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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
SEPTEMBER 5, 2012
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

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

STAFF PRESENT

John Drury, City Administrator
Robert Q. Williams, City Attorney
Susie Novack, Deputy City Clerk
Brad Hayes, Utility Director
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Bill Neron, Economic Development 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

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

III. APPROVAL OF AGENDA

Mr. Drury said he wished to move Tab 4) Approval of Amendment 2 to the State Revolving Loan Fund from Presentation category to the Consent Agenda.

MOTION

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

IV. APPROVAL OF MINUTES

1
2 **MOTION**

3
4 **Kirby Smith moved to approve the minutes of the City Council meeting of August 15, 2012,**
5 **seconded by Norman Hope. The motion carried unanimously 5-0.**

6
7 **V. PROCLAMATIONS/PRESENTATIONS**

8
9 **Tab 2) Recognition of Ryan Veraghan, owner of RCar for Loan of Van for Summer Camp**

10
11 Ms. Rogers presented Mt. Veraghan of RCar and discussed his donation of the use of his van for
12 the summer camp program. She expressed appreciation for his assistance. The Mayor
13 expressed appreciation to Mr. Veraghan on behalf of City Council.

14
15 **Tab 3) Recognition to Councilmember Hope for Attendance at the Institute for Elected**
16 **Officials**

17
18 Mayor Wolfe presented a certificate of completion from the Institute of Elected Officials for his
19 participation in a recent elected official training program.

20
21 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

22
23 Attorney Williams said there are quasi-judicial matters on the agenda however no testimony
24 would be taken until second reading at the following meeting.

25
26 **VII. CONSENT AGENDA**

27
28 Mayor Wolfe asked if anyone in the audience objected to Tab 4 under the Consent Agenda,

29
30 **MOTION**

31
32 **Norm Hope moved to approve the Consent Agenda [Amendment No. 2 for the State**
33 **Revolving Loan WW350910 for Reclaimed Water Facility Construction Phase 1, Changing**
34 **the Repayment Date], seconded by Bob Grenier. The motion carried unanimously 5-0.**

35
36 **VIII. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

37
38 Ms. Barnett read the ordinances by title only:

39
40 **ORDINANCE 2012-24**

41
42 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**
43 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,**
44 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON A**
45 **COMBINED TOTAL OF APPROXIMATELY 1 ACRE OF PROPERTY**
46 **GENERALLY LOCATED ON THE NORTH SIDE OF WEST RUBY STREET**
47 **BETWEEN SOUTH LAKE AND SOUTH BLOXHAM AVENUES; FROM LOW**

1 Mayor Wolfe stated James Gardner had submitted his letter of resignation from the Planning &
2 Zoning Board. He said two applications to fill the remainder of his term had been received and
3 that he would be recommending Morris Osborne for the position.
4

5 **MOTION**
6

7 **Bob Grenier moved to approve the appointment of Morris Osborne to the Planning &
8 Zoning Board, seconded by Kirby Smith. The motion carried unanimously 5-0.**
9

10 **Tab 11) Agreement with Florida Department of Emergency Management for Federal Grant
11 for Design of Public Safety Complex**
12

13 Chief Keith presented an overview of the public safety complex project noting that Tab 11 and
14 Tab 12 were interrelated but would require separate votes. He stated that in 2010 the city was
15 successful in obtaining a \$500,000 grant through the office of Congressman Grayson. The grant
16 monies could not be rewarded until the city owned the property and a number of requirements
17 met. Staff is now recommending that Council move to accept the grant award which will be used
18 for design and engineering of the public safety complex. He stated the grant is 75% federal and
19 25% local grant. He said the city's purchase of the Gateway property more than meets the 25%
20 match required of the city.
21

22 Mayor Wolfe asked for comment from the audience.
23

24 Councilmember Smith asked if any monies left over after design could come back into the city
25 and could it go back into reserves. Chief Keith said the left over monies will be available to the
26 City. He noted Phase 1 is just the beginning for design and engineering. Mr. Drury responded
27 staff will need to ask the granting agency if prior dollars spent prior to grant acceptance are
28 eligible to be put back into reserves. He noted that Phase 1 includes several tasks plus acquiring
29 the rest of the grant money to construct the building. Phase 2 will be final design and construction
30 supervision. There will be therefore two options for the excess dollars— expenditures on Phase 2
31 or possibly reimburse the reserves.
32

33 Vice Mayor Grenier asked about the deadline for expending the grant monies. Mr. Drury said the
34 general rule is that the grant is good for about a year unless the city asks for an extension.
35

