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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JUNE 20, 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
Richard Keith, Fire Department
Stoney Lubins, Police Department

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Carlos Colon, Fire Department Chaplain, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

MOTION

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

IV. APPROVAL OF MINUTES

1 **MOTION**

2
3 **Bob Grenier moved to approve the minutes of the City Council Meeting of June 6, 2012 as**
4 **submitted, seconded by Norm Hope. The motion carried unanimously 5-0.**
5

6 **V. PROCLAMATIONS/PRESENTATIONS**

7
8 **Tab 2) Presentation by T. Scott Walker, Mt. Dora Wine & Blues Event**
9

10 Mr. Walker stated he was one of the promoters for the Blues and Wine Festival held in the City
11 May 19 and 20. He said he had prepared a letter of appreciation for the Mayor and said he
12 wished to thank the city for its assistance on short notice when the promoters were looking for a
13 location for the Leon Russell concert. He commended the city's department heads and staff and
14 said he hoped to be able to work with the city again in the future.
15

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

17
18 Attorney Williams swore in those who wished to speak on Items 9 and 10 pertaining to the
19 Morgan and Morgan annexation and rezoning. He asked Council if they wished to disclose any ex
20 parte communications on this matter.
21

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

23
24 Ms. Barnett read the ordinances and resolutions by title only:
25
26

27 **ORDINANCE 2012- 11**

28
29 **AN ORDINANCE AMENDING ORDINANCE 2011- 15 OF THE CITY OF**
30 **TAVARES, FLORIDA PERTAINING TO THE EXTENSION OF THE WAIVER OF**
31 **IMPACT FEES; FURTHER EXTENDING THE WAIVER TO DECEMBER 31,**
32 **2012; AND PROVIDING FOR AN EFFECTIVE DATE.**
33

34 **ORDINANCE NO. 2012- 14**

35
36 **AN ORDINANCE AUTHORIZING THE IMPLEMENTATION OF A FIRE**
37 **ASSESSMENT; REPEALING ORDINANCE NO. 2009-19 AUTHORIZING THE**
38 **IMPLEMENTATION OF A FIRE ASSESSMENT USING THE UNIFORM**
39 **METHOD; PROVIDING DEFINITIONS FOR THE PROPOSED FIRE**
40 **ASSESSMENT; PROVIDING APPLICABILITY; PROVIDING FOR THE USE OF**
41 **AN ALTERNATIVE METHOD; PROVIDING FOR LEGISLATIVE**
42 **DETERMINATIONS OF SPECIAL BENEFIT; PROVIDING FOR ADOPTION OF**
43 **FIRE SERVICES ASSESSMENT RATE RESOLUTION; PROVIDING**
44 **COLLECTION METHOD AND LIENS; PROVIDING FOR CORRECTION OF**
45 **ERRORS AND OMISSIONS; AUTHORIZING EXEMPTIONS AND HARDSHIP**
46 **ASSISTANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE**
47 **DATE**

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ORDINANCE 2012-12

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

ORDINANCE 2012-13

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 1.41 ACRES OF LAND GENERALLY LOCATED ON THE NORTH SIDE OF US HWY 441 APPROXIMATELY 750 FEET EAST OF LAKE EUSTIS DRIVE; FROM LAKE COUNTY URBAN LOW TO CITY OF TAVARES COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION NO. 2012-08

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37
A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF TAVARES, FLORIDA TO ISSUE TAX-EXEMPT DEBT TO DESIGN, PERMIT AND CONSTRUCT IMPROVEMENTS TO THE CITY'S STORMWATER SYSTEM; EXPRESSING THE INTENT FOR PURPOSES OF COMPLIANCE WITH UNITED STATES TREASURY REGULATION SECTION 1.150-(2)(E) TO REIMBURSE WITH THE PROCEEDS OF SUCH TAX-EXEMPT FINANCING, EXPENDITURES MADE WITH RESPECT TO THE DESIGN, PERMITTING AND CONSTRUCTION OF SUCH IMPROVEMENTS; PROVIDING FOR THE ISSUANCE BY THE CITY OF NOTES, BONDS OR OTHER OBLIGATIONS IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$3,400,000 TO PAY THE COST OF SUCH PROJECTS; AND PROVIDING AN EFFECTIVE DATE.

