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**CITY OF TAVARES  
MINUTES OF PUBLIC WORKSHOP AND COUNCIL MEETING  
PROPOSED FIRE ASSESSMENT  
APRIL 25, 2012  
CITY COUNCIL CHAMBERS**

**COUNCILMEMBERS PRESENT**

Robert Wolfe, Mayor  
Lori Pfister, Vice Mayor  
Bob Grenier, Councilmember  
Norman Hope, Councilmember

**ABSENT**

Kirby Smith, Councilmember

**STAFF PRESENT**

John Drury, City Administrator  
Attorney Kaely Smith-Frye  
Nancy Barnett, City Clerk  
Lori Houghton, Finance Director  
Joyce Ross, Director of Public Communications  
Richard Keith, Fire Chief  
Bill Neron, Director of Economic Development

**I CALL TO ORDER**

Mayor Wolfe called the meeting to order at 4:00 p.m. He welcomed everyone in attendance and stated the City Administrator would provide an update before public comment.

**Staff Presentation:**

Mr. Drury welcomed those in attendance. He discussed the agenda and support materials that had been made available.

Mr. Drury discussed the format of the meeting, noting that public comment would be taken in the Public Workshop and then the workshop would be closed for Council discussion during the Council Meeting. He said the purpose of the meeting is for Council to determine whether or not there will be a fire assessment component in next year's budget and if approved, the rate that will be instituted.

Mr. Drury said the budget process has begun with Council having had one budget meeting. He said the budget process will continue in more detail in July, August and September. During those months there will be several budget meeting and the fire assessment will continue to be discussed. He said this is the beginning of that discussion process.

1  
2 Mr. Drury said included in the agenda summary, is an agenda summary from the April 4, 2012  
3 Council Meeting when Council set their broad budget priorities. He said he hoped that the  
4 residents will read through the summary which speaks to how this Council and previous  
5 Councils have cut budgets; the achievements of the City of Tavares and the activities and  
6 programs that have been developed. In addition he said the summary addresses the challenges  
7 that the city is facing in creating a balanced budget for next fiscal year.  
8

9 **2013 Fiscal Year Budget Issues**

10  
11 Mr. Drury stated that if the current level of service continues, if the millage rate remains the  
12 same at 6.89 (was lowered slightly last year), and if property values remain the same (Tavares'  
13 values appear to be stabilizing because of the private sector investment in Tavares), then the  
14 budget deficit for 2013 will be around \$540,000 of the \$11.5 million annual budget. In order to  
15 cure that deficit there are basically three options:  
16

- 17 1. Raise the millage rate
- 18 2. Fire Assessment
- 19 3. Lower service levels: Cut budgets and bring them down into line.  
20

21 Mr. Drury noted that over the last four years the budget has been cut 1.3 million while services  
22 have been added.  
23

24 Mr. Drury discussed the following options:  
25

- 26 • Raise the millage rate. i.e. it could be raised by .8871 mils from 6.89 to 7.78. The deficit  
27 would be eliminated and the level of service would remain about the same.
- 28 • Consideration of dispatch consolidation through discussions with the Sheriff.
- 29 • Review all line items for any additional cuts.
- 30 • Exploring fire assessment  
31

32 **Fire Assessment**  
33

34 Mr. Drury said the annual budget for the Fire Department is about \$1.88 million to provide the  
35 current level of service. He said those property owners who pay a property tax contribute  
36 towards fire service as it is currently collected through a millage rate. He said those owners who  
37 do not pay a property tax (about 6.7% in Tavares) pay nothing towards fire service.  
38

39 Mr. Drury said if a fire assessment is put in place then everyone would pay a portion of that  
40 service. However, he noted that the rate that is being considered would exempt all churches  
41 and all not for profits. The residential rate at the full value would be \$153 per year or \$12.75 per  
42 month per residential property. If the rate is instituted at less than half (42%) it would be about  
43 \$64.00 a year or \$5.36 a month and at 35% it would be around \$53.05 or \$4.46 a month.  
44

1 He said that Lake County has a fire assessment for residential properties which is \$181 a year  
2 or \$15.08 a month which does not exclude not for profits.

3  
4 Mr. Drury then presented a sample commercial tiered rate:

5  
6 Small commercial (2,000 square feet or less) \$26.58 a month at 100%; \$11.17 at 42%. and  
7 \$9.42 at 35%.

