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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
FEBRUARY 1, 2012
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
Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
Chief Stoney Lubins, Police 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 Houghton, Finance Director

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Rick Fountain, First Baptist Church, Tavares, gave the invocation and led those in attendance in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

MOTION

Bob Grenier moved, to approve the agenda, seconded by Kirby Smith. The motion carried unanimously 5-0.

IV. APPROVAL OF MINUTES

Deferred to next Council Meeting

1
2 **V. PROCLAMATIONS/PRESENTATIONS**

3
4 **Tab 2) Presentations to Citizens for Donations**

5
6 Mayor Wolfe presented a Certificate of Appreciation to Mr. and Mrs. Laratta for the donation of a
7 seaplane sculpture and acknowledged the donation of a staghorn fern to Aesop's Park from Mr.
8 and Mrs. Bottos of Mt. Dora and the support of Councilmember Pfister for her involvement in
9 Aesop's Park.

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

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

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

16
17 Ms. Barnett read the following ordinances/resolutions into the record by title only:

18
19 **ORDINANCE 2012-03**

20
21 **AN ORDINANCE REPEALING PORTIONS OF SECTION 2-46 RELATING TO**
22 **PAYMENT OF CERTAIN BOARDS AND SECTIONS 2-110; 2-111 AND 2-113**
23 **OF THE CITY OF TAVARES CODE OF ORDINANCES PERTAINING TO THE**
24 **CITY OF TAVARES BEAUTIFICATION COMMITTEE; PROVIDING FOR AN**
25 **EFFECTIVE DATE.**

26
27 **ORDINANCE 2012-01**

28
29 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE**
30 **LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 4 AND**
31 **CHAPTER 10, TO REFLECT CHANGES IN THE REQUIREMENTS TO**
32 **REFLECT THE CITY'S REQUIREMENTS RELATED TO APPLICATION**
33 **SUBMITTALS FOR TRANSPORTATION AND SCHOOL FACILITY IMPACTS,**
34 **SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED**
35 **BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

36
37
38 **ORDINANCE 2012-02**

39
40 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE**
41 **LAND DEVELOPMENT REGULATIONS BY AMENDING THE AGRICULTURAL**
42 **LAND USES ALLOWED UNDER CHAPTER 8, TABLE 8-2, PERMITTED AND**
43 **SPECIAL USES, BY ALLOWING THE KEEPING OF CATTLE UNDER CERTAIN**
44 **CONDITIONS WITHIN THE RFS-A ZONING DISTRICT; SUBJECT TO THE**
45 **RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF**
46 **TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**
47

ORDINANCE 2011-08

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE FUTURE LAND USE AND HOUSING ELEMENT OF THE CITY OF TAVARES COMPREHENSIVE PLAN AND THE FUTURE LAND USE MAP, PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION #2012-03

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF ELDER AFFAIRS' COMMUNITIES FOR A LIFETIME INITIATIVE AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2012-04

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO SHARE IN THE FUNDING OF THE US 441 CORRIDOR ALTERNATIVES ANALYSIS; SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

Mayor Wolfe noted Tabs 4, 5 and 6 would be discussed in full at the next Council Meeting.

VIII. CONSENT AGENDA

VIX. ADOPTION HEARING FOR COMPREHENSIVE PLAN AMENDMENT

Tab 3) Ordinance #2011-08 – Adoption Hearing for Comprehensive Plan – Housing Element (Mobile Homes)

Mr. Skutt noted this is an EAR based text amendment to the Comprehensive Plan which was approved for transmission to the State in October 2011. The amendment reiterates that all new housing in the city, whether site built or manufactured, will comply with applicable building codes. It also removes the city's commitment to maintain and increase the number of mobile home sites in the city and reflects the inventory of affordable homes that exist in the city. In addition, the owners of mobile homes have the ability to either replace their aging mobile homes with new mobile homes or custom built homes to fit on the smaller lots. The new State Department of Economic Opportunity has approved this amendment and made a general comment that the city's Comprehensive Plan should formally have a new planning horizon attached to it. The year 2020 has been added to the Future Land Use Map and Future Land Use Element.