RESOLUTION NO. 2012-09

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43
A RESOLUTION EXPRESSING THE INTENT OF THE CITY OF TAVARES, FLORIDA TO ISSUE TAX-EXEMPT DEBT TO ACQUIRE, CONSTRUCT AND EQUIP IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM; EXPRESSING THE INTENT FOR PURPOSES OF COMPLIANCE WITH UNITED STATES TREASURY REGULATION SECTION 1.150-(2)(e) TO REIMBURSE WITH THE PROCEEDS OF SUCH TAX-EXEMPT FINANCING, EXPENDITURES

1 by staff which indicate sidewalks on the west side of the road made of brick paver to city
2 specifications. He said normally sidewalks are not listed on a plat.

3
4 Councilmember Smith said the reason he had voted against the Consent Agenda was because
5 he thought this had been part of the Consent Agenda. He said he observed 18 lot lines but it is
6 established for nine duplexes. He asked why the lot lines were not re-established for the
7 duplexes. Mr. Skutt said there are 18 attached dwelling units on the plat so there will be 18 lots
8 that will be sold. Attorney Williams said under the Covenants and Restrictions that are already
9 recorded on this plat and under the concept that was proposed and approved, these were zero lot
10 line patio homes. He said these will be duplex structures but there will be separate fee simple
11 ownership of each side of the duplex and the middle lot line actually goes down a “party wall”
12 restriction which means the property line runs through the house.

13
14 Vice Mayor Grenier said he had approved Tab 3 to come off the Consent Agenda as he wanted a
15 “not approve” vote for the record on this item.

16
17 **MOTION**

18
19 **Kirby Smith moved to approve Tab 3, approval of the plat for the Weiss Planned Unit**
20 **Development, seconded by Norm Hope. The motion carried 3-2 as follows:**

21
22 **Robert Wolfe** Yes
23 **Kirby Smith** Yes
24 **Norman Hope** Yes
25 **Lori Pfister** No
26 **Bob Grenier** No

27
28 Attorney Williams commented that on a plat review Council votes just to confirm that the plat
29 meets the requirements of the Land Development Regulations and the technical issues of F.S.
30 Chapter 177. He said this is considered a ministerial approval.

31
32 **IX ORDINANCES/RESOLUTIONS**

33
34 **FIRST READING**

35
36 **Tab 7) Ordinance #2012-11 – Extension of Impact Fees Waiver for Six Months – Read for**
37 **First Reading Only**

38
39 **SECOND READING**

40
41 **Tab 8) Ordinance #2012-14 – Implementation & Methodology for Fire Assessment**

42
43 Ms. Houghton said this is considered an enabling ordinance that establishes the revenue source
44 for a fire assessment. She reviewed the property value decrease anticipated of 3.5% in the
45 coming fiscal year and impact on the city budget. She noted state shared revenues are not
46 expected to find significant increase in revenue collections.

1 Mr. Drury clarified that should Council elect to have a fire assessment through the normal
2 budgeting process one of the things needed is to establish the method of collection which is the
3 purpose of this ordinance. The method of collection would be the utility billing versus the ad
4 valorem process. Ms Houghton advised there is an ordinance on the books to use the uniform
5 method of collection of the property appraiser tax bill and this ordinance will change that to the
6 utility bill method of collection. She said the ordinance only establishes the framework, the
7 method of collection, and the authoritative ability to use this revenue source in the city's budget
8 projections. She said during the regular budget process Council will review the fire assessment
9 and the estimated revenue collections that are hoped to be generated at various percentage
10 levels. Staff will bring back a Request for Implementation Resolution with an assessment roll if it
11 is the Council's direction to do so that will provide an assessment per property for the fire benefit.

12
13 Councilmember Smith noted this ordinance does away with Ordinance #2009-19 for the property
14 tax method and implements a new method. This does not implement the fire assessment.

15
16 Ms. Houghton stated this is correct.

