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**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
MAY 2, 2012  
CITY COUNCIL CHAMBERS  
4:00 p.m.**

**COUNCILMEMBERS PRESENT**

**ABSENT**

Robert Wolfe, Mayor  
Bob Grenier, Vice Mayor  
Norm Hope, Councilmember  
Lori Pfister, Councilmember  
Kirby Smith, Councilmember

**STAFF PRESENT**

John Drury, City Administrator  
Robert Q. Williams, City Attorney  
Nancy Barnett, City Clerk  
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**

Chase Allen, Youth Minister for Liberty Baptist Church, gave the invocation and those present recited the pledge of allegiance.

**III. APPROVAL OF AGENDA**

Mr. Drury requested to add three items under New Business:

- Designation of the management team for the collective bargaining process with the Fire Union
- Proposal with the Viewpoints Show with Terry Bradshaw
- Update on the four Laning of the Howey in the Hill bridge and SR 19

**MOTION**

1 **Bob Grenier moved to approve the agenda with staff additions, seconded by Norm Hope.**  
2 **The motion carried unanimously 5-0.**

3  
4 **IV. APPROVAL OF MINUTES**

5  
6 **MOTION**

7  
8 **Kirby Smith moved to approve the minutes of April 4, 2012 and April 18, 2012 as**  
9 **submitted, seconded by Bob Grenier. The motion carried unanimously 5-0.**

10  
11 **V. PROCLAMATIONS/PRESENTATIONS**

12  
13 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

14  
15 None.

16  
17 **VII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

18  
19 Ms. Barnett read the following ordinances into the record by title only:

20  
21 **ORDINANCE 2012 - 10**

22  
23 **ORDINANCE AMENDING ORDINANCE NUMBER 2009-22 PERTAINING TO**  
24 **SECTION 17-54 OF THE CITY OF TAVARES LAND DEVELOPMENT**  
25 **REGULATIONS FOR RECLAIMED WATER RATES; PROVIDING FOR RATE**  
26 **AGREEMENTS FOR AGRICULTURE USES AND PROVIDING FOR AN**  
27 **EFFECTIVE DATE.**

28  
29 **ORDINANCE 2012-12**

30  
31 **AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES**  
32 **OF THE CITY BY ANNEXING APPROXIMATELY 1.41 ACRES LOCATED ON**  
33 **THE NORTH SIDE OF US HWY 441 APPROXIMATELY 750 FEET EAST OF**  
34 **LAKE EUSTIS DRIVE; REZONING SAID PROPERTY FROM LAKE COUNTY**  
35 **COMMERCIAL (C-1) AND LAKE COUNTY RESIDENTIAL PROFESSIONAL**  
36 **(RP) TO CITY OF TAVARES GENERAL COMMERCIAL (C-1); SUBJECT TO**  
37 **THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY**  
38 **OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR**  
39 **AN EFFECTIVE DATE.**

40  
41  
42 **ORDINANCE 2012-13**

43  
44 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**  
45 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,**  
46 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON**  
47 **APPROXIMATELY 1.41 ACRES OF LAND GENERALLY LOCATED ON THE**

1           **NORTH SIDE OF US HWY 441 APROXIMATELY 750 FEET EAST OF LAKE**  
2           **EUSTIS DRIVE; FROM LAKE COUNTY URBAN LOW TO CITY OF TAVARES**  
3           **COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS;**  
4           **PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE**  
5           **DATE.**

6  
7           **VIII. CONSENT AGENDA**

8  
9           Mayor Wolfe asked if anyone in the audience objected to the items under the Consent Agenda  
10           (Tabs 2 and Tab 3).

