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**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
MARCH 7, 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 Doug Dyskstra, Adventure Christian Church, gave the invocation and led the Pledge of Allegiance.

Mayor Wolfe recognized Coach Dennis Wilson in the audience, former City Councilmember who was instrumental in the hiring process of the current City Administrator.

**III. APPROVAL OF AGENDA**

Mr. Drury said staff had no changes to the agenda.

**MOTION**

1 **Bob Grenier moved to approve the agenda, seconded by Sandy Gamble. The motion**  
2 **carried unanimously 5-0.**

3  
4 **IV. APPROVAL OF MINUTES**

5  
6 **MOTION**

7  
8 **Kirby Smith moved to approve the City Council minutes of February 15, 2012, seconded by**  
9 **Bob Grenier. The motion carried unanimously 5-0.**

10  
11 **V. PROCLAMATIONS/PRESENTATIONS**

12  
13 Mayor Wolfe read a proclamation honoring Corporal Paula Crow:

14  
15 *Paula L. Crow Remembrance*

16  
17 ***WHEREAS, Corporal Paula L. Crow was a 7-year veteran of the Tavares Police Department; and***

18  
19 ***WHEREAS, Corporal Paula L. Crow was a faithful and dedicated servant to the citizens of***  
20 ***Tavares as a Detective, Community Service Officer, Special Response Team member and Traffic***  
21 ***Homicide Investigator; and***

22  
23 ***WHEREAS, Corporal Paula L. Crow worked closely with senior citizens and specialized in***  
24 ***prevention of crimes against the elderly and worked closely with teenagers with the public safety***  
25 ***explorer program; and***

26  
27 ***WHEREAS, on Wednesday, February 1, 2012, Corporal Paula L. Crow lost her battle with breast***  
28 ***cancer; and***

29  
30 ***WHEREAS, Corporal Paula L. Crow will be greatly missed for her tireless dedication and***  
31 ***unwavering service to the City of Tavares and as an exemplary Law Enforcement Officer.***

32  
33 ***NOW THEREFORE BE IT RESOLVED, that in recognition and gratitude for her service and***  
34 ***devotion, I, Robert Wolfe, Mayor of the City of Tavares hereby declare***

35  
36 *March 7, 2012*  
37 *Paula L. Crow Day*

38  
39 ***DONE AND PROCLAIMED this 7<sup>th</sup> day of March, 2012.***

40  
41 Mayor Wolfe presented the proclamation to the family of Paula Crow.

42  
43 Tim Crow expressed his appreciation to the City Council and every city employee for their support  
44 for Paula, himself, and Ashton, and Paula's parents. He thanked the Solid Waste Department for  
45 their "Day for Ashton."

46  
47 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

1  
2 None

3  
4 **VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

5  
6 Ms. Barnett read the following ordinances/resolutions into the record by title only:

7  
8 **ORDINANCE 2012-04**

9  
10 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**  
11 **CITY'S LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 23,**  
12 **COMMUNITY ECONOMIC DEVELOPMENT INITIATIVES, ADDING DIVISION 6,**  
13 **GREEN BUILDING INCENTIVES AND AWARD PROGRAM; PROVIDING FOR**  
14 **SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

15  
16 **VIII. CONSENT AGENDA**

17  
18 Mayor Wolfe asked if anyone had an objection to Tab 3 under the Consent Agenda (CDBG  
19 application to finished St. Clair Abrams Sidewalk Project).

20  
21 **MOTION**

22  
23 **Bob Grenier moved to approve the Consent Agenda [Submission of CDBG funding**  
24 **application to finish the St. Clair Abrams sidewalk project], seconded by Sandy Gamble.**  
25 **The motion carried unanimously 5-0.**

26  
27 **IX. ORDINANCES/RESOLUTIONS**

28  
29 **Tab 4) Ordinance #2012-04 –Adopt Green Construction and Incentive Award Program**

30  
31 Mr. Skutt reported that on December 7<sup>th</sup>, 2011, Council instructed staff to develop a Green  
32 Construction Program that would use building permit fee waivers or reductions and public  
33 recognition as incentives.

