton said the
10 amount is a carry forward in this year's budget. The carry forwards will come back to Council for
11 approval in January.

12
13 **MOTION**

14
15 **Sandy Gamble moved to approve Tab 2, Acceptance of Grant for Floating Dock for**
16 **Tavares Recreation Park, seconded by Kirby Smith. The motion carried unanimously 4-0.**

17
18 **IX. ORDINANCES/RESOLUTIONS**

19
20 **Tab 5) Ordinance #2011-14 – Amendment to Land Development Regulations – Chapter 8,**
21 **Updating and Consolidating Table 8-2 – Permitted Uses in Zoning Districts**

22
23 Mr. Skutt stated that Table 8-2 is a chart of the permitted zoning districts. The present chart was
24 first drafted in the 1990's and has not been entirely updated since then. Staff believes that
25 interpreting the chart could be simplified if the uses in the chart were consolidated. The updates
26 have been done so that no use that is presently allowed in any zoning district would be excluded.
27 A note has been added to the Table, on the advice of the city attorney that will allow staff to
28 classify a use that did not exactly meet a definition, if that use is similar in scale, operation and
29 impact to a use that is defined. The Planning & Zoning Board voted unanimously to
30 recommended approval of this new permitted use chart.

31
32 Mayor Wolfe asked for audience comment.

33
34 **MOTION**

35
36 **Kirby Smith moved to approve Ordinance #2011-14, seconded by Sandy Gamble.**

37
38 Councilmember Smith asked if the pet stores for boarding would fall under the noise ordinance.
39 Mr. Skutt answered that the noise ordinance would apply.

40
41 **The motion carried unanimously 4-0.**

42
43 **Tab 6) Ordinance #2011-15 – Extension of the Impact Fee Credits for Six Months**

44
45 Mr. Neron stated for the past two years the city has had an impact fee waiver program for all city
46 impact fees city-wide. On November 16, Council directed staff to prepare an ordinance to extend
47 the program for another six months signaling the intent to wind down the program in the future.

1 Mr. Neron discussed some of the data related to the program. For every dollar of impact fee
2 waived it has resulted in \$20.94 of new construction. Staff recommends approval to extend the
3 program through June 30, 2012.

4
5 Mayor Wolfe asked for comment from the audience.

6
7 **MOTION**

8
9 **Sandy Gamble moved to approve Ordinance #2011-15, seconded by Kirby Smith. The**
10 **motion carried 3-1 as follows:**

11		
12	Robert Wolfe	Yes
13	Sandy Gamble	Yes
14	Kirby Smith	Yes
15	Lori Pfister	No

16
17 **Tab 7) Resolution #2011-22 – Capital Lease Purchases – Amendment**

18
19 Ms. Houghton advised this issue has come back for approval after a prior approval on October
20 16th of SunTrust Bank to be the financing agent for capital leases. SunTrust has since had some
21 reorganization and change with their credit department which has caused an extensive time delay
22 in closing. Staff is requesting to move to the second bidder, BB&T, in order to move forward and
23 not miss the opportunity for pricing on the VOIP, street sweeper and automated garbage truck.

24
25 Councilmember Gamble questioned the piggyback program through the Florida Sheriff's
26 Association, noting the School System has had some problems with that program.

27
28 Attorney Williams said it is permissible to enter into the pools. Ms. Houghton said several cities
29 utilize the pools and the auditors have vetted out this means of purchase in the past. The city has
30 used it for purchase of fire and police vehicles.

31
32 **MOTION**

33
34 **Sandy Gamble moved to approve Resolution #2011-22, seconded by Kirby Smith. The**
35 **motion carried unanimously 4-0.**

36
37 **X. GENERAL GOVERNMENT**

38
39 **Tab 8) Financial Plan to Reconstruct Historic Train Station at Wooton Park**

40
41 Mr. Neron reported that the conceptual plan was previously presented to Council. The general
42 concept is to borrow the necessary money for the project and secure leases with the Tavares
43 Chamber and the Tavares Eustis Gulf LLC Railroad which would provide a sufficient cash flow to
44 pay down the debt service in the building. Contracts will need to be secured with the BESH
45 Engineering Firm and the Construction Manager at Risk, Emmett Sapp, as the plan is to
46 piggyback this project on the pavilion project.