11  
12           **MOTION**

13  
14           **Bob Grenier moved to approve the Consent Agenda Tabs 2 and 3 [Agreement with**  
15           **Delaney Dean Photographer and Approval of Purchase of Sod for Woodlea Sports**  
16           **Complex]. The motion was seconded by Norman Hope. The motion carried unanimously 5-**  
17           **0.**

18  
19           **IX ORDINANCES/RESOLUTIONS**

20  
21           **Tab 4) Ordinance #2012-11 – Annexation & Rezoning of 1.41 Acres to General Commercial**  
22           **– Morgan & Morgan/Clear Channel – 14229 U.S. Hwy 441 – Read for First Reading Only**

23  
24           **Tab 5) Ordinance #2012-13 – Small Scale Future Land Use Amendment – 1.41 Acres –**  
25           **Morgan & Morgan/Clear channel – 14229 U.S. Hwy 441 – Read for First Reading Only**

26  
27           **Tab 6) Ordinance #2012-10 – Amendment to Ordinance #2009-22 to Allow for Agricultural**  
28           **Rate Agreements for Reclaimed Water**

29  
30           Ms. Houghton stated this ordinance will set forth the ability for the city to enter into agreements  
31           with commercial agricultural growers for bulk and reduced rates for agricultural use only. She said  
32           agreements will be negotiated using the template prepared by the City Attorney's office. There  
33           are only two agreements anticipated at this time. The city's rate consultant will review parameters  
34           for each agreement to ensure that the minimal operation recovery is addressed and that industry  
35           standards are met. The amendment also requires that only 10% of the plant's total capacity is  
36           reserved for agricultural use at this special rate. All agreements will come back to Council for  
37           approval.

38  
39           **MOTION**

40  
41           **Norm Hope moved to approve Ordinance #2012-10, seconded by Bob Grenier.**

42  
43           Councilmember Smith expressed concern about the negotiation process and suggested that an  
44           agricultural price be set instead.

45  
46           Ms. Houghton stated that the city's rate consultant had suggested the requests be reviewed on a  
47           case by case basis based on their needs. There may be instances where some of the users have

1 easements that are relative to the water reclaim system that might be part of the negotiating  
2 process.

3  
4 Mr. Hayes said the easement issue is the main concern.

5  
6 Councilmember Smith said he understood the easement issue but he did not think it should make  
7 a difference on the price of water.

8  
9 Mr. Drury said it is a viable option to come up with a price and if there had been more than two  
10 potential properties it might have been looked at differently. He discussed some of the factors.

11  
12 Councilmember Hope said he would be dependent on a staff recommendation to set a rate.

13  
14 **The motion carried 4 to 1 as follows:**

15  
16 **Robert Wolfe** Yes  
17 **Bob Grenier** Yes  
18 **Lori Pfister** Yes  
19 **Kirby Smith** No  
20 **Norman Hope** Yes

21  
22 **X. GENERAL GOVERNMENT**

23  
24 **Tab 7) Approval of Special Event Permit for Boxing Tournament**

25  
26 Mr. Neron reported that this is a request to hold a USA Association sanctioned boxing tournament  
27 on June 30, 2012 in Wooton Park. He said the estimate of the value of the various services  
28 offered by the city have also been provided to Council which totals \$4,510. He said this is based  
29 on the model template being developed for all events in the future.

30  
31 Mayor Wolfe asked Mr. Thompson if his staff would be involved and would that incur any  
32 overtime. Mr. Drury noted that the parks staff is moving the bleachers and barricades which  
33 would not be done during regular hours. Mr. Neron said that work is included in the list and will  
34 not involve overtime.

35  
36 **MOTION**

37  
38 **Kirby Smith moved to approve the Boxing Tournament Special Event, seconded by Norm**  
39 **Hope. The motion carried unanimously 5-0.**

40  
41 **Tab 8) Request for Special Event Permit for Fundraising Concert for City Recreation**  
42 **Program**

43  
44 Ms. Rogers stated this is a request from Paul Echevarria of R.E.Entertainment to hold a five band  
45 country music fundraising concern for the Babe Ruth Softball program on June 9, 2012. The  
46 concert will be held on the property owned by Rodger Kooser. Staff will only be involved with

1 providing barricades, portalets, and trash cans. The public safety plan has been reviewed by the  
2 police and fire departments.