36 Councilmember Pfister asked if the opportunity does not exist for a Golden Triangle Fire District.
37 She said she is concerned about duplicity of services, referring to the County's EOC building that
38 will be constructed within a block of this complex.
39

40 Mr. Drury said that the Golden Triangle Fire District continues to move forward. He said the three
41 cities have effectively agreed to move forward. The three cities have approached the County to
42 have the enclaves within the cities included in the district so that 50% of the revenues go to this
43 district. He said at the Golden Triangle Summit in October the city should have an answer as to
44 whether or not the County will participate in this effort. The building will include police and fire
45 services with a small portion being the city's emergency operations center. The city's EOC is
46 there because the grant came from that state agency so it is expected that a portion of the
47 building will contain a small EOC for times when only the city may need to activate its EOC.

1 Chief Keith said he still remains in support of the District. He said it would not mean the city does
2 not need a new fire station and new police station. He commented on the conditions of Fire
3 Station #1 and the Police Department at City Hall. He said the County's EOC is being funded
4 from the same FEMA grant monies. He discussed the differences between the County EOC and
5 the city's EOC.

6
7 Councilmember Pfister reiterated that she was against duplicity of governmental operations and
8 believed that governments should share their resources.

9
10 Councilmember Hope said he did not believe this project will be redundant. He explained how the
11 emergency operations of the FBI work and how local operations centers are required as part of
12 that system. He said the buildings will assist both departments in being more efficient and even
13 with the creation of the Golden Triangle District, another fire station will be needed.

14
15 **MOTION**

16
17 **Norm Hope moved to approve the acceptance of the \$500,000 [FEMA] grant, seconded by**
18 **Bob Grenier. The motion carried unanimously 5-0.**

19
20 **Tab 12) Request to Approve the Contract with GatorSkitch Architects for Design and**
21 **Engineering of the Proposed Public Safety Facility**

22
23 Chief Keith discussed the action that had been previously taken to award the agreement for
24 architectural services to GatorSkitch noting that the contract could not be executed until the grant
25 monies were received by the City, and that staff recommended approval of the contract at this
26 time. He commented that he had one correction. On the agenda summary sheet on page 4 under
27 Option #1 the price should be corrected to read "\$231,522.00" and the staff recommendation
28 should also reflect this correction. He said the contract itself is correct.

29
30 Chief Keith discussed the format of the contract noting that Exhibit C details the basics of the
31 contract. He noted that on page 3 of the proposal for professional services it states on the top
32 "Phase 1" and that on page 6 it refers to "Phase II." All of the deliverables being provided for the
33 \$231,522.00 is under Phase 1. He said the deliverables will provide a story board and cost
34 estimates to submit to potential granting agencies.

35
36 Mr. Drury said the various design segments will be presented to Council for approval.

37
38 **MOTION**

39
40 **Norm Hope moved to approve the contract with GatorSkitch, seconded by Bob Grenier.**

41
42 Councilmember Smith said he wanted to make sure Council received the information on the
43 leftover monies from the grant and the options.

44
45 **The motion carried unanimously 5-0.**

46
47 **Tab 13) Revised Contract with Barratt Scanes LLC for Boat Tours**

1
2 Mr. Neron said Barratt Scanes was the successor agency to Premier Boat Tours, the first boat
3 tour operator and Council approved a contract with Barratt Scanes one year ago. The negotiated
4 agreement at that time was \$200 per month and a price for fuel 5% above the city's purchase
5 price. The company has approached the city about a revised contract that would mirror their
6 contract with Lakeside Inn in Mt. Dora where they will pay the city \$10.00 per trip per month. Staff
7 believes this is a reasonable request and a contract reflecting this change has been provided to
8 Council.
9

10 Mayor Wolfe asked how this would be monitored. Mr. Drury noted the Prop Shop staff is available
11 7 days a week, 10 hours per day and should be able to monitor the activity.
12

13 Councilmember Smith asked if this contract would mean exclusivity to this boat tour operator.
14

15 Mr. Neron said the intention is to try to limit the service to one contractor. Attorney Williams said
16 there is no exclusive language in this contract.
17

18 **MOTION**

19
20 **Kirby Smith moved to approve the boat tour \$10.00 a trip per month and ensure the**
21 **contract does not provide exclusivity, seconded by Lori Pfister. The motion carried**
22 **unanimously 5-0.**
23

24 **XI. OLD BUSINESS**

25 26 **XII. NEW BUSINESS**

27 28 **XIII. AUDIENCE TO BE HEARD**

29
30 Betty Burleigh, 214 N. New Hampshire Ave.
31

32 Ms. Burleigh noted another pioneer member of the Tavares Historical Society had passed away:
33 David Haskins Treadway. She said he was a life member of the Society and had been a teacher
34 and principal in the Lake County School System and was a veteran of the army and was very
35 involved in the Union Congregational Church. She said he will be missed by many of the people
36 who knew him.
37