17
18 **MOTION**

19
20 **Bob Grenier moved to approve Ordinance #2012-14, seconded by Kirby Smith. The motion**
21 **carried unanimously 5-0.**

22
23 **Tab 9) Ordinance #2012-12 – Annexation & Rezoning of 1.41 Acres to General Commercial**
24 **– 14229 U.S. Hwy 441 – Morgan & Morgan**

25
26 Mr. Skutt provided the following report:

27
28 *The subject property is located on the north side of U.S. 441 approximately 750 feet east of Lake*
29 *Eustis Drive and west of Lake Junietta (existing Morgan & Morgan law office and adjacent vacant*
30 *parcel). The property is approximately 1.41 acres in size. The property consists of two parcels.*
31 *On the westerly parcel is situated the Morgan & Morgan law office. The easterly parcel abuts*
32 *Lake Junietta and is vacant. The City is concurrently processing a future land use map*
33 *amendment to re-designate the property from Lake County Urban Low to City of Tavares*
34 *Commercial on the Future Land Use Map 2020. The applicant is proposing to erect an LED*
35 *billboard sign on the vacant parcel.*

36
37 *The property is contiguous to the city. The applicant will be required to connect the existing law office*
38 *to the city's waste water system within six months of the effective date of annexation. A pressurized*
39 *sewer line runs in front of the building on Lake Eustis Drive. The City is sharing connection costs to*
40 *the property by providing an appropriately sized sewage pump. A site plan demonstrating*
41 *compliance with all city regulations including applicable state and federal environmental laws must*
42 *be approved prior to the issuance of any building permits for the billboard sign. The billboard*
43 *manufacturer has provided information that confirms that there will be no glancing light intrusion onto*
44 *adjoining properties. It is staff's opinion that a General Commercial (C-1) zoning is the most*
45 *compatible designation for this property.*

1 Mr. Skutt noted the impetus for this annexation/rezoning is to facilitate the construction of this
2 billboard which the county regulations would have prohibited. The Planning & Zoning Board
3 recommended unanimously to approve the annexation/rezoning. In a separate motion the P&Z
4 Board recommended that City Council direct staff to review the city's billboard regulations. He said
5 he would bring that recommendation to City Council at the next meeting. He said Clear Channel will
6 be pulling the permit very shortly if this ordinance is approved so any amendments to the billboard
7 regulations that may occur in the future, would not impact this billboard.
8

9 Councilmember Smith asked if there was not already an LED sign ordinance. Mr. Skutt said that was
10 correct.
11

12 The applicant, Brad Cooper, 731 Southwest 37th Avenue, Ocala, stood to speak. Councilmember
13 Smith asked how many times the advertisements would be changing on the billboard.
14

15 Mr. Cooper said there are FDOT restrictions, however, there are eight ads of eight seconds each or
16 64 seconds that will run through the entire cycle. He said they do not flash and unless a driver was
17 looking at the sign when it was actually changing, there would be no recognition that it had changed.
18

19 Vice Mayor Grenier asked if the hookup to utilities had to occur before the sign could be constructed.
20 Mr. Skutt said the owners have six months to hook up to city services; the applicant has a building
21 permit application ready to be picked up once the ordinance is approved.
22

23 Councilmember Hope asked about the proposed prices for renting the sign. Mr. Cooper said his
24 company would be willing to provide space to the city at affordable rates if the space was available.
25

26 Councilmember Pfister questioned the visibility of the ads. Mr. Cooper clarified how the LED system
27 works.
28

29 **MOTION**
30

31 **Kirby Smith moved to approve Ordinance #2012-12, seconded by Norm Hope. The motion**
32 **carried unanimously 5-0.**
33

34 **Tab 10) Ordinance #2012-13 – Small Scale future Land Use Amendment for Morgan & Morgan**
35 **Clear Channel property at 14229 U.S. Hwy 441**
36

37 Mr. Skutt said all the properties adjacent across the street have a commercial land use
38 designation so the commercial designation will be the most appropriate. The Planning & Zoning
39 Board recommended approval on April 19, 2012.
40

41 **MOTION**
42

43 **Bob Grenier moved to approve Ordinance #2012-13, seconded by Kirby Smith. The motion**
44 **carried unanimously 5-0.**
45

46 **Tab 11) Resolution #2012-08 – Reimbursement for Stormwater**
47

1 Ms. Houghton said the city has a downtown stormwater project. Originally USDA funds were to
2 be utilized but staff brought back an item wherein the project was split into two.