3  
4 **MOTION**

5  
6 **Kirby Smith moved to approve the fundraising concert for the Babe Ruth baseball softball  
7 programs, seconded by Bob Grenier. The motion carried unanimously 5-0.**

8  
9 **Tab 9) Approval of Bid Award for Brick Paving of Coven and Lake Region Alleyways**

10  
11 Mr. Thompson said this is a request to award the bid and enter into a contract for the paving of  
12 these alleyways. Coven Alley is across from the employee parking lot and the Lake Region alley  
13 is adjacent to the new hotel being built. He said three bids were received on April 12 which  
14 ranged from \$46,900 for both alleys to \$56,100. He said the lowest bids are only separated by  
15 \$100.

16  
17 Mr. Thompson said Pillar Construction has been responsible for doing six of the seven alleyways  
18 to date with very positive results. He said in addition a request was made for a square foot price  
19 for any future projects. Pillar was at \$12.85 per square foot; Astor (the lowest bidder) stated a  
20 range from \$12.00 to \$13.75 per square foot.

21  
22 Mr. Thompson said staff recommendation is to award the bid to Pillar Construction Group at  
23 \$47,000.

24  
25 Mayor Wolfe asked Attorney Williams if the second lowest bidder could be chosen legally.

26  
27 Attorney Williams said the city has sufficient justification to choose Pillar particularly with such a  
28 small difference in the bid.

29  
30 Councilmember Smith questioned asking for the square foot price.

31  
32 Mr. Thompson said there was a discrepancy on the square footage from the contractors. He said  
33 the purchasing agent had recommended requesting the information for minor work that might not  
34 need to come to Council. Mr. Drury said that staff would come to Council to ask whether it wished  
35 to continue with the previous bid or re-bid.

36  
37 Discussion followed on the discrepancy on the square footage. Councilmember Pfister said in the  
38 future she would want to see the city's square foot measurements. Mr. Thompson said the figure  
39 should come from the design done by the surveyor. Mr. Drury agreed that staff should provide the  
40 city's square footage along with the contractor's estimation.

41  
42 **MOTION**

43  
44 **Norman Hope moved to award the bid to Pillar Construction Group, seconded by Kirby  
45 Smith, The motion carried unanimously 5-0.**

46  
47

1 **Tab 10) Appointment to Police Pension Board**

2  
3 Mayor Wolfe appointed Norb Thomas to the Police Pension Board.

4  
5 **MOTION**

6  
7 **Norman Hope moved to ratify the appointment of Norb Thomas to the Police Pension Board, seconded by Kirby Smith.**

8  
9  
10 Councilmember Hope thanked Mr. Thomas for accepting the appointment. He said he had enjoyed being on the board for the last five years and that Mr. Thomas will do an excellent job.

11  
12  
13 **The motion carried unanimously 5-0.**

14  
15 **Tab 11) Appointment to the Planning & Zoning Board**

16  
17 Mayor Wolfe appointed Richard Root to the Planning & Zoning Board.

18  
19 **MOTION**

20  
21 **Lori Pfister moved to ratify the appointment of Richard Root to the Planning & Zoning Board, seconded by Bob Grenier. The motion carried unanimously 5-0.**

22  
23  
24 **Tab 12) Request to Transfer Funds from General Fund Reserves to Public Works Maintenance Accounts**

25  
26  
27 Mr. Thomas said this is a request to transfer \$37,500 from General Fund Reserves to the four Public Works accounts that are currently underfunded. Mr. Thompson reviewed the emergency repairs that had resulted in the deficit.

28  
29  
30  
31 Mayor Wolfe asked if the funds were for future unforeseen issues. Mr. Thompson responded that some of it will be for bills that have been incurred. He confirmed that if not all the funds are needed they will be go back into reserves. Ms. Houghton confirmed.

