

1 **Bob Grenier** Yes
2 **Kirby Smith** Yes
3 **Lori Pfister** No
4

5 **MOTION**
6

7 **Kirby Smith moved, to approve the agenda as revised, seconded by Bob Grenier. The**
8 **motion carried unanimously 4-0.**
9

10 **IV. APPROVAL OF MINUTES**
11

12 **Tab 1) Approval of Minutes from the December 21, 2011 City Council Meeting**
13

14 **MOTION**
15

16 **Kirby Smith moved to approve the minutes of December 21, 2011 as submitted, seconded**
17 **by Bob Grenier. The motion carried unanimously 4-0.**
18

19 **V. PROCLAMATIONS/PRESENTATIONS**
20

21 **Tab 2) Certificate of Achievement for Excellence in Financial Reporting for FY 2010**
22

23 Mayor Wolfe stated the Certificate of Achievement for Excellence in Financial Reporting has been
24 awarded to the City of Tavares for Fiscal Year 2010 for the highest standards in government
25 accounting and financial reporting. The city has received the award for 21 years. He noted each
26 year the city has done a great job in-house in preparing the audit, led by Finance Director Lori
27 Houghton and her staff. He presented the plaque to Ms. Houghton. Ms. Houghton stated that she
28 is very proud of her dedicated staff and appreciates the support of the City Administrator and City
29 Council.
30

31 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**
32

33 Attorney Williams stated there are no ex-parte communication issues or quasi-judicial hearings.
34

35 **VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**
36

37 Ms. Barnett read the following resolution into the record by title only:
38

39 **RESOLUTION #2012-01**
40

41 **A RESOLUTION AMENDING THE CITY OF TAVARES GENERAL EMPLOYEES**
42 **DEFINED CONTRIBUTION RETIREMENT PLAN, NO. 007763 HARTFORD**
43 **DEFERRED ALLOWING FOR MANDATORY EMPLOYEE CONTRIBUTIONS**
44 **AND NECESSARY CHANGES FOR COMPLIANCE WITH INTERNAL REVENUE**
45 **CODE REGULATIONS**
46
47

1 **VIII. CONSENT AGENDA**

2
3 Mayor Wolfe asked if anyone in the audience opposed any item on the Consent Agenda, Tab 3 or
4 4.

5
6 **MOTION**

7
8 **Bob Grenier moved to approve the Consent Agenda Tabs 3 and 4 [Approval of Mutual**
9 **Appointment of Captain David Myers to the Police Pension Board and Approval of Ranking**
10 **of Engineering Design Services for Phase 1 of Lake Frances Sewer System], seconded by**
11 **Kirby Smith. The motion carried unanimously 4-0.**

12
13 **IX. ORDINANCES/RESOLUTIONS**

14
15 **Tab 5) Resolution #2012-01 – Hartford Pension Plan Amendment**

16
17 Ms. Houghton said this resolution will formalize the approval of the adoption of an employee
18 contribution to the Hartford Plan that was approved with the Fiscal Year 2012 budget for the nine
19 employees in the Hartford Plan.

20
21 **MOTION**

22
23 **Bob Grenier moved to approve Option 1 – Resolution No. 2012—01 amending the City of**
24 **Tavares Hartford Defined Contribution Plan to allow for Mandatory employee**
25 **Contributions of 3%, and to allow all needed Internal Revenue Service Compliance**
26 **Updates, seconded by Lori Pfister. The motion carried unanimously 4-0.**

27
28 **X. GENERAL GOVERNMENT**

29
30 **Tab 6) Engineering Study for Golf Cart Crossing for FDOT - Deferred to next Council**
31 **Meeting**

32
33 **Tab 7 Change Order to BESH Contract for Engineering Services to Reconstruct Historic**
34 **Train Station**

35
36 Mr. Neron stated that Council approved a financial and concept plan at the last meeting for leases
37 with Tavares Gulf Railroad LLC and the Chamber to reconstruct the historic train station at
38 Wooton Park. The next step is to amend the BESH contract and the construction manager at risk
39 contract for the Pavilion project through change orders, for the design and permitting for the train
40 station.