47

1 The recommendation for the financial plan is for Council to authorize borrowing internally up to
2 \$300,000. The cash flow statement prepared by Ms. Houghton shows that based on the lease
3 agreements there will be sufficient cash flow to pay down the debt service required for this
4 borrowing and it is anticipated that the city should be able to pay off the loan earlier than
5 anticipated.

6
7 Mr. Neron said in the Chamber lease they are projected to sell their building and will provide up to
8 \$150,000 up front to secure the 15 years lease of the station.

9
10 Mayor Wolfe said he would have liked to see the agreements and leases first but he would
11 support grant approval as a first step in the process.

12
13 Councilmember Pfister asked if the Gulf Railroad was to go out of business where would that
14 leave the city financially.

15
16 Mr. Neron said the agreement with the railroad is for five years with five year increments because
17 that is how their agreement runs with the railroad to use the tracks. He said if the Chamber chose
18 to not continue their lease he felt certain the city would be able to get another tenant.

19
20 Councilmember Pfister reiterated her concern about the railroad. Mr. Neron noted there is always
21 a risk of any tenant going under but he noted the Cannonball had good attendance recently.

22
23 Attorney Williams said the per square foot basis rentals being offered to the Chamber and the
24 railroad are very competitive. He noted there is some risk involved but it is hoped it is a minor
25 risk.

26
27 Councilmember Smith questioned the availability of internal funds for borrowing. Ms. Houghton
28 said the source is the restricted impact fee core funds that are currently not in use which is about
29 four million.

30
31 Councilmember Gamble asked what was the actual square footage price. Discussion followed.
32 Mr. Neron said the Tavares Eustis Gulf will be charged \$1200 a month and the Chamber \$833.00
33 a month. He said the Chamber is getting a discount because of the \$150,000 cash being paid up
34 front. Councilmember Gamble said he was concerned about another tenant requesting the same
35 rental as the Chamber should they leave. He said he also questioned the other funding for the
36 Chamber's operations at \$10,000 a year. Mr. Neron said that will be a policy discussion for
37 Council at budget time.

38
39 Councilmember Smith commented if the railroad would contribute \$200,000 he would be willing to
40 give them a lease for 10 years.

41
42 Mayor Wolfe asked for audience comment.

43
44 Denise Laratta, Royal Harbor

45
46 Ms. Laratta said she had the same concern about leasing for under fair market value as it is not
47 fair to other businesses in town or to the taxpayers to have to support a business. She asked if

1 the impact fees being used for funding are utility department impact fees. Ms. Houghton
2 confirmed. Ms. Laratta said the utility impact fee reserve is already being loaned to the city to
3 build a pavilion and now more will be used to build a train station. She said although she
4 understood the importance to the city, she believed that the utility fund should be used for utility
5 purposes, specifically fixing the water pressure issues in the city.

6
7 **MOTION**
8

9 **Kirby Smith moved to approve the financial plan for reconstruction of the historic train
10 station at Wooton Park, seconded by Lori Pfister**
11

12 Councilmember Smith asked if this project would come back to Council for approval once the
13 numbers are in place for the financing. Mr. Neron said Council is authorizing a maximum amount
14 to be borrowed. Once the building is designed, the design and guaranteed maximum price will be
15 brought back to Council for review before the project moves forward.