32  
33  
34  
35 Councilmember Smith asked what would be the impact if some vehicles were put out of service. Discussion followed on police vehicles, the condition of the front end loader, and whether or not this could wait until the new budget.

36  
37  
38  
39 **MOTION**

40  
41 **Bob Grenier moved to approve the request to transfer funds of \$37,500 from General Fund Reserves to four line items in the Public Works Department for emergency repair items, seconded by Lori Pfister. The motion carried unanimously 5-0.**

42  
43  
44  
45 **Tab 13) Approval of Fiscal Year 2013 Budget Workshop and TRIM Calendar**

46

1 Ms. Houghton stated the proposed calendar covers the budget workshops and the TRIM calendar  
2 and includes the Fire Assessment schedule. She discussed the requirements for the budget  
3 calendar.

4  
5 Councilmember Smith said he will not be present for the August 1<sup>st</sup> meeting. Vice Mayor Grenier  
6 said he would not be able to attend meeting on July 25<sup>th</sup>. Mr. Drury noted there are multiple  
7 meetings and it is understood all councilmembers may not be able to be present at all meetings.  
8 The major meetings are the two September meetings when the budget is finalized. Ms. Houghton  
9 said the draft budget will be provided to Council on July 18<sup>th</sup>.

10  
11 **MOTION**

12  
13 **Lori Pfister moved to approve the fiscal year TRIM calendar, seconded by Bob Grenier.**  
14 **The motion carried unanimously 5-0.**

15  
16 **XI. OLD BUSINESS**

17  
18 **Tab 14) Appointment to Lake Community Action Agency**

19  
20 Mayor Wolfe appointed John Drury to represent the city.

21  
22 **MOTION**

23  
24 **Lori Pfister moved to ratify the Mayor's recommendation of John Drury to the Lake**  
25 **Community Action Agency, seconded by Kirby Smith. The motion carried unanimously 5-**  
26 **0.**

27  
28 **XII. NEW BUSINESS**

29  
30 **Tab 15) Designation of Management Team for the Fire Negotiation Team**

31  
32 Mr. Drury stated the management team for the collective bargaining process for the Fire Union  
33 has been Mayor Robert Wolfe, the City Administrator, and the Fire Chief. He said the city needs  
34 to enter into its annual collective bargaining process and will need Council's continued  
35 designation of those three persons unless Council wishes to make changes.

36  
37 **MOTION**

38  
39 **Lori Pfister moved to leave the management team as is, seconded by Kirby Smith. The**  
40 **motion carried unanimously 5-0.**

41  
42 **Tab 16) Proposal of Viewpoints Television Show with Terry Bradshaw**

43  
44 Ms. Ross stated the city was approached by the producers of Viewpoints who wish to do a  
45 segment on Tavares as part of their series on the "Best Places to Live, Work, and Play." She said  
46 this would be a five minute segment which would be placed in a variety of television markets  
47 around the country. The selected cities are charged a scheduling fee of \$24,800. If Tavares

1 chooses to participate the city receives a professionally produced video segment, all licensing  
2 rights to the video, and the production company will place it on the Discovery Channel and other  
3 regions. Ms. Ross said she would like to show a sample of one of the videos.

4  
5 Mr. Drury said this video features their city administrator but he envisioned that the Tavares video  
6 would feature business and government leaders. The video was presented.

7  
8 Ms. Ross noted the county would be requested to pay half the amount.

9  
10 Discussion followed on the value of economic development, the issue of the lake projects not  
11 being finished and whether it would date the video if done before the train depot and pavilion are  
12 finished.

13  
14 Councilmember Smith said an option would be to table the issue until it is determined if the  
15 company will be interested in returning in a year or two when the projects are complete. Vice  
16 Mayor Grenier said he would want to know if the county is interested in participating. Mr. Drury  
17 said that staff would not want to approach the County formally until knowing that Council wishes  
18 to participate.