3
4 The project for the pond and the immediate downtown includes two grants that the city received—
5 one from the Florida Department of Environmental Protection or \$750,000 and one from the Lake
6 County Water Authority for \$250,000. The total project is \$3.4 million and the city will need to
7 issue debt to shore up the remainder of that project. There will be some expenditures that the city
8 may incur prior to getting the funding established. This resolution provides a mechanism with tax
9 exempt financing to allow the city to reimburse itself for anything spent prior to that time. The city
10 will go out to bid for the stormwater project and will bring that back to Council for approval before
11 any debt agreement is entered into for this project.

12
13 **MOTION**

14
15 **Norman Hope moved to approve Resolution #2012-08, seconded by Bob Grenier. The**
16 **motion carried unanimously 5-0.**

17
18 **Tab 12) Resolution #2012-09 – Reimbursement for the Meter Project**

19
20 Ms. Houghton said this resolution covers the same process for the meter project. This item was
21 previously brought to Council for approval of a complete retrofit of all outdated meters in the city
22 boundaries. The savings for the annual cost for the meter replacements will be used to fund the
23 debt service. Staff is in the process of issuing an RFP or the debt service for the two million that
24 will be required to replace the meters. This is in order to start the project and have it completed
25 on time. The RFP results will be brought back to Council for approval.

26
27 **MOTION**

28
29 **Bob Grenier moved to approve Resolution #2012-09, seconded by Norm Hope. The motion**
30 **carried unanimously 5-0.**

31
32 **X. GENERAL GOVERNMENT**

33
34 **Tab 13) At Large Seat Referendum**

35
36 Mayor Wolfe stated he felt this issue had been discussed previously and he wished to have
37 another discussion on the topic. He said this has to do with how the councilmembers are elected.
38 The charter calls for the top vote getters to be elected. He said under the current system
39 challenging candidates are not running for a specific seat or incumbent, therefore they are
40 running against all the candidates. He said most of the surrounding cities, other counties, and the
41 federal election system in general, utilizes the system of having candidates run for a specific seat.
42 He proposed that the system be changed to an at large council seat system (not districts) that
43 would not limit the candidates to living in a specific location and would create seats one through
44 five.

45
46 Mr. Drury noted Council would be authorizing the voters to make this decision.
47

1 Vice Mayor Grenier said he agreed with having the voters make the decision. He asked to see
2 the referendum prior to its approval.

3
4 Mr. Drury stated that the City Attorney will develop an ordinance. Attorney Williams clarified that
5 Council has to adopt an ordinance to amend the charter which will take two readings.

6
7 Councilmember Hope asked what had changed when it was turned down before by a prior
8 council. Mr. Drury said he believed the prior council did not want to put it before the voters. Mayor
9 Wolfe said he remembered there had been discussion about not having too many referendums
10 on the ballot.

11
12 Councilmember Pfister said the previous discussion had been around having districts. She said
13 she would support the referendum and clarified that it would go into effect in 2013.

14
15 Attorney Williams said the charter states that the charter stipulates that if the person is appointed
16 mid-term that the councilmember has to stand for election at the next General Election.

17
18 Vice Mayor Grenier expressed concern about what would happen if no one ran against the four
19 councilmembers. Ms. Barnett stated that had happened previously and at that time Council had
20 to approve a resolution to determine how to resolve the issue for the one year term.

21
22 Mayor Wolfe said he thought the charter referendum would be a step forward. Councilmember
23 Smith expressed support as long as it is “at large” seats.

24
25 Mayor Wolfe asked for audience comment.

26
27 Denise Laratta, Royal Harbor

28
29 Ms. Laratta said she did not support the proposed referendum. She expressed concern about the
30 possibility of two people running unopposed receiving fewer votes than either one of the two
31 people opposing each other. She said she preferred the current system.