16
17 Councilmember Smith asked if it comes back to Council below the maximum price could it still be
18 cancelled. Mr. Neron confirmed.
19

20 Councilmember Pfister said she understood this is not a final decision to approve the funding and
21 construction. Mr. Neron said at the next meeting he will be bringing contract documents for the
22 design and engineering and Emmett Sapp, the construction manager at risk. After those are
23 approved, the building can be designed (the Chamber is helping with their money to design the
24 building). Once it is designed the construction manager at risk will prepare a guaranteed
25 maximum price and the design of the building will be brought back to this Council for review
26 before the project proceeds forward.
27

28 Councilmember Pfister asked how much is going to be spent on the initial steps. Mr. Neron said
29 the design contract will show the cost of the design of the building which is estimated at around
30 \$15,000. The Chamber will use its money in that share of the cost (part of the \$150,000) to help
31 with the design.
32

33 Councilmember Gamble asked how much it will cost to get the ball rolling or to bring it back to the
34 next meeting. Mr. Neron answered it would only be staff time. He said the city is under no out of
35 pocket expenses until the design team is under contract for the design of the building.
36

37 Councilmember Gamble said he would like a listing of what the fair market rental value is for this
38 type of property to review.
39

40 **The motion carried unanimously 4-0.**
41

42 **Tab 9) Lease Agreement with Tavares Eustis LLC**
43

44 Mr. Neron said this agreement is for the portion of the train rentals at the station. It is at \$1200 a
45 month and in five year increments based on their contract with Pinsley Railroad. After the first five
46 years their rent increases at 2% a year.
47

1 Mayor Wolfe asked for comment from the audience;
2

3 **MOTION**
4

5 **Lori Pfister moved to approve the lease agreement with the Tavares Eustis LLC, seconded
6 by Kirby Smith.**
7

8 Councilmember Gamble said he would prefer to review the fair market value for rentals before
9 approving the agreement.
10

11 **The motion carried 3-1 as follows:**
12

13 Robert Wolfe	Yes
14 Kirby Smith	Yes
15 Lori Pfister	Yes
16 Sandy Gamble	No

17

18 **Tab 10) Lease Agreement with Tourist Train at Wooton Park**
19

20 Mr. Neron said the agreement with the Chamber is similar to the railroad agreement except it
21 provides for a \$150,000 up front payment contingent on the sale of their building which is
22 expected to happen between now and the end of the year. He said the agreement that was
23 distributed today is based on a meeting he and Mr. Williams had with the Chamber's attorney and
24 a committee from the Chamber about a week ago. He said he understands they are still revising
25 the agreement for some minor points. Staff recommends approval subject to Attorney Williams
26 and himself reviewing their final revisions to make sure there are no significant changes in the
27 terms of the deal. He said if the changes are significant, the agreement will come back to Council.
28

29 Councilmember Pfister asked the actual premium to have this money up front; i.e. the city is
30 paying to have the money up front by discounting the rent -- and what is the premium the city is
31 paying to have the money early. She said that was important there may be a cheaper way to get
32 the money because the premium is too high. Mr. Neron said at the last discussion, some of the
33 councilmembers had liked the idea of having the money up front and borrowing less money.
34 Councilmember Pfister said she wanted to know exactly what the money is costing the city.
35

36 Attorney Williams said the issue is if someone is agreeing to pay \$150,000 over the 15 year term
37 and instead paying it today upfront, there are methods to calculate the value of that. Ms.
38 Houghton said she can provide the information but she will need to discount backwards the cash
39 flow they are putting up front, and the time value of their money, versus the time value of the
40 rental payments.
41

42 Mayor Wolfe pointed out that with getting the money up front it lessened the risk. Mr. Neron
43 confirmed that the lease provides that, if for some reason the Chamber moves out, they cannot
44 receive back the \$150,000.
45

46 Councilmember Pfister asked if the agreement could still be negotiated with a discount that is not
47 so profound. Mr. Neron noted staff could be directed to go back to the negotiating table.

1
2 Attorney Williams said the city does not have a signed lease agreement yet with the Chamber so
3 there is nothing existing that cannot be changed. He said the Chamber closed last Tuesday on
4 the property so they have their funds and has to have a place to relocate by August 2012.

5
6 Mayor Wolfe asked for comments from the audience.