19  
20 **MOTION**

21  
22 **Norm Hope moved to table this issue until the staff comes back with a time frame from the**  
23 **production company and to advise whether they will do the video later, seconded by Kirby**  
24 **Smith.**

25  
26 Councilmember Smith said he would like the firm to know that there are three major capital  
27 projects in the works that should be finalized in another year.

28  
29 **The motion carried unanimously 4-1 as follows:**

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

36  
37 **Tab 17) Update on the Four Laning of the Howey Bridge**

38  
39 Mr. Drury stated at the next Council Meeting the designers for the PD&E study will be present to  
40 give a full update on the project. There will also be a public meeting at the Adventure Church from  
41 5 pm to 7 pm on May 24<sup>th</sup>.

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

44  
45 Charlotte Hope, Fox Run

46

1 Ms. Hope requested that audience comment be heard during the meeting next time. She said  
2 there were several times when the audience wished to give feedback.

3  
4 Denise Laratta, Royal Harbor

5  
6 Ms, Laratta said although she knew it is not a requirement to allow the public to speak it has been  
7 the procedure and policy of this Council to allow the public to add comments on any of the items.  
8 She said she hoped Council would go back to this policy.

9  
10 **XIV. REPORTS**

11  
12 **City Administrator**

13  
14 Mr. Drury said he had no updates other than the list of upcoming meetings.

15  
16 **City Clerk**

17  
18 **Economic Development**

19  
20 Mr. Neron discussed the successful Seaplane Event and thanked Ms. Farrell for her work on the  
21 event. He noted the Jet Ski races would be this weekend at Wooton Park.

22  
23 Mr. Drury discussed the successful spectator sport element of this event.

24  
25 **Fire Department**

26  
27 **Public Works Department**

28  
29 **Community Services Department**

30  
31 Ms. Rogers reminded everyone of the art opening reception this Friday from 5:30 to 8:30 pm

32  
33 **Human Resources**

34  
35 **Tab 10) City Council**

36  
37 **Councilmember Pfister**

38  
39 **Councilmember Hope**

40  
41 Mr. Hope thanked Mr. Neron and Ms. Farrell for their work on the event. He said last Friday night  
42 he had attended the Lake County Historical Society awards. He said for the third year in a row  
43 Tavares won the Community of the Year Award. He said he had left the award in his car so did  
44 not have it available to present.

45  
46 **Vice Mayor Grenier**

1 Vice Mayor Grenier said the voting panel is comprised of 20 members from all over the county.  
2 He thanked Ms. Rogers for having the stage set up with Dave Patton and Perry Ragan for their  
3 work on the building. He thanked Chief Lubins for insuring the protection of the historical items.  
4

5 Vice Mayor Grenier stated that Betty Burleigh received the President's Award. This award is  
6 given to a person who is vital to the historical society. He said she received a standing ovation at  
7 the event.  
8

9 **Councilmember Smith**

10  
11 Councilmember Smith said the Seaplane Fly In was fantastic and he wanted to give credit to  
12 Lauren Farrell for her organizational skills.  
13

14 Councilmember Smith said the Michael Ray concert in conjunction with the jet ski races will be a  
15 good combination.  
16

17 Councilmember Smith said the Tavares High School Ladies Softball team won districts but lost  
18 during the regional game last night. He said Tavares men won districts and they are playing  
19 tonight at Tavares Fred Stover field. He said it is the first time they have won district in 21 years.  
20

21 **Mayor Wolfe**

22  
23 Mayor Wolfe added his appreciation for the successful Seaplane Fly In event and commended  
24 Lauren Farrell.  
25

26 **Adjournment**

27  
28 There was no further business and the meeting was adjourned at 5:20 p.m.  
29

30 Respectfully submitted,  
31  
32  
33  
34

35  
36 \_\_\_\_\_  
37 Nancy Barnett, CMC  
City Clerk