38 Vice Mayor Grenier said Mr. Treadway was a very special person. He noted that the Howey
39 Bridge was to have been dedicated in name to Mr. Treadway's father, but he was a modest
40 person and did not want that. He thanked Ms. Burleigh for her report.
41

42 Halie Weber
43

44 Ms. Weber reported that she had gone before the Board of County Commissioners recently
45 regarding a proposal to reduce the number of animals going into the Animal Shelter and the
46 number of animals having to be euthanized. She discussed her suggestion of having a low cost
47 or no cost spaying and neutering program. She requested a letter of support from the City.

1
2 Councilmember Pfister spoke in support of Ms. Weber and commended her for her actions.
3 Discussion followed with Council agreement.

4
5 Mr. Drury said that Council could approve having the mayor develop a letter of support but that if
6 there was a specific letter they wished Council to approve, that would need to come back to them
7 at the next meeting

8
9 **MOTION**

10
11 **Lori Pfister moved to craft a letter in support of a low cost or no cost, spay and neuter**
12 **program, seconded by Bob Grenier. The motion carried unanimously 5-0.**

13
14 **XIV. REPORTS**

15
16 **Tab 14) City Administrator**

17
18 Mr. Drury reminded everyone of the Tavares Pavilion on the Lake groundbreaking ceremony to
19 be held tomorrow.

20
21 **City Clerk**

22
23 **Human Resources**

24
25 **Economic Development**

26
27 Mr. Neron reported that the Dora Canal Bridge replacement project has been completed. In
28 addition he stated the railroad will be paying for the fencing along the railroad tracks on Ruby
29 Street and the work will be commencing this weekend.

30
31 **Public Communications**

32
33 Ms. Ross said the charter referendum materials will be going out in the newsletter this month and
34 mailings will begin for absentee ballot holders.

35
36 **Public Works Department**

37
38 **Utility Department**

39
40 **Police Department**

41
42 **Fire Department**

43
44 **Community Services Department**

45
46 **Finance Department**

47

1 **City Attorney**

2
3 **Tab 26) City Council**

4
5 **Councilmember Pfister**

6
7 **Councilmember Hope**

8
9 Councilmember Hope commended Ms. Ross for her clear communications on the referendum to
10 the public noting it is does not show Council taking a position on this issue.

11
12 **Vice Mayor Grenier**

13
14 Commented on Mr. Treadway's passing noting he will be missed.

15
16 **Councilmember Smith**

17
18 Noted he had toured the new canal bridge and he wished to suggest that some type of protective
19 device on the cross I-beams should be added. He said he did not run into any debris on the canal
20 so a thorough removal job had been done.

21
22 **Mayor Wolfe**

23
24 Mayor Wolfe adjourned the regular meeting at 4:56 p.m.

25
26 **Adjournment and Reconvening to Budget Hearing for Fiscal Year 2012-2013**

27
28 Mayor Wolfe reconvened the meeting for the Public Hearing on the millage and budget at 5:03
29 p.m.

30
31 **Tab 5) Resolution #2012-11 – Tentative Millage Rate for Fiscal Year 2013**

32
33 Mr. Drury stated that Ms. Barnett will read the resolutions into the record.

34
35 Ms. Barnett read Resolution #2012-11 in its entirety:

36
37 **RESOLUTION 2012- 11**

38
39 **A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 5.985**
40 **FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM**
41 **TAXES FOR FISCAL YEAR 2012-2013; SETTING FORTH THE**
42 **PERCENT BY WHICH THE MILLAGE RATE IS LESS THAN THE**
43 **"ROLLED-BACK" RATE.**

44
45 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**

46
47 **WHEREAS, the City of Tavares of Lake County, Florida on September 5, 2012, adopted**

1 the 2012-2013 Fiscal Year Tentative Millage Rate following a public hearing as required by
2 Florida Statute 200.065.

3
4 **WHEREAS**, the City of Tavares of Lake County, Florida, following due public notice as
5 required by law, held a second public hearing on September 19, 2012, as required by Florida
6 Statute 200.065 on the 2012-2013 Millage Rate; and

7
8 **WHEREAS**, the gross taxable value for operating purposes not exempt from taxation
9 within Lake County has been certified by the County Property Appraiser to the City of Tavares as
10 \$589,146,165.