7
8 **MOTION**

9
10 **Lori Pfister moved to approve the lease agreement with the Chamber, seconded by Kirby**
11 **Smith. The motion carried 3-1 as follows:**

12
13 **The motion carried 3-1 as follows:**

14		
15	Robert Wolfe	Yes
16	Kirby Smith	Yes
17	Lori Pfister	Yes
18	Sandy Gamble	No
19		

20 **Tab 11) Wooton Wonderland 20 Year Celebration**

21
22 Ms. Rogers said the city has been approached by Dr. Susan Caddell and other members of the
23 community who were involved with building Wooton Wonderland 19 years ago. They have
24 requested that the city commemorate that project in November of 2012 with a small celebration.
25 Staff recommends that Council authorize the staff to begin meeting with the community in
26 January on a monthly basis to begin planning this event.

27
28 She noted Ms. Burleigh had provided a scrapbook which documents the history of the project and
29 the fundraising that was done.

30
31 Councilmember Smith said it was a great idea and asked how everyone would be contacted. Ms.
32 Rogers said she has some information but will work with Dr. Caddell and will advertise the event.

33
34 Mayor Wolfe said he felt assistance could be obtained from the community. Councilmember
35 Gamble noted it was the year of Hurricane Andrew and he had participated along with others in
36 the community. Attorney Williams noted he had worked on the project as well.

37
38 Mayor Wolfe asked for comment from the audience.

39
40 Councilmember Gamble asked about the fiscal impact. Ms. Rogers said it will come from the
41 Parks operating budget but the costs should be minimal. She said a simple memorial sign will be
42 erected.

43
44 **MOTION**

45
46 **Kirby Smith moved to approve the request to have a 20 year Wooton Wonderland**
47 **celebration, seconded by Lori Pfister. The motion carried unanimously 4-0.**

1
2 **Tab 12) Request to Amend Land Development Regulations to Allow Cattle within the City**
3

4 Mr. Skutt reported that the LDR's do not allow the keeping of cattle or other farm animals within
5 the city property except for boarding two horses providing there are at least 2 ½ acres and under
6 certain conditions. He said he has had two requests to allow cattle. He discussed the requests.
7 He said staff has no objections to the keeping of a limited number of cattle provided that it is not
8 an intensive use, no processing is done on the site, and that there are some conditions met to
9 limit the impact on any surrounding properties. He said it will require an amendment to the LDR's.
10 If City Council agrees in principle, the ordinance will be taken to Planning & Zoning Board and
11 then back to City Council.
12

13 Mayor Wolfe said he would want it to be minimal. He questioned whether it would create an
14 agricultural exemption. Mr. Skutt said the two requests have not indicated a desire for an
15 agricultural exemption. Councilmember Smith requested that there be no agricultural exemptions
16 allowed. Mr. Neron said that is under the control of the property appraiser but that Mr. Havill has
17 taken a dim view on granting those exemptions in urban areas. Councilmember Smith said if the
18 city cannot guarantee the agricultural exemption he was not in favor of it. Attorney Williams
19 reiterated that the city has no say in the agricultural exemption. He said under the statutes it has
20 to be a bona fide agricultural pursuit.
21

22 Mayor Wolfe asked for comment from the audience.
23

24 **Ron Harrison, 3780 Dead River Road**
25

26 Mr. Harrison said he is one of the persons requesting the exception. He said he owns 3 ½ acres
27 as part of his residence and adjacent to it is 6 ½ acres which he recently purchased. He said that
28 it is adjacent to the county retention pond. He said he is not requesting an agricultural use and it
29 is not a commercial venture.
30

31 Councilmember Smith asked Mr. Harrison the distance of the closest house to his pasture. Mr.
32 Harrison said the closest house is his residence and on the other side of the pasture is a house
33 that is in the city and across the street is county property. He said it backs up to Imperial Terrace
34 which is in the county.
35

36 Mayor Wolfe asked if anyone else in the audience wished to speak.
37

38 **MOTION**
39

40 **Sandy Gamble moved to direct staff to draft the amendment to the Land Development**
41 **Regulations that will allow provide conditions for the keeping of cattle within the city,**
42 **seconded by Lori Pfister.**
43

44 Councilmember Smith said he would like the ordinance to include the number of cows, not the
45 word "limited."
46

1 Councilmember Gamble noted there are already regulations on how many cows can be kept per
2 acre. He said the reason he does not object is because there is already cattle on the other side of
3 the property.