41
42 The change order with BESH is in the amount of \$61,500 and is within the budget for the project
43 and represents about 16.3% of the estimated construction costs. Staff recommends approval of
44 the change order prepared by the City Attorney.

45
46 Councilmember Smith discussed his concerns regarding the budget for the project.
47

1 Mr. Neron said the final design and costs will come back to Council for approval before
2 proceeding. Councilmember Smith asked if it included the architectural design. Mr. Neron
3 confirmed. Mayor Wolfe said he would still like to see the total price come in under \$400,000.
4

5 Councilmember Grenier said he looked forward to reviewing the project as a full package and
6 then making a decision.
7

8 Mayor Wolfe asked if anyone in the audience had comments.
9

10 **MOTION**

11
12 **Kirby Smith moved to approve the change order and design for BESH Engineering,**
13 **seconded by Bob Grenier. The motion carried unanimously 4-0.**
14

15 **Tab 8) Change Order to Emmett Sapp Construction at Risk Contract to Reconstruct**
16 **Historic Train Station**
17

18 Mr. Neron said this change order represents a 10% fee of the actual construction cost of the
19 project with a maximum of \$35,000 or 10% whichever is less.
20

21 **MOTION**

22
23 **Bob Grenier moved to approve the Change Order with Emmett Sapp, seconded by Kirby**
24 **Smith. The motion carried unanimously 4-0.**
25

26 **Tab 9) Facility Use and Fee Policy for Commercial and Non-Commercial Use – Draft for**
27 **Discussion**
28

29 Ms. Rogers said this is a draft policy developed by Recreation Manager Scott Aldrich. She said
30 the policy was based on review of other county and city policies regarding commercial activity in
31 public parks. She said staff have identified some individuals running commercial activities in the
32 parks and have also been approached by people asking to use the facility for business purposes,
33 e.g. tennis instruction, boat tour companies, etc. She asked for input from Council on what has
34 been drafted and then with additional review by the City Attorney, a final policy and ordinance will
35 be brought back to Council along with an implementation phase and an agreement that will be
36 utilized between the city and the businesses.
37

38 Mr. Drury commented that this will be an attempt to equalize the use of the parks and ensure
39 safety and professionalism. Ms. Rogers added Wooton Park will be excluded from this policy as it
40 operates under a separate policy.
41

42 Councilmember Grenier asked about the enforcement issue. Captain Myers stated the Police
43 Department will enforce the ordinance after hours and on weekends.
44

45 Councilmember Smith expressed concern about vendors who might take up time that would
46 prevent the public from accessing the park or individuals who are helping a team but not
47 charging. He said if the policy is geared towards the boating businesses he would prefer to see

1 an ordinance directed towards that issue. Ms. Rogers said the public is not charged to use the
2 smaller parks such as Aesop's for birthday parties. She said if there is a tennis instructor who
3 wished to reserve the courts, staff would put up notification well in advance. She said the "after
4 hours" issue in the policy specifically applies to the Civic Center, Ingraham Center, etc. which
5 pertains to those facilities when it necessitates staff time after hours. She also discussed the use
6 of the baseball fields on the weekends by organized teams versus individual use.
7

8 Captain Myers noted it would be important to provide the Police Department the information
9 about the vendors or organizations using the facilities after hours.

10
11 Mayor Wolfe noted staff would bring back the policy after further revisions are done.

12
13 **Tab 10) Developer's Agreement with Rodger Kooser for Alleyway Improvements**

14
15 Mr. Thompson presented the following report:

16
17 *At the December 21st City Council meeting, staff was directed to prepare this Developer's*
18 *Agreement for consideration. Under the proposed agreement, TS Parcel J LLC would pay and be*
19 *responsible for the survey, biddable engineered design and construction oversight for a pervious*
20 *brick paving system for this entire ½ block alley and the City of Tavares would be responsible for*
21 *obtaining bids (through a competitive bid process), awarding the construction contract and the*
22 *actual construction costs. Staff feels that this Developer's Agreement would provide an equitable*
23 *shared cost arrangement for both parties. Tavares has to-date brick paved 7 alleyway segments*
24 *with very positive public response. This agreement will facilitate the improvement of this highly*
25 *visible public alley to our established brick pavement standard at a reduced cost to the city. The*
26 *proposed agreement specifies that the cost of the competitive bid must be approved by Council*
27 *otherwise the agreement is nullified, releasing the City of Tavares from any financial responsibility*
28 *to the Developer.*
29

30 Mr. Thompson said the cost will come from the Paving Account should Council decide to move
31 forward with the project after it has been sent out to bid.