11
12 **NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County, Florida,
13 that:

- 14
15 1. The City of Tavares Fiscal Year 2012-2013 operating millage rate to be levied is
16 hereby set at 5.985 mills, which millage rate is less than the rolled back rate of
17 7.3694 by 18.785%.
18
19 2. The voted debt service millage is .4612.
20
21 3. This Resolution will take effect immediately upon its adoption.
22

23 **PASSED AND RESOLVED** this 19st day of September 2012, by the City Council of the
24 City of Tavares, Florida.

25
26 Mr. Drury asked Ms. Houghton to summarize the budget. He said Council has set a maximum
27 tentative millage rate as if there was no fire assessment at a higher rate to enable Council to go
28 through the budget process. Staff is recommending a lowering of the millage rate (below any
29 other city in Lake County) along with the fire assessment. He reviewed the actions taken over the
30 past few months to bring the budget to its current form in order to maintain a similar level of
31 service. He noted Council has grown its city methodically while downsizing its government.
32

33 Ms. Houghton noted she had provided an agenda summary which lists several items that support
34 the millage rate as follows:

35
36 The Tentative Millage Rate for the General Fund is proposed at 5.985 mills which is a 13.13%
37 decrease over the Current FY 2012 Millage rate of 6.89 mills. The Tentative Millage Rate for
38 Voted Debt Service is .4612 mills. The Tentative Millage is based on the following assumptions
39 and details:

- 40
41 • Ad valorem millage rate of 5.895 mills is 18.785% less than the rollback rate of 7.3694
42 mills and 13.13% less than the current millage rate of 6.89 mills.
43 • An assessed taxable property value of \$589,146,145 which is a decrease of 5.63% from
44 the prior year.
45 • A Fire Assessment at 100% of assessed costs effective October 1, 2012 to cover Fire
46 Services reflecting an estimated residential rate of \$12.75 per month, and estimated tiered
47 rates for commercial and industrial businesses (see attached).

- 1 • A balanced Tentative Budget of \$12,567,462 for General Fund.
- 2 • FRS employer contributions are budgeted at blended rates as rate increases are effective
- 3 July 1, 2013 (5.435% Regular Class-1.9% inc & 6.26% Senior Management Class-25%
- 4 dec).
- 5 • Staffing level decreases – Library Assistant, Library Page
- 6 • Increase Fire Services by two entry level Firefighters
- 7 • The Fire Pension contribution rate is budgeted at 20.89%
- 8 • The Police Pension contribution rate is budgeted at to 20%.
- 9 • Transfer of the Police Communication Center to the Lake County Sheriff effective April
- 10 2013
- 11 • Health insurance is budgeted at an overall increase of 10% over prior year and reflects a
- 12 negotiated package for single and family coverage, life, short and long term disability.
- 13 • A workers' compensation rate increase of 5%.
- 14 • A general liability rate increase of 9.9%.
- 15 • An employee cost of living increase deferred until January 1, 2013.
- 16 • The Tentative Budget funds only operational costs critical to the service delivery mission.
- 17 • The Tentative Budget maintains a similar level of service.
- 18 • The Tentative Budget includes a one- time contribution from the Self Insurance Fund of
- 19 \$250,000 due to the closing of the Self Insurance Fund.
- 20 • Debt Service for the Wooton Park Expansion Project – Voted Debt Service
- 21 • The Tentative Budget includes \$121,521 in un-appropriated revenues which will increase
- 22 fund balance reserves to 11.3% of the Tentative Budget or \$1,420,123.
- 23 • The Tentative Budget maintains an estimated reserve balance of \$1,420,123 or 11.3% of
- 24 the Tentative Budget. (*Assumes all revenue budgeted in FY 2012 will be received.*)
- 25

26 **Mayor Wolfe asked for public comment**

27
28 Duane Winters, 2860 Cape Horn Drive

29
30 Mr. Winters said he had received a letter from the Lake County Taxing Authority which showed
31 that his taxes would be going up 26% in Tavares.

32
33 Mayor Wolfe stated that Council had set the maximum millage rate which was sent out on the
34 TRIM notice but it was Council's intention to decrease it from there which has now been done. It
35 will not be at 8.7164; the plan is to adopt it at 5.985. He said the rate had to be set at the
36 maximum in case no fire assessment was done.

37
38 Mr. Winters asked if the tax debt refers to the Wooton Park project. Mayor Wolfe confirmed.

39
40 Mr. Winters said he continues to have low water pressure in Royal Harbor. He said they had put
41 on a water pressure meter recently and he had been told he had the lowest water pressure of any
42 of the recorders that had been installed during that period. He asked the status.