8  
9 Large commercial (about an 8,000 square foot building) - \$119 at 100%; \$50.25 at 42%, and  
10 \$42.25 at 35%.

11  
12 He said Council will be considering the different options to balance the budget. At 100% the fire  
13 assessment would bring in about \$1.45 million which would mean the millage rate would go  
14 down significantly. At 42% it would bring in about \$612,000 which would mean the millage  
15 would go down slightly. At 35%, the millage rate will likely go up slightly.

16  
17 **Public Discussion**

18  
19 Mayor Wolfe invited public comment.

20  
21 **John Tanner, 40 Mango Place**

22  
23 Mr. Tanner said property taxes have gone up over 200% from 2001 to 2010. He said a fire  
24 assessment tax would not be deductible on income tax. He said the stormwater charge started  
25 out at \$1.00 a unit and is now \$4.50. He questioned whether the fire assessment would  
26 increase similarly in a few more years. He said everyone has a budget shortfall. He  
27 complimented the city for increasing the percentage of commercial to residential ratio. He noted  
28 that impact fees had been eliminated to encourage new business and that by imposing a fire  
29 assessment it would not be helpful. He said Council may have to do some reductions.

30  
31 **Walt Parker, 3046 Keel Court**

32  
33 Mr. Parker questioned the figure of 6.7% for people not paying property tax. He said if that is the  
34 number it would not help and the property owners would just be taxed again. He said he  
35 understood that the \$540,000 is the total deficit, not just the Fire Department deficit. He said the  
36 proposed rate is not that large but it is the principle involved. He said if the city needs more  
37 money it should raise the property tax millage rate which would be a more transparent way of  
38 doing business.

39  
40 **Bernard Faust, 5014 Adriatic Avenue**

41  
42 Mr. Faust asked for clarification on when the property taxes go out to the residents. He said he  
43 believed property taxes go out at the end of 2012.

1 Mr. Drury said the fire assessment would start in October of 2012 and go through September  
2 30, 2013 on the utility bill as a monthly bill. He said it will be a one year assessment broken into  
3 12 monthly payments for fiscal year budget 2013.  
4

5 Mr. Faust asked if the fire assessment would be permanent. Mr. Drury said every year Council  
6 would decide whether or not to have the assessment.  
7

8 Julie Wilson, 1208 Cove Place  
9

10 Ms. Wilson asked if the fee might go on the tax bill next year. Mr. Drury said that would have to  
11 be considered by Council in terms of the cost benefit analysis and the timing.  
12

13 Ms. Wilson discussed the amount that the county residents pay and the portion paid for ALS in  
14 the unincorporated areas. She asked about how the city will serve the county due to the  
15 increased facilities in the downtown.  
16

17 Mr. Drury said the city has not seen that the work that the County is doing on its judicial center  
18 is driving additional fire personnel or equipment. Chief Keith said the new buildings are just  
19 coming on and is one of the reasons that the city has a ladder truck. Ms. Wilson asked if the  
20 County is going to be assessed.  
21

22 Mr. Drury said there is an opportunity to have a discussion on whether or not the county should  
23 continue to get free fire service for its jail, judicial center, court house, hospital, etc. He said the  
24 staff has no plan at this time to have that discussion but will do so if Council directs.  
25

26 Ms. Wilson discussed the millage rate and asked if the millage rate would remain the same  
27 when property values increase in the future. Mr. Drury said he could not speak to the future.  
28

29 Kitty Vaughn, 1653 Elkhart Circle  
30

31 Ms. Vaughn said she is in favor of the millage rate effect. She said although the city has  
32 reduced its expenses by 1.3 million, it has also purchased land, and built structures, and has a  
33 lot more expenses than was the case in 2001. She said she believed the city needs to look  
34 more at cutting expenses. She said she is in favor of a centralized dispatch system.  
35

36 Bob Shapiro, 3268 Seven Seas Drive  
37

38 Mr. Shapiro said that Mr. Drury had said that everyone would be paying the fire assessment,  
39 and he believed churches and not for profits should be paying their fair share.  
40

41 Walt Parker, 3046 Keel Court  
42

43 Mr. Parker said he would vote for Option 1, to raise the millage rate.  
44

1 Bernard Faust, 1541 Adriatic Avenue

2  
3 Mr. Faust spoke in support of raising the millage rate. He asked if he could ask the audience  
4 what their preference would be by a show of hands. Mayor Wolfe agreed. [Although no official  
5 count was made it appeared that about 50% wanted a millage increase, 25% wanted a fire  
6 assessment, and 25% wanted no change.]