32
33 Councilmember Grenier said he would like to see all information on the project before making a
34 final decision and he would support moving forward on this agreement.

35
36 **MOTION**

37
38 **Bob Grenier moved to approve Option 1, to approve the proposed Developer's Agreement**
39 **with TS Parcel J LLC and authorize the City Administrator to execute the agreement,**
40 **seconded by Kirby Smith. The motion carried unanimously 4-0.**

41
42 **Tab 11) Approval of Contract with Utility Metering Solutions and Purchase of Metering**
43 **Equipment from Sunstate Meter and Supply**

44
45 Mr. Hayes advised that this contract totals \$1,800,000 and will be for the purpose of upgrading
46 water meters and backflow preventers throughout the city. This will assist in tracking monthly
47 water losses. Staff is recommending accelerating the meter replacement program and to piggy

1 back on the recent contract with the City of Panama with Utility Metering Solutions and Sunstate
2 Meter and Supply for the equipment. He said that Adam Corwin from UMS was in attendance to
3 make a presentation on the program.

4
5 Mr. Corwin presented a power point presentation on the program. He reviewed the automated
6 program that the city began about 13 years ago and noted there had been improvements in
7 technology that will assist the city and its residents in analyzing the details regarding water usage
8 and any leaks that may be occurring. He reviewed the proposed funding mechanism.

9
10 Mayor Wolfe asked if anyone in the audience wished to speak.

11
12 Kay Hauserman, 504 Lake Dora Drive

13
14 Ms. Hauserman asked how she could find out if her meter has already been changed.

15
16 Ms. Houghton said staff can look at her billing records by contacting Customer Services.

17
18 **MOTION**

19
20 **Kirby Smith moved to approve option 1: Provide UMS an opportunity to deliver a brief**
21 **power point presentation identifying 1) the meter/backflow device upgrading program 2)**
22 **the benefits and 3) the financing plan. Approve (a) professional services contract with**
23 **UMS in the amount of \$449,400 and approve (b) material supply purchase order with SMS**
24 **in the amount of \$1,350,600 (total cost \$1,800,000) and (c) the proposed financing**
25 **program. The motion was seconded by Bob Grenier. The motion carried unanimously 4-0.**

26
27 **Tab 12) Request to Host a 5K Run at Wooton Park on May 5, 2012**

28
29 Mr. Neron said this was a request to approve a request to hold a fundraiser on behalf of a child
30 with a rare genetic disorder. The applicant will cover the cost of any public safety support needed
31 for the event.

32
33 **MOTION**

34
35 **Bob Grenier moved to approve the 5K run, seconded by Kirby Smith. The motion carried**
36 **unanimously 4-0.**

37
38 **Tab 12) Contract with Air Boss for the 2012 Air Show**

39
40 Mr. Neron said this is a request to hire Wayne Boggs as the Air Boss for the Air Shows on April 7,
41 2012 related to the Planes, Trains & BBQ Event, and on April 21, 2012 for the Seaplane Fly-In.
42 The total cost is \$24,500 from the TIF budget.

43
44 **MOTION**

45

1 **Lori Pfister moved to approve Option 1: the Agreement to hold an air Show in conjunction**
2 **with the Planes, Trains and Barbecue Event on April 7, 2012 and Air Boss for the Seaplane**
3 **Fly-In on April 21, 23012, seconded by Kirby Smith. The motion carried unanimously 4-0.**
4

5 **Tab 14) Acceptance of Grant from FDEP for Stormwater Improvements in the Downtown**
6

7 Mr. Hayes said the City has designed a stormwater system and is awaiting final funding from the
8 USDA. As part of that application, Malcolm Pirnie submitted an application to the 319 Stormwater
9 Program in Tallahassee and the city has been granted \$750,000 from DEP.