MOTION

1 **Sandy Gamble moved to approve Ordinance #2011-08, seconded by Bob Grenier, The**
2 **motion carried unanimously 5-0.**

3 **X. ORDINANCES/RESOLUTIONS**
4

5 **Tab 7) Resolution #2012-03 – Community for a Lifetime Program**
6

7 Ms. Barnett stated this resolution is in connection with a presentation by the representative from
8 the Department of Elder Affairs on behalf of the State of Florida who will be discussing the
9 Communities for a Lifetime Initiative. She said that Ms. Janine Harris was present to make the
10 presentation.

11
12 Janine Harris, Community Relations Manager from the Florida Department of Elder Affairs,
13 discussed the program. She said the department will provide technical assistance, resources and
14 funding information including grant opportunities.

15
16 Mr. Drury stated that Tammy Rogers will be the contact person.

17
18 Councilmember Smith asked if the program would have any negative effects on the city's master
19 plan. Mr. Drury answered that he believed it could be incorporated.

20
21 **MOTION**
22

23 **Bob Grenier moved to approve Resolution #2012-03, seconded by Lori Pfister. The motion**
24 **carried unanimously 5-0.**
25

26 **Tab 8) Resolution #2012-04 – US 441 Alternative Analysis Study Local Match Agreement –**
27 **Commuter Rail**
28

29 Mr. Skutt stated this authorizes the City Administrator to execute an agreement with FDOT that
30 will commit the city to pay an upfront cost of \$35,000 (the city's local match share) for FDOT to
31 perform a 1.7 million dollar study that will look at the 441 corridor between Eustis and Orlando
32 and evaluate the feasibility of alternate modes of transportation which includes commuter rail.

33
34 Mr. Skutt noted \$84,000 was budgeted for the Dora Canal bridge during this fiscal year which will
35 not be needed and staff is proposing to borrow the \$35,000 from that fund and replenish it in the
36 next fiscal year budget. Mayor Wolfe asked Attorney Williams if this was legally sufficient.
37 Attorney Williams responded in the affirmative. Councilmember Smith asked if the funds would be
38 replenished should the plan not go forward. Mr. Drury confirmed.

39
40 **MOTION**
41

42 **Sandy Gamble moved to approve Resolution #2012-04, seconded by Kirby Smith. The**
43 **motion carried unanimously 5-0.**
44

45 **XI. GENERAL GOVERNMENT**
46

47 **Tab 9) Agreement with SECO for Services at Woodlea Treatment Plant**

1
2 Mr. Hayes presented the following report:

3
4 *Utility facilities are high end users of electricity due to the specialized equipment necessary to*
5 *operate at peak efficiency. Utility staff members are always looking for ways to reduce the*
6 *amount of electricity used or to augment the existing electrical system and lower costs to*
7 *ratepayers.*

8
9 *The electric bill for the Woodlea Reclamation Facility is approximately \$15,000 per month, or*
10 *\$180,000 per year. City staff has taken the necessary steps to modify the equipment and to*
11 *implement cost saving solutions wherever possible. Over the past three years City staff has been*
12 *negotiating with SECO to create a plan that would be beneficial to the residents and to the City.*
13 *The Woodlea Reclamation Facility currently has a generator that is capable of running the entire*
14 *operation for three days on one tank full of fuel. We are required under Florida Department of*
15 *Environmental Protection regulations to utilize and test the generator at least four hours per*
16 *month to insure proper operation in an emergency. If we were to time these required testing*
17 *periods with SECO's service area brownouts, this would free up necessary power for SECO*
18 *customers at no additional cost to us and with no disruption to our Utility customers. In*
19 *exchange, SECO has agreed to provide the City with a reduced rate for being part of their*
20 *program. These cost savings are expected to be approximately \$20,000 per year. This also*
21 *provides more electricity to the residents during a time of high consumption, so we are being*
22 *good neighbors.*

23
24 *When SECO needs to divert our power they will notify us through various electronic notices and*
25 *provide a 30 minute window to transfer facility operations to the generator.*

26
27 Mr. Hayes said that during times of peak electrical use, SECO will notify the city through email and
28 telephone. The city will then transfer the power through the SCADA system to the emergency
29 generator. The city will receive a lower electrical rate whether it converts or not.