4
5 **The motion carried unanimously 4-0.**

6
7 **Tab 13) Approval of Bid Ranking for Grading of Ball fields at Woodlea**

8
9 Ms. Rogers said staff decided to break up the project into small pieces. This is the first
10 component which will be grading out the nearly 40 acres. This portion was readvertised for bid
11 and the four respondents have been provided in the agenda summary. This is a request for
12 authorization to accept the low bid and begin negotiations for the contract with Beasley
13 Construction LLC. Mayor Wolfe asked for more information on the financing. Ms. Rogers said
14 fencing, sodding and irrigation also has to be done with the funds. The goal is to obtain as much
15 green space as possible. The city is contributing \$282,040 and the county is contributing
16 \$250,000 and with that combined investment, the hope is to gain two complete ball fields and
17 some other green space for multipurpose play space.

18
19 **MOTION**

20
21 **Lori Pfister moved to approve the recommended low bidder and authorize staff to**
22 **negotiate a contract, seconded by Kirby Smith. The motion carried unanimously 4-0.**

23
24 **Tab 14) Request to Approve Agreement with Griffey Engineering Design and Prepare Bid**
25 **Documents for the Cromartie Alley**

26
27 Mr. Thompson presented the following report:

28
29 *This is a request to obtain Council's approval, authorizing the City Administrator to enter into a*
30 *contract with Griffey Engineering Inc., in the amount of \$6,250.00 to develop a biddable design of*
31 *the unimproved one block section of the Cromartie Alley located to the north of Lanthe Street*
32 *between St. Clair Abrams and Disston Avenue.*

33
34 *Tavares has to-date brick paved 7 alleyway segments with very positive public response. As*
35 *suggested in the Master plan's implementation schedule, alleyways in our downtown will be*
36 *improved as funding is available. Before an alleyway can be improved, it must be surveyed and*
37 *the subsoil and brickwork engineered to carry the weight of heavy vehicles Griffey Engineering*
38 *Inc. has agreed to use the survey presently underway by Southeastern Surveying for the ongoing*
39 *city-wide pavement assessment (see Task 1). The cost associated with Construction Oversight*
40 *(in the amount of \$1,000) would be withheld until a decision, by Council, to move forward with*
41 *construction takes place. Griffey Engineering has provided alleyway design and construction*
42 *oversight on several prior occasions for the City of Tavares. Presently there remains a very*
43 *competitive construction climate making the decision to move forward financially attractive. At the*
44 *December 7th Council Meeting, staff was directed to bring back an alley that ran the entire length*
45 *of a block. The Cromartie Alley meets this directive.*

46
47 **Discussion**

1
2 Mayor Wolfe acknowledged that Councilmember Smith had expressed concerns about the
3 previous alleyway. He said he had looked at the new recommendation but there are only three
4 houses that actually have access from the alleyway itself. He said the other issue is that the
5 project was started by going from downtown and out (the first was Marie King which was also a
6 dead end alley). He said He believed the city should continue with the downtown alleys so that
7 visitors can view the improvements.
8

9 Councilmember Gamble said he had also looked at the alley and noted in his route coming down
10 Maude Street there is also another alley that goes by Lake Communications that needs paving.
11 He noted the new recommended alley is a distance from downtown. He discussed his ideas for
12 alleyway prioritization.
13

14 Mr. Thompson noted the Alfred Street one way pairing will include any alleyway that touches
15 Caroline or Alfred. It will go south of Caroline onto Maude. Councilmember Gamble questioned
16 the amount to do a half alley compared to a full alley. Mr. Thompson said he was not sure of the
17 costs for a half alley. Councilmember Gamble stated that Council should reconsider Coven Alley.
18