10
11 **MOTION**
12

13 **Bob Grenier moved to approve the acceptance of the grant from DEP, seconded by Kirby**
14 **Smith. The motion carried unanimously 4-0.**
15

16 **XI. OLD BUSINESS**
17

18 **Tab 15) Report on Options for Imperial Terrace Todd Way Cul de Sac**
19

20 Mr. Thompson presented the following report:

21
22 *At the Oct. 5th City Council Meeting, Staff presented Council with quotes from 3 firms consisting*
23 *of 2 options for the cul-de-sac improvements on Todd way. One option specified a consistent*
24 *Imperial Terrace cul-de-sac design (Griffey Option) and the other option was for the complete*
25 *removal of the traffic island with the necessary repaving. Quotes ranged from \$8,745 - \$12,300*
26 *for the Griffey Design and \$9,242 – \$20,852 for the removal design. Following Council discussion*
27 *and public input staff was directed to bring back a design incorporating an increased turning*
28 *radius and corrective storm water engineering. Griffey Engineering was hired for the new design*
29 *and cost estimate while Southeastern Survey provided the survey. Griffey's cost estimate for this*
30 *project is \$34,814.12 (which includes a 10% contingency amount).*
31

32 Mr. Thompson said that staff's recommendation was to go forward to put the project out to bid. If
33 Council decides to award the project, it will be split 50-50 between Public Works and Utilities.
34

35 Discussion followed on the original intention of the project in terms of whether it was intended for
36 beautification or stormwater improvements.
37

38 Mayor Wolfe asked for comment from the audience.
39

40 **Don Bias, Imperial Terrace, Todd Way**
41

42 Mr. Bias said the residents' concern at the beginning was the turning radius of ambulances and
43 fire trucks and also the flooding problems.
44

45 **MOTION**
46

1 **Bob Grenier moved to obtain the bids, seconded by Lori Pfister. The motion carried**
2 **unanimously 4-0.**

3
4 **Policy on Soliciting Donations – Mayor Wolfe**

5
6 Mayor Wolfe said he wished to request authorization to solicit donations for a project.

7
8 Attorney Williams noted Council had adopted a policy on soliciting donations. Mr. Drury said there
9 are three steps: approval from Council to solicit funding for a project, have an agreement
10 between the City and who is providing the funds, and the third is to receive payment in the form of
11 a check made out to the City.

12
13 Mayor Wolfe said he wished to solicit different organizations such as the chamber, Rotary,
14 Taiwanese Economic Cultural Office and any other Taiwanese businesses to help donate and
15 sponsor a firework show for the Dragonboat Festival.

16
17 **Consensus for Mayor Wolfe to proceed.**

18
19 **XII. NEW BUSINESS**

20
21 **XIII. AUDIENCE TO BE HEARD**

22
23 Mayor Wolfe asked for comment from the audience.

24
25 **Betty Burleigh, 214 N. New Hampshire Ave.**

26
27 Ms. Burleigh stated that last month the city lost another historic building, 215 Rockingham. She
28 said it was built in 1888 and Mrs. J.C. Terry had a boarding home there. It was next purchased in
29 1900 by Jerry Booth, in 1943 by L.G. Coven, and then was sold to Jim and Eulah Hudson in 1952
30 (Ms. Hudson was a high school teacher). The next owner was Mr. Newhouse and the last was
31 Ken Bell.

32
33 Ms. Burleigh offered congratulations to Vice Mayor Grenier for his latest book, Images of America
34 about Tavares.

35
36 Vice Mayor Grenier thanked Ms. Burleigh for her remarks and said the book was released
37 yesterday.

38
39 **XIV. REPORTS**

40
41 **Tab 16) City Administrator**

42
43 Mr. Drury said today there was a Seaplane Fly In Trade Show at the Seaplane Manufacturing
44 Facility, which was well attended.

45
46 **Tab 17) City Council**

47

1 **Human Resources Director**

2
3 Ms. Tucker said there is time sensitive mail in the Council mailboxes but to let her know if any
4 Councilmembers preferred it to be mailed.