32
33 Vice Mayor Grenier said his concern was that there could be voters who might prefer two people
34 and then would have to make a choice. Mayor Wolfe noted there are a lot of over and under
35 voters according to the Supervisor of Elections.

36
37 Betty Burleigh, 214 N. New Hampshire Avenue

38
39 Ms. Burleigh said she agreed with Ms. Laratta. She said she prefers the current system.

40
41 Councilmember Smith asked if a candidate could run for all three seats. Attorney Williams said
42 the person would have to pick one seat.

43
44 Charlotte Hope – Fox Run

45
46 Ms. Hope said she believes this could pit the residents against individual councilmembers and
47 she preferred the current system.

1
2 Mayor Wolfe noted three people have spoken and there are 7500 voters in the city. He said this
3 was just a request to allow the residents to make the decision.
4

5 Denise Laratta
6

7 Ms. Laratta asked about the estimated costs. Mr. Drury said it is approximately \$1800 to get it on
8 the ballot and if the city does some educational activities there would be another \$1000
9 approximately. He said if Council approves this issue, staff will bring back more specific
10 information along with the ordinance.
11

12 Councilmember Hope said he had no objection to changing the system and he agreed that the
13 voters should make the decision.
14

15 **MOTION**
16

17 **Norman Hope moved to direct staff to go forward with the referendum for the voters**
18 **concerning the potential change and bring back a referendum ordinance for council**
19 **approval, seconded by Kirby Smith. The motion carried 5-0.**
20

21 **Tab 14) Request by Disabled Veterans Association to do Fundraising on City Roads**
22

23 Chief Lubins stated the city does not have an ordinance that permits the collection of cash for
24 fundraising at its intersections and has not permitted this activity other than allowing the Fire
25 Union to conduct this activity for Muscular Dystrophy once a year. By state statutes cities may
26 allow his activity if an ordinance is in place.
27

28 Chief Lubins said if Council approves this policy an ordinance will be prepared stipulating that the
29 organization must provide a safety plan, a time frame, number of participants, and other pertinent
30 information. The ordinance would also address the permit process and how the not for profits
31 would be selected.
32

33 Chief Lubins stated that the staff recommendation was to not allow cash collections by
34 fundraising organizations on city streets or state roads within the city limits.
35

36 Chief Lubins noted a representative from the Disabled Veterans Association was present to
37 speak.
38

39 David Bailey, Director of the Disabled Veterans Foundation
40

41 Mr. Bailey stated that the state statutes stipulate that when the Fire Department is collecting cash
42 they are the same as the Disabled Veterans; a nonprofit organization representing Muscular
43 Dystrophy. He discussed the work of the Disabled Veterans Foundation and the services they
44 provide to veterans, particularly to veterans with less than 20 years in the service. He said they
45 are not asking to stop the MDA from collecting funds.
46

1 Mayor Wolfe discussed the actions taken recently and the prior contacts made with the Police
2 Department. Chief Lubins noted contact had been made by the DVA in 2010, however the
3 information given by the city at that time was incorrect; then DVA attempted to set up at the
4 intersections twice in 2012 and were asked to leave each time pending a decision by Council
5 whether or not to allow this. Mr. Bailey apologized to the Chief and the Council. He said the DVA
6 does not come to a community where they are not welcome and would want any agreements to
7 be in writing.

8
9 Councilmember Hope discussed his family's experience with services for the veterans. He
10 questioned Mr. Bailey on the DVA program procedures.

11
12 Councilmember Pfister said she appreciates the work done by the DVA which she has supported,
13 however, her issue is not with the organization or its programs—she said she does not like to
14 have people in intersections (including the Fire Department) collecting on the roads. She
15 suggested the DVA set up in other locations.

16
17 Mr. Drury noted that staff does not have an issue on the merits of the organization; the only issue
18 is safety.

19
20 Vice Mayor Grenier discussed his agreement with the safety issue and driver distraction.

21
22 Councilmember Hope noted his concern about the city vetting the legitimacy of organizations in
23 addition to the safety issue.

24
25 Mayor Wolfe invited public comment.