7  
8 Suzanne Cunningham, 5961 Bounty Circle

9  
10 Ms. Cunningham said she had been told by Mr. Drury that the pavilion is paid for and budgeted.  
11 Mr. Drury said the construction of the pavilion is paid for. He said the goal is for the pavilion to  
12 bring visitors into the city along with income to the city. Ms. Cunningham said she is against the  
13 fire assessment.

14  
15 Charlotte Hope, Fox Run

16  
17 Ms. Hope said she was glad to see so many people in attendance. She said she has been  
18 attending council meetings and workshops over the past five years and has probably only  
19 missed five. She stated she hoped the residents would return for the budget workshops and  
20 give input, She requested that during the upcoming budget workshops there needed to be  
21 comparison to the adjoining cities of Eustis, Leesburg, and Mt. Dora.

22  
23 Mark Cunningham, 5961 Bounty Circle

24  
25 Mr. Cunningham said that all users of the Fire Department, including churches, not for profits,  
26 hospitals, mobile homes, should pay their fair share.

27  
28 Freddie Belton, business owner in Tavares

29  
30 Mr. Belton said he understood the predicament of the city and that all of the business owners in  
31 town are in the same boat. He said he believed he would end up paying for most of the  
32 assessment for the property he leases out because of legal interpretations. He said the city is  
33 doing a great job by encouraging investment however to add another tax on right now would be  
34 tough.

35  
36 **Council Discussion**

37  
38 Councilmember Pfister said she was glad to hear the input from the audience. She said no one  
39 likes to do this but this is a good start to try to come to a decision that will appease everyone.  
40 She asked Mr. Drury if the city could just assess the people who are not paying [taxes] now.

41  
42 Mr. Drury said the closest example to Tavares is Lake County who charge properties 100% of  
43 the cost of fire and the churches and not for profits 50%. He said the residents pay \$181, the  
44 commercials pay \$22 a square foot and the churches pay half (about \$12.00 a square foot). He

1 said Tavares has proposed to exempt churches and not for profits at 100% but that figure could  
2 be lower. Councilmember Pfister asked if there was a way that just the not for profits, churches,  
3 and government would have to pay. Mr. Drury said that could be done for the not for profits, but  
4 government buildings do not have to pay assessments. He said there are four categories:  
5 residents, commercial, not for profits and churches, and government. Under the law everyone  
6 can be charged except for government; for government there would have to be a negotiation.  
7 He said if the city does an assessment however, it will open up the door for negotiations.

8  
9 Councilmember Pfister said the majority of the audience seem to want to keep the fees the way  
10 they are but want to include the churches and the not for profits. She said she does not like any  
11 of the options being offered. She said she would like residential and commercial left alone, have  
12 the city do its best to not raise the millage, but to have the not for profits and the churches to  
13 start paying their fair share and then begin negotiations with the government.

14  
15 Vice Mayor Grenier asked about the 6.7% residents who do not pay.

16  
17 Councilmember Pfister said the majority of the people do not want an assessment and since  
18 6.7% is such a small amount, it would not behoove the city to do that, as the majority would  
19 rather have it on the millage because it would be a deduction.

20  
21 Mayor Wolfe asked about the possibility of initiating discussions with the County. Mr. Drury said  
22 it would be possible to discuss this with the county and ask them to contribute towards a fire  
23 assessment.

24  
25 Councilmember Hope said he appreciated the audience feedback. He said he has been touring  
26 all the departments, asking questions, and has not found “fat” in the departments. He said  
27 Council has been told that there is a potential of a \$540,000 deficit and that Mr. Drury will not  
28 know the specific figure until the Property Appraiser releases the property values. He said the  
29 deficit must be addressed. He discussed the fire assessment versus the millage and noted there  
30 is a maximum figure the assessment can go to and there will be a cap. He said he has concerns  
31 about the businesses in terms of the assessment. He noted the group at this meeting, although  
32 small, seems to prefer a millage rate.

33  
34 Vice Mayor Grenier said he thought the workshop was a good idea and he was glad  
35 Councilmember Pfister had recommended having the meeting. He said the reason Council will  
36 try to make everyone satisfied is that Council has to approve a balanced budget, He said it  
37 should be noted that the proposal will also affect Council who are also residents of Tavares. He  
38 expressed appreciation to the audience for attending.