19 Councilmember Smith said the new alley is in the CRA and noted the downtown is expanding. He
20 said it is also between an elementary and the high school and where children walk back and
21 forth. He said he is still in favor of focusing on alleys that go all the way through and that are
22 accessible to the citizens who are paying for the project.
23

24 Councilmember Pfister said she had looked at the alleys and said she was wrong to not support
25 the Coven recommendation at the last meeting. She said she now believes it is the best option in
26 light of the events that are held in the downtown.
27

28 Councilmember Gamble said he would like a game plan that starts from downtown working north
29 to take care of the alleys as funding is available so that they are not done sporadically.
30

31 Councilmember Smith said that was the original concept but that the Alfred Street One Way
32 pairing had changed the plans. Mayor Wolfe noted there is also going to be a sidewalk down St.
33 Clair.
34

35 Mr. Thompson asked if Coven alley could be substituted as a recommendation. Attorney Williams
36 said it could be substituted and it is up to Council. Ms. Houghton confirmed there is an agreement
37 [with Griffey Engineering] from the last meeting that will be used.
38

39 Mayor Wolfe asked for comment from the audience.
40

41 Betty Burleigh, 214 N. New Hampshire Ave.
42

43 Ms. Burleigh stated the Coven alley will be seen by just about everyone who attends the city
44 events and it will be a great asset.
45

46 **MOTION**
47

1 **Lori Pfister moved to replace the Cromartie Alley with the previously recommended Coven**
2 **Alley and approve the agreement for \$5,000 with Griffey Engineering, seconded by Sandy**
3 **Gamble.**

4
5 Councilmember Gamble said at the last meeting \$5,000 was quoted. He asked if that was just for
6 design. Mr. Thompson said \$1,000 is also included for construction oversight which will not be
7 paid until the construction begins.

8
9 **The motion carried 3-1 as follows:**

10	
11	Robert Wolfe Yes
12	Kirby Smith No
13	Lori Pfister Yes
14	Sandy Gamble Yes
15	

16 **Tab 15) Request to Enter into Agreement with Tavares Station to Make Improvements of**
17 **Alleyway off Ruby Street**

18
19 Mr. Thompson provided the following report:

20
21 *To obtain Council's approval to enter into a Developer's Agreement with Tavares Station, LLC to*
22 *share costs for improving the alleyway off Ruby Street between S. Joanna and New Hampshire*
23 *Avenue which is currently an unnamed alley.*

24
25 *Consistent with the City's approved Downtown Master Plan, Council has approved an alleyway*
26 *improvement plan that includes the brick paving of 15 alleys. These alleys were officially named*
27 *to commemorate citizens of historic significance. This project is ongoing as funding is available.*

28
29 *An alleyway exists that runs north from Ruby Street, approximately 160 feet between Joanna and*
30 *New Hampshire Avenue. A portion of this alleyway is adjacent to the new three story commercial*
31 *building/hotel under construction by Tavares Station, LLC. This alleyway is not on the list for*
32 *improvement although the creation of Tavares Seaplane Base and Marina and private*
33 *commercial development in our downtown has made the Ruby Street corridor the focal point of*
34 *our waterfront entertainment district. This brick paving design also helps to capture storm water*
35 *runoff.*

36
37 *The site plan associated with Tavares Station's construction requires that the developer brings*
38 *the portion of alley (approximately 100 feet) which will be utilized to access parking to a standard*
39 *that would support emergency vehicles. An opportunity exists to enter into a Developer's*
40 *Agreement with Tavares Station to share the cost of upgrading the alley to the more costly brick*
41 *paver style and to improve its entire length. This alley is presently being utilized to access a*
42 *commercial dumpster located off the north end of the alley. A centralized collection site for*
43 *commercial waste from the Ruby Street business corridor is conceptually being planned on a*
44 *vacant County parcel with possible access from Joanna Ave.*