26
27 Charlotte Hope, Fox Run

28
29 Ms. Hope said the Disabled Veterans is not associated with the Veterans Affairs. She said the
30 vetting process is very important for the residents in addition to the safety issue.

31
32 Denise Laratta, Royal Harbor

33
34 Ms. Laratta said she agreed with the safety issue as the primary reason although she supports
35 the disabled veterans as well as other needy organizations. She said she felt it would be difficult
36 for the city to select the organization. She supported the city not allowing this activity.

37
38 Councilmember Smith said he agreed with the comments made by Council.

39
40 **MOTION**

41
42 **Kirby Smith moved to not allow any organization to organize on a state road, a county
43 road, or a city road within the city limits of Tavares, seconded by Norm Hope. The motion
44 carried unanimously 5-0.**

45
46 **Tab 15) Agreement with Whittaker for Agricultural Water Rate**

47

1 Ms. Houghton said she had met with Mr. Whittaker and Mr. Hayes and the attached agreement
2 was negotiated which is the same format previously approved by Council. The agreement calls
3 for 14 million gallons with the ability to interrupt the service if needed. No more than 10% of the
4 capacity of the city will be at a reduced rate. She noted information from ConserveTwo had been
5 provided for comparison. They charge 19 cents per 1000 gallons of reclaimed water. This
6 agreement with Mr. Whittaker is for 30 cents per 1000 gallons. This rate recovers the city's
7 disposal costs and the city will also charge Mr. Whittaker 50% of the meter costs.
8

9 Councilmember Smith asked the cost for residential. Ms. Houghton said she believed it was a
10 little over \$1.00 a gallon. Mr. Drury noted the leadership in providing reduced rate for agricultural
11 is out of Orange County. He said the city's rate is double and the reason is due to the city's cost
12 to deliver the service. Attorney Williams reviewed the ordinance and stated it is \$1.03 for Block
13 One Usage Rate per 1000 gallons.
14

15 Mr. Drury noted it is a three year agreement and Council can review this again at that time.
16

17 Councilmember Smith asked Mr. Thompson if the city has enough water. Mr. Drury answered in
18 the affirmative and reiterated that the agricultural water is limited to 10%.
19

20 Mayor Wolfe asked about the meter connection charge. Ms. Houghton said it will be between
21 \$3,000 and \$4,000 and Mr. Whittaker will be charged 50% of that cost. Mayor Wolfe questioned
22 why only 50%. Ms. Houghton said that was the negotiated price.
23

24 Mr. Whittaker said he felt it was a fair agreement.
25

26 Mayor Wolfe invited public comment.
27

28 Denise Laratta, Royal Harbor
29

30 Ms. Laratta asked if the rate captured the cost of the building of the facility and the debt on the
31 facility. Mr. Drury said it does not. Ms. Laratta noted the homeowners will pay \$1.03 and 100% of
32 the meter costs and a connection cost—she said she did not think this was a good deal for the
33 homeowners because the cost of the building was being placed on the homeowners.
34

35 Mr. Drury noted it is not the same quantity as the homeowners. He said the city is trying to get
36 reclaimed water out into the community and this should get the program going and it can be
37 revisited in three years. Ms. Laratta suggested reducing the rates to the homeowners.
38

39 **MOTION**
40

41 **Bob Grenier moved to approve the negotiated price agreement with May & Whittaker, a**
42 **Florida Family Partnership at a rate of \$.30 per 1000 gallons of reclaim water on an**
43 **interruptible service basis, seconded by Kirby Smith. The motion carried unanimously 5-0.**
44

45 **Tab 16) ISO Building Evaluation Report**
46

1 Mr. Skutt said the city received the ISO report in May 2012. He said the report scores the quality
2 of building code enforcement within the municipality and is used by the insurance industry to
3 establish property insurance rates. Municipalities with well enforced up to date codes
4 demonstrate better loss experience which is reflected with lower rates for its citizens. Tavares has
5 received a final classification of 4 for residential, commercial and industrial properties. This score
6 is an upgrade from that established last year after ISO's initial review of the department. ISO
7 allowed the city to implement an improvement program which was done. He noted Tavares had
8 exceeded the state average. He said no action was required by Council.
9