30
31 Discussion followed regarding the four hours referenced in the summary. Mr. Hayes corrected that to
32 eight hours.

33
34 Vice Mayor Grenier discussed his concerns about the proposal. Mr. Drury noted the contract can be
35 cancelled with 30 days notice.

36
37 Councilmember Smith asked if the city would have control over when the power is turned off and on.

38
39 Mr. Drury clarified the city would retain control of the decision. Mr. Hayes said he estimated that the
40 time period will be about two hours during peak demands. Vice Mayor Grenier stated that was his
41 main concern.

42
43 Mr. Drury said that he expected Mr. Hayes to report to Council if the estimate was incorrect and then
44 notice could be given to terminate the contract if desired.

45
46 **MOTION**

47

1 **Lori Pfister moved to approve the agreement with SECO, seconded by Kirby Smith. The**
2 **motion carried unanimously 5-0.**

3
4 **Tab 10) Downtown Master Plan – Capital Implementation Schedule Update**

5
6 Mr. Skutt made the following report:

7
8 *In the fall of 2008, Council approved the current Downtown Tavares Redevelopment Master Plan*
9 *documented by the IBI Group. The plan, which is commonly referred to as the Master Plan, is the*
10 *result of public workshops with community residents, business owners, council and staff. The*
11 *plan documents the City's vision of itself and outlines an orderly process for implementing that*
12 *vision. City staff has reviewed the plan to insure that it is still consistent with the policies of City*
13 *Council. The goals and objectives of the plan and the projects envisioned to revitalize our*
14 *downtown continue to be valid. Due to unforeseen economic challenges, the timing of certain*
15 *capital improvements has been delayed or they are progressing slower than anticipated.*
16 *Staff has revised the five year implementation schedule of the plan and will continue to do this*
17 *review annually.*

18
19 Mr. Skutt noted he had given a list of all the projects in the downtown and the progression that is
20 envisioned over the next five years.

21
22 Mr. Drury commented that staff is recommending updating the plan by reviewing it in-house and
23 making annual reports to Council. He said at some time in the future the city might want to hire a
24 consultant to update the entire plan but for the time being this will save the city money to do it in-
25 house.

26
27 Councilmember Gamble noted the pavilion is slated to begin in 2013 and he had thought it would
28 be completed by 2013. Discussion followed and it was noted that the project is actually estimated
29 to be completed by March of 2013. Mr. Drury said staff would review the date with the project
30 team.

31
32 **MOTION**

33
34 **Lori Pfister moved to approve the Master Plan, seconded by Kirby Smith. The motion**
35 **carried unanimously 5-0.**

36
37 **Tab 11) Appointment to Bicycle Pedestrian Committee of the Metropolitan Planning**
38 **Organization**

39
40 Mayor Wolfe stated that Ms. Maraviglia has been representing the city, however, a city business
41 owner, Mr. Eildrodt, has applied for the position and Ms. Maraviglia is willing to be replaced. Mayor
42 Wolfe stated he wished to appoint Mr. Eildrodt.