39  
40 Mayor Wolfe said he appreciated the input. He said he still has some questions about the  
41 assessment methodology being proposed noting Attorney Williams had mentioned the  
42 possibility of new case law to support a different methodology.

1 Mr. Drury said he would not recommend that the City of Tavares with its current budget, defend  
2 a new case law that could end up going to the Supreme Court. He said there are larger cities  
3 that have the depth of financial resources and lawyers on staff to support the process. He said  
4 he recommended following the case law that is current and supported by the Supreme Court, on  
5 the method that is before Council.  
6

7 Mayor Wolfe said he felt the 28% was too high for commercial and he did not feel it was fair as  
8 a business owner. Councilmember Pfister asked if that number could come down if the  
9 churches and not for profits were included.

10  
11 Mayor Wolfe said it would bring the figure down but not substantially. Mr. Drury said it would  
12 bring the figure down but the law states that an overall percentage has to be determined.  
13

14 Councilmember Hope asked Mr. Drury if he wanted a recommendation in order to start the  
15 budget process. Mr. Drury said that was correct and that he has begun the process but he  
16 would need to know whether or not it will include a fire assessment. He said if Council gives him  
17 direction to include a fire assessment at 42%, the percentages and rate could be changed  
18 during the budget process. In the meantime however, the notices will have to go out per a time  
19 table required by law in order to create a balanced budget.  
20

21 Councilmember Pfister noted without the assessment, churches and not for profits will not  
22 contribute.  
23

24 Mayor Wolfe said that although comments have been closed to the audience he had observed  
25 some audience members who still wished to speak.  
26

27 **Freddie Belton**  
28

29 Mr. Belton asked how many buildings or property would not be included in the proposed fire  
30 assessment? Mr. Drury there are close to 375 properties owned by residents with buildings that  
31 pay no taxes and 6.7% is the percentage.  
32

33 **Walt Parker, 3046 Keel Court**  
34

35 Mr. Parker discussed his analysis of the proposed figures noting that if the city collects \$76 from  
36 each residence and .22 a square foot from commercial it would come to much more than the  
37 \$540,000. Mr. Drury said that was correct—it would come to \$1.5 million.  
38

39 **John Tanner, 40 Mango Place**  
40

41 Mr. Tanner questioned the estimate of 6.7% and said he believed that there were more  
42 residents who could not afford to pay a fire assessment who live in houses worth less than  
43 \$50,000. He said he believed the audience had indicated they do not want a fire assessment.  
44

1 Gene Smith, 1250 Smith Avenue

2  
3 Mr. Smith said he believed the proposed assessment was minuscule. He said everyone in the  
4 room receives the same level of emergency medical services whether or not they pay taxes. He  
5 said he believed it was fair that everyone pays a little bit. He said if the County, the School  
6 Board, the hospital, and the jail were to pay their fair share this would not be an issue. He said  
7 they should pay the city what it costs to service their buildings. He said if the fire assessment  
8 can be made fair for businesses he would support it.

9  
10 Bernard Faust, 5014 Adriatic Avenue

11  
12 Mr. Faust said that Councilmember Hope had said once the fire assessment is in it will remain  
13 permanently. Councilmember Hope responded each year it will come up for a vote by the  
14 Council.

15  
16 Mr. Drury added that every year Council reviews all its fees, budget, millage rate, etc. and  
17 decides whether or not to continue the fees and at what rate.

18  
19 John Tanner, 40 Mango Place

20  
21 Mr. Tanner asked if there was a charge for ambulance service. Mr. Drury answered that  
22 ambulance service is run by Lake County EMS.

23  
24 Mr. Tanner questioned whether the city could charge a fire fee. Mr. Drury said the city cannot  
25 charge a fee for putting out a fire. He said there are counties who do pay a fee to their  
26 municipality through a negotiation process. Mr. Tanner said the county could agree to pay a fee  
27 even without a fire assessment.

28  
29 Julia Wilson, 1208 Cove Place

30  
31 Ms. Wilson said she assumed the city has the fire call data to support the incidences over a  
32 period of time that support the proposed rate schedule. Mr. Drury confirmed that a study was  
33 done three years ago that collected the data and did the allocations.