10 Councilmember Smith thanked the Fire Department for its due diligence and for the Community
11 Development Team for keeping the rates as low as possible. Mayor Wolfe added this
12 appreciation.
13

14 **Tab 17) O'Keefe-Ruby Street Partial Sidewalk**
15

16 Mayor Wolfe declared a conflict of interest in this case as he does contracting work for the
17 applicant. He passed the gavel to Vice Mayor Grenier.
18

19 Mr. Thompson presented the agenda item:
20

21 *As Ruby Street becomes one of the primary pedestrian friendly corridors of the entertainment*
22 *district, the placement of sidewalks along the north side of the street has been a master planning*
23 *goal. As projects move forward on the north side of Ruby Street, sidewalks have been inserted.*
24 *At some point in time in the future, all of the sidewalks will be inserted and connected resulting in*
25 *one long sidewalk along the north side of Ruby Street.*
26

27 *The owner of O'Keefe's restaurant has requested that the city eliminate the parking spots in front*
28 *of his restaurant along Ruby Street. He believes that it will improve pedestrian flow and eliminate*
29 *the current situation where cars that pull in to those spots shine their headlights onto people*
30 *dining on the front porch creating an unpleasant dining experience. Staff has reviewed the*
31 *situation and believes that it will improve pedestrian flow, is consistent with the master plan and*
32 *provides better access to the new KIOSK location previously budgeted for and approved by*
33 *Council (see attached sketch).*
34

35 *Staff has obtained a cost estimate from Pillar Construction who was previously selected by*
36 *Council to construct the down town Alleyways as they will be mobilizing this month to construct*
37 *those alleyways. The cost Pillar provided for this additional sidewalk work is \$4,050. Staff has*
38 *also negotiated a draft agreement with O'Keefe's wherein they would donate paver blocks and*
39 *installation for the median by this new sidewalk to match the current paver block patio. Currently,*
40 *a restaurant owner can obtain a permit for outdoor seating under certain conditions. It is*
41 *anticipated that in the future, O'Keefe's may want to provide outdoor seating in that area from*
42 *time to time as the activity along Ruby Street grows consistent with the City's outdoor seating*
43 *permit ordinance. .*
44

45 Mr. Drury said he has an update. He said the survey indicates that the area where Mr. O'Keefe
46 plans to put the paver block will be on his property so it will not be a donation to the city.
47

1 Councilmember Smith asked if a kiosk could be placed at the corner of Rockingham and Ruby
2 Mr. Thompson said that it is the plan.

3
4 Councilmember Hope said he wanted to ensure when Ruby Street is torn up for the new lines
5 that the sidewalk will not have to be torn up again. Mr. Thompson said he had not seen the plans
6 but every effort will be made not to do this. Councilmember Hope asked if the city had received
7 any other bids. Mr. Thompson said no but that Pillar was mobilized nearby and has been
8 competitive in the past bids.

9
10 Councilmember Hope asked Attorney Williams if there was any issue by not getting bids. Mr.
11 Williams answered it is not a legal issue for the city.

12
13 Vice Mayor Grenier asked about flooding. Mr. Thompson said paver blocks will help with that
14 situation.

15
16 Vice Mayor Grenier asked for public comment.

17
18 **MOTION**

19
20 **Lori Pfister moved to authorize staff to enter into a contract with Pillar construction in the**
21 **amount of \$4,050 to convert the parking area in front of O’Keefe’s to a sidewalk t the new**
22 **kiosk utilizing funds from the previously budgeted kiosk installation program, seconded**
23 **by Kirby Smith. The motion carried unanimously 4-0 with Mayor Wolfe abstaining.**

24
25 Vice Mayor Grenier passed the gavel back to Mayor Wolfe.

26
27 **Tab 18) Authorization for the Mayor to Attend the Sister Cities International 2012 Annual**
28 **Conference in Jacksonville, Florida**

29
30 Mr. Drury discussed the Sister City program and noted the annual conference happens to be in
31 Florida this year. The cost is \$600 plus the hotel and it is a two and a half day conference. It will
32 involve networking and educational opportunities to bring back to the city.