43
44 **Council voted to approve the recommendation unanimously 5-0.**

45
46 **Tab 12) Approval for Ranking and Award of RFP Bid for Banking Services**

47

1 Ms. Houghton presented the following report to Council:
2

3 *In May of 2011, the City Council requested that staff prepare an RFP for City Banking Services.*
4

5 *Over the next few months, staff researched various bank services that would enhance City*
6 *service delivery and also provide improved efficiency for treasury tasks. In addition staff reviewed*
7 *software requirements that would be needed to integrate desired services from a banking service*
8 *provider.*
9

10 *On October 9, 2011, the City advertised a Request for Proposals for Banking Services. The RFP*
11 *required responders to maintain a service location within three miles “as the crow flies” of City*
12 *Hall as evidenced by a Business Tax Receipt; a map prepared by the City’s GIS Analyst was*
13 *included. For safety of City funds the RFP required all responders to be a Florida Qualified Public*
14 *Depository (QPD). The RFP was advertised in the Lake Edition of the Orlando Sentinel, and*
15 *Demand Star On-line with a direct link from the City’s web-site.*
16

17 *Five Banks responded to RFP 2012-0001 for Banking Services: Bank of America, BB&T, TD*
18 *Bank, SunTrust, and M&I/BMO Harris.*
19

20 *A Selection Committee which included Lori Houghton, Finance Director; Joan Giesy, Finance*
21 *Manager; Alex Patton, LAN Administrator; and Bill Neron, Economic Development Director met*
22 *on January 17, 2012 to evaluate the responses based on the RFP mandatory requirements,*
23 *general criteria, and price.*
24

25 *After reviewing the RFP required service elements and price, the Selection Committee ranked the*
26 *five responding banks as shown below with BB&T ranked as the number one bank based on*
27 *mandatory requirements, qualifications, services provided, price, and compensating balance*
28 *requirements.*
29

30 *The City currently utilizes SunTrust Bank for Banking Services.*
31

32 Mayor Wolfe thanked Ms. Houghton for her work. Councilmember Smith noted the corporate offices
33 of BB&T are in Winston, Salem.
34

35 **MOTION**
36

37 **Lori Pfister moved to approve the choice of BB&T, seconded by Kirby Smith. The motion**
38 **carried unanimously 5-0.**
39

40 Ms. Houghton stated that once the paperwork is completed, staff will come back to Council to
41 approve the authorized signers.
42

43 **Tab 13) Request to Approve a Golf Cart Crossing Engineering Study Agreement with Griffey**
44 **Engineering**
45

46 Mr. Drury said under Council’s direction he has been working for about three years to get golf cart
47 crossings at St. Clair Abrams and Dead River Road. He said the process has taken some time as

1 the rules for the entire state had to be written by FDOT. He said he had not contemplated having to
2 do an engineering study since golf carts can cross if they are licensed to do so. He said he was not
3 able to get the study into the budget and was requesting to fund the study from reserves.

4
5 Mr. Drury discussed the time period he anticipated for the process.

6
7 Councilmember Pfister said she had had a lot of correspondence from residents on the other side of
8 SR 19 and she was in support.

9
10 Councilmember Smith discussed his concern regarding taking the amount out of reserves and
11 recommended waiting and putting this amount in the next budget.

12
13 Mayor Wolfe asked if anyone in the audience had comments.

14
15 Denise Laratta, Royal Harbor

16
17 Ms. Laratta asked if it was possible that FDOT could still deny the application even if an “adequate
18 engineering study” is submitted.

19
20 Mr. Drury responded that it is possible they could still deny the application.

21
22 Ms. Laratta asked how much it costs to obtain a license for a golf cart. Mr. Drury said it costs
23 approximately \$800 and the golf cart has to be taken to Ocala to be certified and windshield wipers
24 and other equipment has to be installed.

25
26 **MOTION**

27
28 **Lori Pfister moved to take \$6500 from reserves for the FDOT golf cart crossing study,**
29 **seconded by Sandy Gamble. The motion carried 4-1 as follows:**

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

36
37 **XI. OLD BUSINESS**

38
39 **XII. NEW BUSINESS**

40
41 **XIII. AUDIENCE TO BE HEARD**

42
43 None.