34  
35 Ms. Wilson said she had read the majority of the calls (75%) are medical and that has to be  
36 figured in. She asked if it is put on the utility bill will it be called a “non-advalorem assessment”?  
37 She said if that is the case those funds cannot be used for Advanced Life Support, only Basic  
38 Life Support. Mr. Drury said that was correct. She asked for confirmation that the millage rate  
39 will not be reduced by the same amount as the non-advalorem assessment. Mr. Drury said that  
40 correct.

41  
42 Councilmember Pfister asked if there was a way to take the 35% or \$4.16 per month for  
43 everyone across the board, no difference in commercial, churches, etc. Mr. Drury said under the  
44 law, the way it must be implemented is through a residential rate which was developed through

1 the previous study. Councilmember Pfister asked if the churches and the not for profits are  
2 added into the equation how much could the assessment be reduced. Mayor Wolfe said he  
3 understood if the churches and not for profits are included at 35% it will be an additional  
4 \$45,000. Councilmember Pfister said she does not like any of the options.

5  
6 **MOTION**

7  
8 **Norm Hope moved to raise the millage rate by one mil.**

9  
10 Mr. Drury asked Mr. Hope if he was intending to move to not use a fire assessment in the  
11 budget and instead use a millage rate to craft the budget?

12  
13 Councilmember Hope confirmed. Mayor Wolfe said he believed the intention was to direct Mr.  
14 Drury to craft a budget with no fire assessment and an appropriate millage needed at the time of  
15 the starting of the budget hearings.

16  
17 Attorney Smith-Frye said that was an appropriate motion.

18  
19 **Norm Hope moved to give Mr. Drury direction that instead of a fire assessment, that**  
20 **Council look at the millage rate increase to take care of the deficit in the budget. The**  
21 **motion was seconded by Lori Pfister.**

22  
23 Vice Mayor Grenier said it appeared that Council was only looking for one scenario for Mr. Drury  
24 to present and that did not sound right to him. He said he would like to have more options to  
25 consider.

26  
27 Councilmember Pfister reiterated that she wanted everyone to pay their fair share whether they  
28 are a non-profit or a church. Mr. Drury said he could return with options.

29  
30 **The motion failed unanimously 4-0.**

31  
32 **MOTION**

33  
34 **Lori Pfister moved to pursue other options in which everyone pays their fair share,**  
35 **seconded by Bob Grenier.**

36  
37 Vice Mayor Grenier stated for clarification that he wanted to see several scenarios. He said the  
38 motion would have to be to bring scenarios of a couple of different millage rate increases and  
39 the different percentages and who would be assessed.

40  
41 Councilmember Hope said he thought he had seen proposed increases in the millage rate from  
42 Mr. Drury that would take care of the deficit. He said what would need to be brought back to City  
43 Council would be the scenarios of a potential fire assessment.

1 Mr. Drury said that for every scenario picked, there would be a different millage rate. He said he  
2 could bring that back during the normal budgeting process.

3  
4 Councilmember Pfister said she would like to work with lower numbers if the churches and not  
5 for profits were included. She said she did not mind working within the budget to adjust the  
6 shortfall.

7  
8 Councilmember Hope said he had made the motion in order to give Mr. Drury direction.

9  
10 Mr. Drury said he believed Council was wishing to move forward with a fire assessment that  
11 provides the flexibility to either eliminate it during the budgeting process whenever desired,  
12 change the percentages, change the rates, and not finalize the rate until going through the  
13 budgeting process. He said the city will, however, go forward with the fire assessment  
14 resolutions, notices, and postings but will also develop several budget scenarios that will range  
15 from not instituting the fire assessment to various scenarios of a fire assessment.

16  
17 Councilmember Pfister asked if everyone agreed that everyone should pay; i.e. that churches  
18 and not for profits should be included.

19  
20 **Councilmember Pfister rescinded her motion, which was seconded by Bob Grenier.**

21  
22 **MOTION**

23  
24 **Lori Pfister moved to direct staff to bring back the scenarios involved in a fire**  
25 **assessment and/or millage increase or decrease, seconded by Bob Grenier. The motion**  
26 **carried unanimously 4-0.**

27  
28 **Adjournment**

29  
30 Mayor Wolfe stated his congratulations to the Tavares High School Girl's Softball team who had  
31 just won the district title and would be playing that night in Tavares for the first round of the  
32 regionals.

33  
34 There was no further business and the meeting was adjourned at 5:42 p.m.

35  
36 Respectfully submitted,

37  
38  
39  
40 Nancy A. Barnett, C.M.C.  
41 City Clerk  
42