43
44 Mr. Drury said the city had been disappointed in the original design of the developer which had
45 created the problem. After the city inherited that system and the complaints arose, the City
46 started looking into it. The latest update is that all of the data has been completed. That data is

1 being put into a proposal to repair and rectify the pressure problem which is planned to come
2 before Council sometime in October. The City will ensure that the Royal Harbor HOA is notified
3 and discussion will follow on how to pay for the solution to this problem.
4

5 Don Bias, 957 Todd Way
6

7 Mr. Bias said he noted the Todd Way project was in the budget and he wished to encourage
8 Council to keep it in the budget as the street continues to deteriorate with standing water.
9

10 **MOTION**
11

12 **Norm Hope moved to approve the millage rate at 5.985, seconded by Kirby Smith.**
13

14 Attorney Williams stated that it must be announced the amount that the proposed millage rate
15 exceeds the rollback rate and this millage rate is less than the rollback rate by 18.785%.
16

17 **The motion carried unanimously 5-0.**
18

19 **Tab 6) Resolution #2012-12 – Tentative Budget Fiscal Year 2013**
20

21 Mr. Drury stated the millage rate just adopted supports the budget and the budget includes those
22 items that Ms. Houghton reviewed at the last reading.
23

24 Ms. Barnett read the resolution in its entirety:
25

26 **RESOLUTION 2012- 12**
27

28 **A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE**
29 **CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2012-**
30 **2013.**
31

32 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:**
33

34 WHEREAS, a public hearing on the proposed 2012-2013 budget was held at the
35 Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on
36 September 5th 2012, at 5:05 p.m., as required by Florida Statutes 200.065; and
37

38 WHEREAS, the general public was given an opportunity to express its views
39 pertaining to the proposed budget, and
40

41 WHEREAS, the City Council approved the tentative budget for 2012-2013, and
42

43 WHEREAS, a second public hearing on the proposed 2012-2013 budget was held
44 in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares,
45 Florida, on September 19, 2012, at 5:05 p.m.,
46
47

1 NOW, THEREFORE, BE IT RESOLVED that the Budget for 2012-2013 fiscal year for the City of
2 Tavares, Florida is hereby adopted by the Tavares City Council in the amount of \$29,782,821, at
3 public hearing this 19th day of September, 2012
4

5
6 Mr. Drury said Council has worked to move the city forward while maintain a similar level of
7 service. He asked Ms. Houghton if she had anything to add. Ms. Houghton said the budget
8 includes appropriations for all city funds including proprietary funds, special revenue funds, and
9 trust and agency funds.

10
11 Mayor Wolfe added this means that the budget includes all the enterprise funds such as water
12 and sewer, etc. He then invited public comment. There was none.
13

14 **MOTION**

15
16 **Bob Grenier moved to approve Resolution #2012-12 adopting the tentative budget for**
17 **fiscal year 2013, seconded by Kirby Smith.**
18

19 Mayor Wolfe said he would like Council to consider one amendment. The budget currently
20 includes a cost of living adjustment for the employees for January 1, 2013. He would like Council
21 to consider giving the increase on October 1st and see what the cost would be to move it up three
22 months. This would be taken from the amount that is budgeted to go back into reserves so it
23 would not make the proposed budget higher.
24

25 Councilmember Hope spoke in support as long as it does not impact Mr. Drury's budget process.
26

27 Mr. Drury clarified his understanding of the Mayor's recommendation and said he would provide
28 that information at the next meeting.
29

30 Councilmember Smith said the reserves are extremely low and although he agreed that the
31 employees do a great job, he would prefer to leave the budget as it has been established.
32

33 Vice Mayor Grenier said he wanted to confirm that the vote tonight would not be including this
34 recommendation.
35

36 Attorney Williams concurred and explained that Council could reconsider the budget at the time of
37 final adoption as well as the millage although it could not go higher.
38

39 Councilmember Pfister asked if the \$14,400 for the Golden Triangle Opportunity Center was in
40 the budget and noted she had not voted for that. Mr. Drury said the amount was in the tentative
41 budget. He said it is for a one year trial of the Center. He noted that Eustis is voting to consider
42 giving the City of Tavares \$21,000 back for the investment done on the bridge. Councilmember
43 Pfister said she did not think the city has the funds and she did not support it. Councilmember
44 Smith said he agreed.
45

46 **The motion carried unanimously 5-0 for the tentative budget.**
47

1 Ms. Houghton said the millage rate and budget will be advertised in the newspaper the Sunday
2 before the next meeting.

3
4 ADJOURNMENT

5
6 There was no further business and the meeting was adjourned at 5:32 p.m.

7
8 Respectfully submitted,

9
10
11 _____
12 Nancy A. Barnett, C.M.C., City Clerk