44
45 **XIV. REPORTS**

46
47 **Tab 16) City Administrator**

1
2 Mr. Drury stated he had provided a list of upcoming meetings. In addition he noted the city
3 participated in a successful Golden Triangle Summit Meeting with Eustis, Mt. Dora, and Tavares
4 recently in which the primary topics were rail through Lake County as well as a Golden Triangle
5 Fire District.

6
7 **Economic Development Director**
8

9 Mr. Neron gave a summary of the economic impacts of the Bass Master Open Elite Tournament.
10 He said the total cost was \$36,000 plus staff support services. He acknowledged the assistance
11 of Lauren Farrell, Economic Development Coordinator, and Susie Novack, Deputy City Clerk, in
12 obtaining information from the participants. He said according to the surveys a total of 292
13 anglers or 74% accounted for 747 days of pre-fishing which means that not only are the anglers
14 present for the tournament but they are also in the area for extensive periods of time prior to the
15 tournament. The economic impact was calculated based on an average of five categories of
16 expense types. The total average direct expenditure was \$553,103 and the total induced
17 expenditures were \$1,659,000.

18
19 **Public Communications Director**
20

21 Ms. Ross advised that she would be sending out a message on the city's emergency line
22 announcing the Special Election on March 6th to ensure that the residents are aware of the
23 election and that they can register to obtain an absentee ballot if needed.

24
25 **Finance Director**
26

27 Ms. Houghton advised Council that the auditors have arrived on site to do the annual audit.
28

29 **Tab 17) City Council**
30

31 **Councilmember Pfister**
32

33 Councilmember Pfister noted that the Union Congregational Church will be starting their meals for
34 seniors on Monday. She said she had stopped by their successful opening event today. She
35 noted that anyone who wants to receive a meal will need to registered ahead of time with the
36 church. She said they also have a food pantry and are in need of canned meat and fruit.

37
38 **Councilmember Gamble**
39

40 Councilmember Gamble thanked Mr. Neron for his report and noted it is helpful to have that data.
41 He expressed appreciation to all the staff for their work on the event.

42
43 Councilmember Gamble asked about a problem with the ramps.
44

45 Mr. Neron said staff is working on a short term and a longer term solution. He said he had met
46 with the engineer who is doing an underwater survey and some alternatives should be coming for

1 a short term solution. Mr. Drury noted this is regarding the low water levels which affect the
2 seaplanes that are heavier than 3000 lbs. with long landing gears.

3
4 **Vice Mayor Grenier**

5
6 Vice Mayor Grenier discussed an interview he had seen on Channel 9 with a woman who said
7 she was visually impaired but driving a golf cart in Tavares. He also said he had observed an 8
8 year old boy driving a golf cart on the road. He said he continues to be concerned about people
9 driving without a driver's license.

10
11 Chief Lubins said that the policing of the golf carts as a whole has been successful. He said in
12 terms of the age issue he was not aware of any problems. He said if an individual has a revoked
13 license due to a DUI or impairment that might be a safety issue but it would be a policy decision.

14
15 **Councilmember Smith**

- 16
- 17 • Commended Lt. Jason Paynter for his work in the community with some neighbors.
 - 18
 - 19 • Noted at the Golden Triangle event, he had brought up the idea of having a joint event
20 between the three cities. He said he would like to contact the chambers to explore the
21 idea. **Consensus of Council for Councilmember Smith to begin discussions.**

22
23 **Mayor Wolfe**

24
25 Mayor Wolfe said that he and Mr. Drury had attended Lake County Days in Tallahassee and met
26 with the legislators and DEP staff and had received positive feedback from various individuals
27 about projects in Tavares.

28
29 **Adjournment**

30
31 There was no further business and the meeting was adjourned at 5:20 p.m.

32
33 Respectfully submitted,

34
35
36
37 _____
38 Nancy Barnett, CMC
City Clerk