34  
35 Staff has prepared an ordinance that would add a Green Building Incentive and Award Program  
36 to Chapter 23, Community Economic Development Initiatives, of the City's Land Development  
37 Regulations.

38  
39 **Highlights of the proposed program:**

- 40  
41 1. The program is optional except for city-owned civic or office construction projects.  
42 2. Those wishing to participate must comply with the Green Home Designation Standard for  
43 residential construction and L.E.E.D.2.0 Standard for commercial construction. Both of these  
44 standards use the Florida Building Code as the "baseline" for efficiency.  
45 3. Construction Projects, at the applicant's expense, must be certified by a qualified third party  
46 who has been trained and certified as a green building rater.  
47 4. Successful applicants will receive the following rewards:

- 1 a) 50% reduction in building permit fee for the project.  
2 b) Marketing assistance including site signs, inclusion in the city's Green  
3 Program website, promotional packages and press releases.  
4 c) A "Green Building Award" will be awarded annually during a public City  
5 Council meeting.  
6 5. The program will be reviewed annually to determine its effectiveness.  
7

8 He noted that the fiscal impact will equate the number of successful participants who receive  
9 partial building permit fee reduction. Additionally there may be minimal promotional cost and  
10 some staff time in administering the program.

11  
12 Councilmember Pfister commended Mr. Skutt for his work on preparing the ordinance.

13  
14 Mayor Wolfe asked if there was comment from the audience.  
15

16 **MOTION**

17  
18 **Lori Pfister moved to approve Ordinance #2012-04, seconded by Kirby Smith. The motion**  
19 **carried unanimously 5-0.**  
20

21 **X. GENERAL GOVERNMENT**

22  
23 **Tab 5) Award of Bid for Tavares Recreation Park Accessory Dock Replacement and Dredging**  
24

25 Ms. Rogers discussed the difficulty that boaters have in getting in and out of their boats when the  
26 water level fluctuates, as the basis for the project of installing floating docks, dredging, and replacing  
27 the bumper along the docks at Tavares Recreation Park. Five companies responded and ranged in  
28 price from \$38,199 to \$152,000. Staff has recommended the low bidder who is a local company in  
29 Leesburg and has been reviewed and evaluated by the engineer.  
30

31 She noted there will be some impact to the boating community and there is a mitigation area next to  
32 the boat ramp identified by FDEP which will be protected with the installation of turbidity curtains.  
33 The ramp will be closed Monday through Thursday all day and then a half day on Friday. The  
34 construction period could last up to 90 days. This project is being funded primarily through the  
35 Florida Boating Improvement Program who has advised that construction needs to begin no later  
36 than April 4<sup>th</sup> of this year.  
37

38 Mayor Wolfe asked if the issue of the boat ramping being closed was included in the bid. Ms. Rogers  
39 answered in the affirmative. There was discussion on the price differences in the bids.  
40

41 Councilmember Smith asked if any of the companies had indicated they could keep the boat ramp  
42 open while doing the work. Ms. Rogers answered that they did not. She said there are three factors:  
43 1) Safety 2) Impact to the mitigated area and 3) Cost. The timeline for construction was discussed.  
44

45 Mayor Wolfe asked for audience comment.  
46

47 **MOTION**

1  
2 **Bob Grenier moved to approve the recommended bidder of Blankenship Land & Marine,**  
3 **seconded by Lori Pfister. The motion carried unanimously 5-0.**  
4

5 **Tab 6) Options for Commercial Solid Waste and Recycling Services**  
6

7 Mr. Thompson explained that the present contract with Waste Management will expire October 31,  
8 2012. He discussed the three options being recommended:  
9