5
6 **Economic Development Director**

7
8 Mr. Neron said in 2007 the city entered into an Interlocal agreement on the use of the parking
9 garage and there was a provision that allowed the city to request a change in the operating hours.
10 He said Casa Mia Restaurant has had a problem with visitors to the county facilities using their
11 parking lot. He said he would be requesting from the county to extend the parking from Monday
12 through Thursday to 10:00 pm and to midnight on Friday and Saturday nights, unless there was
13 any objection from Council.

14
15 Mr. Neron said the Bassmaster Open Qualifying Tournament would be held tomorrow. He said
16 there are 200 boats and 400 anglers registered for the event. He said they have been in town for
17 a week or so and the economic data will be provided.

18
19 **Community Services Director**

20
21 Ms. Rogers reminded every one of the art stroll this Friday night.

22
23 **Finance Director**

24 Ms. Houghton wished Vice Mayor Grenier congratulations on his book and everyone a Happy
25 New Year.

26
27 **Councilmember Pfister**

28
29 **Property at Main Street and Disston (former Lake Building)**

30 Councilmember Pfister said she had Old Business regarding the property at Main and Disston
31 (former Lake Building). She said she believed the city should consider purchasing the property as
32 it is listed at a very fair price. She said she was thinking of either keeping it open space, or having
33 a community theater. She asked if there was interest in having staff look into grants as she was
34 concerned about what could be built there. She said she felt the property provided another
35 gateway to the waterfront.

36
37 Vice Mayor Grenier agreed that he would like to look into it and he would like to see community
38 theater in Tavares. He said his dream would be to build it but replace the old Opera House on the
39 outside.

40
41 Councilmember Pfister said she had contacted the previous 441 group that had attempted to
42 raise funds to build an art center at the college. She said that effort appears to have ended and
43 she said she had asked them if their donors would consider supporting a joint venture in Tavares.
44 She noted Tavares already has access to ample parking through the parking garage.

45
46 Councilmember Smith said he would prefer to have a private developer acquire the property.
47

1 Councilmember Pfister encouraged everyone to visit Aesop’s Park to see the staghorn fern that
2 was donated to Tavares by residents of Mt. Dora. She thanked Ms. Rogers and her staff for
3 picking up the fern and bringing it to Aesop’s Park. She said it is a beautiful addition to the park.
4

5 **Vice Mayor Grenier**

6 Vice Mayor Grenier said he appreciated the emails and the support of the staff for each other’s
7 department and the city.
8

9 **Councilmember Smith**

10 Councilmember Smith said he had visited the construction site of the Big House recently. He said
11 they are planning to erect some of the walls by the 31st.
12

13 Councilmember Smith said he had spoken to two individuals at Sunrise Restaurant who were
14 fishermen from North Carolina. He said they were staying at the Inn on the Green which shows
15 the city has anglers from out of state staying in the city’s hotels, eating in the restaurants, etc.
16

17 **Mayor Wolfe**

18 Mayor Wolfe noted Osprey Lodge is proceeding on their construction and they are having their
19 “topping off” celebration on January 31st.
20

21 Mayor Wolfe said if Ms. Pfister will gather information regarding the Lake Building property it
22 could be put on the agenda, however, he would prefer to see the building stay in the private
23 sector.
24

25 Attorney Williams noted that currently the property is zoned downtown commercial and there are
26 no limitations on what can be done with the property within that zoning. He said if Council has a
27 vision for the property whether in public or private ownership, now is the time to consider that and
28 put any development restrictions on the property if that was the desire. He noted this could only
29 be done with notice to the owner and could not be a “spot zoning.”
30

31 Mayor Wolfe noted there are already architectural requirements.
32

33 Councilmember Pfister said she would work on the project but she would need staff assistance to
34 look for grants. Mr. Drury said staff will work with Ms. Pfister and do some research.
35

36 **Adjournment**

37
38 There was no further business and the meeting was adjourned at 5:34 p.m.
39

40 Respectfully submitted,
41
42
43

44 _____
45 Nancy Barnett, CMC
City Clerk