45
46 *Tavares Station developers have verbally agreed that they would bear the cost of surveying,*
47 *designing and construction oversight for the entire length of the alley with brick pavers if the city*

1 would cover the construction costs. The design would be consistent with our most recent brick
2 paved alleys. BESH Engineering is doing the site engineering for Tavares Station. The cost of
3 preparing a biddable design and construction oversight for this alley is approximately equivalent
4 to the cost the developer would incur if he were to pave his portion of the alley to the required
5 minimum standard. The most recent brick paving cost is approximately \$40,000 to construct a full
6 block section. It is anticipated that the construction cost of a ½ block section would be
7 substantially less. The actual cost for the city to construct this alley would be determined through
8 a complete bid process.

9
10 City planning staff envisions that this alleyway will be an important element to Ruby Street's
11 redesign and transformation and entering into a Developer's Agreement to share costs to brick
12 pave this alley now is a fiscally sound investment.

13 14 **Discussion**

15
16 Councilmember Smith asked if staff could negotiate an Interlocal agreement with the County to
17 allow residents to use the adjacent county parking lot.

18
19 Mayor Wolfe asked for audience comment.

20
21 Charlotte Hope, Fox Run

22
23 Ms. Hope spoke in support, citing the contributions of Mr. Kooser to the City.

24 25 **MOTION**

26
27 **Kirby Smith moved to direct staff to prepare a draft Developer's Agreement with Tavares
28 Station and also contact the county about joint use for the county parking lot, seconded
29 by Sandy Gamble.**

30
31 Councilmember Gamble asked how much it will cost to do the alley if the city also had to do the
32 engineering. Mr. Thompson estimated \$5,000 for the engineering. Councilmember Gamble said
33 he would have liked to see more of a contribution than the \$5,000 but because the alley was not
34 on the city's original list and Mr. Kooser is willing to contribute he will support it.

35
36 **The motion carried unanimously 4-0.**

37
38 **XI. OLD BUSINESS** - None

39
40 **XII. NEW BUSINESS** - None

41
42 **XIII. AUDIENCE TO BE HEARD**

43 Mayor Wolfe asked for comment from the audience.

44
45 **XIV. REPORTS**

46
47 **Tab 16) City Administrator**

1 Ms. Houghton noted the list of upcoming meetings.

2
3 The department heads wished everyone Merry Christmas.

4
5 **Tab 17) City Council**
6 **Councilmember Pfister**

- 7
8 • Noted Council had approved a project to work on a meal site for the senior citizens. She
9 said she and Ms. Rogers had worked on the project, however, the Union Congregational
10 church took it over and will be opening up a local site for the seniors. She said this is
11 important and a good move for the city.

12
13 **Councilmember Gamble**

- 14
15 • Expressed concern to Captain Feleccia about observing a motorized wheelchair on SR 19
16 at CR 561 the previous night with very poor visibility.

17
18 **Councilmember Smith**

- 19
20 • Noted Council had received an email about golf carts on the Tav Lee Trail. He asked for
21 confirmation that they are not allowed on the Tav Lee Trail or any of the sidewalks.
22 Attorney Williams confirmed. Councilmember Smith asked staff to be reminded to let the
23 public know this is not allowed if it is observed in Wooton Park.
24 • Commented that the event season is gearing up. Mr. Neron noted some planning
25 meetings have been held regarding the fishing tournaments.

26
27 **Mayor Wolfe**

- 28
29 • Mayor Wolfe asked Council if they would like to consider not having the first meeting in
30 January [January 4th) because of the holidays. Attorney Williams noted the charter only
31 requires one meeting a month.

32
33 **There was verbal consent by the Council to only hold one meeting in January which will
34 be January 18, 2012.**

35
36 **City Council wished everyone a Merry Christmas and Happy New Year.**

37
38 **Adjournment**

39
40 There was no further business and the meeting was adjourned at 5:32 p.m.

41
42 Respectfully submitted,

43
44
45
46 _____
47 Nancy Barnett, CMC
City Clerk