33
34 Councilmember Smith spoke in support of the mayor attending the conference. Councilmember
35 Hope said he had no problem with the mayor attending the conference, however, he said he
36 would have preferred the city to have a sister city closer than Taiwan. He asked the mayor to
37 consider whether the city can have two sister cities or one closer. He said he understood the
38 Dragonboat connection. Mayor Wolfe responded that there is no limit to the amount of sister cities
39 with which the city can be associated.

40
41 Mayor Wolfe invited public comment.

42
43 **MOTION**

44
45 **Lori Pfister moved to authorize the Mayor to attend the conference, seconded by Norm**
46 **Hope. The motion carried unanimously 5-0.**

47

1 **XVI. OLD BUSINESS**

2
3 **XVII. NEW BUSINESS**

4
5 **XVIII. AUDIENCE TO BE HEARD**

6
7 Ms. Burleigh said her seat on the Library Board expires June 30th and she did not choose to be
8 reappointed. She thanked the Mayor and Council for the opportunity to have served the last five
9 years.

10
11 Ms. Burleigh said in May another Charter Member of the Historical Society had passed away—
12 Mary Jo Brown Williams. She said Ms. Williams was very involved with the city and service
13 organizations from the time she moved to Tavares in 1970. She said she had been the chairman
14 of the Bicentennial and her husband Obie Brown served two terms on the City Council and he
15 died in 1984.

16
17 Mayor Wolfe thanked Ms. Burleigh for her service on the Library Board.

18
19 **XIV. REPORTS**

20
21 **City Administrator**

22
23 Mr. Drury noted that at the next meeting on July 18 Council will have its first budget workshop in
24 addition to the regular council meeting. The following budget workshop will be on July 25th when
25 Council will set the tentative maximum millage rate and the tentative maximum fire assessment
26 which will be discussed over the next two months. He noted he had listed upcoming meetings.

27
28 Mr. Drury recognized his daughter Jessica Lynn Drury in the audience and stated she is a recent
29 graduate of Stetson University and has been accepted to law school in Jacksonville.

30
31 **City Clerk**

32
33 Ms. Barnett stated she will bring the Election Proclamation to the next Council meeting. She
34 noted there is no Code enforcement meeting in July.

35
36 **City Attorney**

37
38 Attorney Williams said the city will be closing on the Wooton Park property this week.

39
40 **Finance Department**

41
42 Ms. Houghton said the budget will be delivered to Council Saturday, July 14th.

43
44 **Economic Development**

45
46 **Public Communications**

47

1 **Fire Department**

2 Chief Keith thanked Council for its decision on the fundraising. He said he was in agreement with
3 prohibiting the activity even though he had participated for many years as a firefighter for the
4 MDA fundraising. He said he had spoken with the Union president and the MDA coordinator who
5 were also in agreement.

6
7 **Public Works Department**

8
9 **Community Services Department**

10 Ms. Rogers reminded everyone of the Juneteenth celebration this coming Saturday at Ingraham
11 Park from 1 to 5 pm.

12
13 **Human Resources**

14
15 **Community Development**

16
17 **Tab 10) City Council**

18
19 **Councilmember Pfister**

20
21 **Councilmember Hope**

22 Councilmember Hope said it has been a pleasure to tour the different departments and learn
23 about each department. He commented that the employees have a positive attitude about their
24 work for the city.

25
26 **Vice Mayor Grenier**

27 Vice Mayor Grenier encourage Council to attend the Juneteenth event.

28
29 He noted that the War of 1812 began on June 18 - 200 years ago.

30
31 **Councilmember Smith**

32 Councilmember Smith commended the theme of “Fire and Ice” for the July 4th event. He also
33 recognized the actions of an employee [Gene LaJenue] who took the time to assist a resident
34 with a question on the cemetery lot after hours on his own time.

35
36 **Mayor Wolfe**

37 Mayor Wolfe encouraged everyone present to attend the July 4th Wooton Park event.

38
39 **Adjournment**

40
41 There was no further business and the meeting was adjourned at 5:46 p.m.

42
43 Respectfully submitted,

44
45
46
47 _____
Nancy Barnett, CMC, City Clerk