- 10 1. Direct staff to negotiate with Waste Management, Inc. of Florida for a period of up to 60  
11 days regarding the costs and services to be provided for an extended contract period. At  
12 the end of the 60 day period, Council would be provided the terms and conditions of an  
13 extended agreement for its consideration. Should the Council decide not to approve the  
14 staff negotiated agreement, there still would be ample time to follow a different process.  
15 2. Direct staff to issue a Request for Qualifications for interested service providers. Once the  
16 RFQ's are analyzed by staff, the responding service providers would be ranked and  
17 brought to Council for approval of the rankings. Once approved, negotiations would be  
18 held with the top ranked firm to arrive at the terms and conditions of a franchise  
19 agreement. This is similar to the process used by the City for the selection of engineering  
20 and other professional contract services.  
21 3. Direct staff to issue a Request for Bids for the commercial collection and residential  
22 recycling services. This would require staff to prepare a detailed set of specifications as  
23 to the terms and conditions of service so that all of those vendors responding to the  
24 Request for Bids would be doing so on an equal footing.  
25

26 Mayor Wolfe noted he had met with staff to receive information on the process. Councilmember  
27 Gamble agreed that he had appreciated the opportunity to receive more information from staff and  
28 that he thought it was in the city's interest to have staff negotiate first. Councilmember Smith agreed.  
29

30 **MOTION**  
31

32 **Kirby Smith moved to direct staff to negotiate with Waste Management, seconded by Sandy**  
33 **Gamble. The motion carried unanimously 5-0.**  
34

35 **Tab 7) Discussion on Including Agricultural Rate for Reclaimed Water**  
36

37 Ms. Houghton said this item is for council consideration of an agricultural rate within the reclaim  
38 water rate structure. She said the reclaimed rate included in Ordinance #2009-22 was based on  
39 rates from other entities because the city had not provided reclaim prior to establishing the fees  
40 and had no history from which to draw. Ms. Houghton said the city has been approached by local  
41 growers looking for an alternative water supply that is cost effective for their use. Generally they  
42 utilize private wells currently and receive incentives from other water systems. It is suggested that  
43 offering a subsidized rate for agricultural could be beneficial in the long term and by reserving a  
44 limited capacity.  
45

46 Mr. Drury said his concern is to maintain debt service coverage on the loans to implement  
47 reclaim. He said this is a request to prepare an ordinance which will be reviewed by the city's

1 independent financial advisors. He said the summary mentioned 18 cents however he was not  
2 sure that the city could offer that rate or recommend a 10% reserve.

3  
4 Councilmember Smith said he agreed with most of the proposed incentives but not giving away  
5 50% for the meters. He said there might be a potential agricultural use away from the current  
6 lines and who would incur that cost to place the lines. Mr. Drury said there is a program to bring  
7 reclaim water throughout the community over the next 10 years which is dependent on funding,  
8 grants, etc. He said if the city does not have the funds and the customer wanted reclamation, they  
9 would have to pay to bring the line out to their location.

10  
11 **MOTION**

12  
13 **Bob Grenier moved to approve Option 1 [staff to prepare amendment to Ordinance #2009-  
14 22 to include Reclaim Rates], seconded by Kirby Smith. The motion carried unanimously  
15 5-0.**

16  
17 **Tab 8) Update on Funding for the Dragon boat Race Fireworks**

18  
19 Mayor Wolfe noted Council had authorized \$1000 to come from reserves at the last Council  
20 Meeting and he had advised he would continue to solicit funds. He said he has acquired  
21 approximately \$5300 and is still awaiting word from the Taiwan government on their donation. He  
22 said reserves would not be required. He noted Council had discussed making individual  
23 donations.

24  
25 Mr. Drury said he wished clarification that the additional funds Mayor Wolfe has solicited are  
26 authorized to be added to the current fireworks which will be an enhancement. Mayor Wolfe  
27 agreed and noted that \$5,000 would be a basic display but this would allow an enhanced show.

28  
29 **XI. OLD BUSINESS**

30  
31 **XII. NEW BUSINESS**

32  
33 **XIII. AUDIENCE TO BE HEARD**

34  
35 **Denise Laratta, Royal Harbor**

36  
37 Ms. Laratta thanked Councilmember Pfister for suggesting that the city pursue purchasing  
38 additional land along the lake to add to the park and that she was glad to see the results of the  
39 referendum.

40  
41 **XIV. REPORTS**

42  
43 **Tab 9) City Administrator**

44  
45 Mr. Drury stated that as the downtown gets busier there is starting to be an increased use of the  
46 county garage into the evening. Currently the garage is closed at 8:00 p.m. He said staff is  
47 working with the County to open up the garage later during the work week up to about 10:00 p.m.

1 and then on the weekends up to midnight. The proposal is to have the Police Department do the  
2 closing.

3  
4 **City Clerk**

5  
6 Ms. Barnett stated there will be a reception for Councilmember Gamble at 3:30 p.m. on March  
7 21<sup>st</sup> and she invited everyone to attend.

8  
9 Ms. Barnett distributed the unofficial election results from the Supervisor of Elections. She said  
10 there is one remaining vote to be considered at a Canvassing Board meeting. She said the total  
11 unofficial vote was 1313 for the bonds and 1119 against or 54% voted for and 46% against.

12  
13 **Economic Development Director**

14  
15 Mr. Neron reminded everyone of the “No Duck Left Behind” Race at Wooton Park on Saturday.

16  
17 **Tab 10) City Council**

18  
19 **Councilmember Pfister**

20  
21 Councilmember Pfister thanked Joyce Ross, Mr. and Mrs. Hope, the Chamber of Commerce and  
22 everyone who worked so hard to get the Parkland Referendum passed. She also thanked the  
23 residents and voters for their trust and support.

24  
25 **Councilmember Gamble**

26  
27 Councilmember Gamble said he had the honor recently of throwing out the first pitch for Babe  
28 Ruth Opening Day for both softball and hardball.

29  
30 Councilmember Gamble said he wished to recognize one of the staff members in Parks and  
31 Recreation. He said he and Mr. Ragin have had a mutual working agreement for 28 years. He  
32 said when he first started coaching, the program was independent and then the city took over the  
33 program and from that time on, Mr. Ragin was involved in recreation and getting the fields ready.  
34 He said now Mr. Ragin is over that program and does a great job with his crew and he  
35 appreciated that.

36  
37 He noted that Coach Wilson was one of his former baseball coaches and can remember back to  
38 the days of the fields in the 70’s, and the ones that did not exist in the 60’s, when baseball was  
39 played in Burleigh’s pasture, site of the current tennis courts. He said he is looking forward to the  
40 new park when it is completed at Woodlea. He said he appreciated everyone present.

41  
42 **Vice Mayor Grenier**

43  
44 Vice Mayor Grenier said it is fun to be part of what is happening in Tavares. He said he is excited  
45 with the baseball program, the Parkland expansion, and the vision that continues to develop in  
46 Tavares.

1 He noted that he had some historical comments to make. He noted for Norb Thomas's benefit  
2 [former Councilmember Thomas in the audience] that the City of Chicago had its 175<sup>th</sup>  
3 anniversary on March 4<sup>th</sup>.

4  
5 He said the State of Florida had its 167<sup>th</sup> anniversary on March 3<sup>rd</sup> and noted that Major St. Clair  
6 Abrams was born a few days after Florida became a state (1845) and his birthday is this  
7 Saturday, March 10<sup>th</sup>.

8  
9 **Councilmember Smith**

10  
11 Councilmember Smith suggested that those in attendance should take the opportunity to drive  
12 around the city and note the building projects that are ongoing; e.g. Osprey Lodge, Shantiniketan  
13 development, the Big House, and the hotel on Ruby Street.

14  
15 Councilmember Smith thanked Norm Hope for this assistance in the referendum, noting he had  
16 spent many hours speaking to residents and giving out information.

17  
18 He thanked all the sponsors who have donated for the fireworks.

19  
20 **Mayor Wolfe**

21  
22 Mayor Wolfe thanked Ms. Rogers and everyone from the Parks Department on the success of  
23 Opening Day.

24  
25 Mayor Wolfe said the "No Duck Left Behind" event is this Saturday and there will be more than 30  
26 schools represented.

27  
28 **Adjournment**

29  
30 There was no further business and the meeting was adjourned at 4:47 p.m.

31  
32 Respectfully submitted,

33  
34  
35  
36  
37  
38 \_\_\_\_\_  
39 Nancy Barnett, CMC  
City Clerk