

**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
DECEMBER 19, 2012
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

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

Chief Richard Keith gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe asked if there were any changes to the agenda. No changes were indicated.

MOTION

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

IV. APPROVAL OF MINUTES

1 Vice Mayor Smith stated that “Councilmember Smith” should be changed to “Councilmember
2 Pfister” on Page 14 [Line 25].
3

4 **MOTION**

5
6 **Norm Hope moved to approve the minutes as corrected, seconded by Bob Grenier. The
7 motion carried unanimously 5-0.**
8

9 **V. PROCLAMATIONS/PRESENTATIONS**

10
11 **Tab 2) Recognition of Progressive Aerodyne’s Seaplane Manufacturing Certification**

12
13 Mayor Wolfe read a proclamation honoring Progressive Aerodyne for receiving its certification to
14 manufacture SeaRey planes. Mayor Wolfe congratulated Mr. Yang, Chief Executive Officer and
15 presented the proclamation.
16

17 Mr. Drury commended Mr. Wang and Progressive Aerodyne for this achievement. He added that
18 in today’s newspaper there was mention that a large pontoon manufacturing company is coming
19 to the area that makes seaplane pontoons worldwide. He said Mr. Neron held a significant role in
20 that project along with the City leaders in Leesburg. He said the cottage industry that is
21 surrounding the seaplane industry is continuing to grow in Central Florida and he commended
22 Council for its decision to invest in this industry.
23

24 **VI – SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

25
26 Attorney Williams noted there are quasi judicial rezoning cases on the agenda. He swore in those
27 who would be giving testimony on Tabs 6 – Shanti Niketan rezoning, and Tab 8 – Rezoning at
28 1305 North Avenue.
29

30 Attorney Williams asked Council if they had had communications on these matters. Vice Mayor
31 Smith stated Tabs 8 and 9 concern property owned by his brother. Attorney Williams stated this
32 would constitute a conflict and Vice Mayor Smith would not be voting or participating on this
33 ordinance. Mayor Wolfe said he had spoken to Mr. Jack Smith about the project.
34

35 **VII READING OF ALL ORDINANCES/RESOLUTIONS**

36
37 Ms. Barnett read the following ordinances by title only:
38

39 **FIRST READING**

40
41 **ORDINANCE 2012- 42**

42
43 **AN ORDINANCE AMENDING THE CITY OF TAVARES, FLORIDA WAIVER OF**
44 **IMPACT FEES; EXTENDING THE IMPACT FEE WAIVER TO JUNE 30, 2013;**
45 **PROVIDING FOR A GRADUATED REINTRODUCTION OF THE IMPACT FEES**
46 **BEGINNING JULY 1, 2013, AND INCREASING IN SIX MONTH INCREMENTS**

1 UNTIL JULY 1, 2014, WHEN THE CURRENT FULL IMPACT FEE WILL
2 BECOME EFFECTIVE AGAIN; PROVIDING FOR AN EFFECTIVE DATE.

3
4 **SECOOND READING**

5
6 **ORDINANCE 2012-38**

7
8 AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES
9 BY ANNEXING APPROXIMATELY 6 ACRES OF LAND GENERALLY
10 LOCATED EAST OF DAVID WALKER ROAD, NORTH OF OLD HIGHWAY U.S.
11 441, WEST OF MERRY ROAD; REZONING THE PROPERTY FROM COUNTY
12 R-6 RESIDENTIAL TO CITY RMF-3 (RESIDENTIAL MULTI-FAMILY); SUBJECT
13 TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE
14 CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

15
16 **ORDINANCE 2012-39**

17
18 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE
19 TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,
20 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON
21 APPROXIMATELY 6 ACRES OF PROPERTY GENERALLY LOCATED EAST
22 OF DAVID WALKER ROAD, NORTH OF OLD HIGHWAY U.S. 441, WEST OF
23 MERRY ROAD FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY HIGH
24 DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS;
25 PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE
26 DATE.

27
28
29 **ORDINANCE 2012-40**

30
31 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING
32 APPROXIMATELY .378 ACRES GENERALLY LOCATED ON THE SOUTHWEST
33 CORNER OF DORA AVENUE AND NORTH AVENUE, PRESENTLY ADDRESSED
34 AS 1305 NORTH AVENUE; FROM RSF-1 (RESIDENTIAL SINGLE FAMILY) TO PD
35 (PLANNED DEVELOPMENT); SUBJECT TO THE RULES, REGULATIONS AND
36 OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING
37 FOR AN EFFECTIVE DATE.

38
39 **ORDINANCE 2012-41**

40
41 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE
42 TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,
43 PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON
44 APPROXIMATELY .378 ACRES GENERALLY LOCATED ON THE
45 SOUTHWEST CORNER OF DORA AVENUE AND NORTH AVENUE,
46 PRESENTLY ADDRESSED AS 1305 NORTH AVENUE; FROM LOW DENSITY
47 RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL; PROVIDING FOR

1 **SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND**
2 **PROVIDING FOR AN EFFECTIVE DATE.**

3
4
5 **VIII. CONSENT AGENDA**

6
7 Mayor Wolfe asked if anyone in the audience was opposed to any item on the Consent Agenda,
8 Tabs 3 and 4.

9
10 **MOTION**

11
12 Norm Hope moved to approve the consent agenda [Tab 3 – Approval of African-American
13 Festival in Wooton Park and Tab 4 – Approval of Road Closure for Swearing In of Office
14 Event], seconded by Bob Grenier.

15
16 The motion carried unanimously 5-0.

17
18 **IX ORDINANCES/RESOLUTIONS**

19
20 **FIRST READING**

21
22 Tabs 5 – Ordinance #2012-42 was read by title only by the City Clerk.

23
24 **SECOND READING**

25
26 **Tab 6) Ordinance #2012-38 – Annexation & Rezoning of 6 Acres to RMF 3 – David Walker**
27 **Rd & Merry Rd. – Shanti Niketan Project, Phase III**

28
29 Mr. Skutt said this ordinance annexes about 6 acres that is located east and adjacent to the 2nd
30 phase of Shanti Niketan on David Walker Road. It also rezones the property to Residential Multi
31 Family 3. Phase 3 is planned to consist of 112 senior condo dwelling units. Access will be gained
32 through phase 2 of the existing project with a secondary entrance off Merry Road. The Planning &
33 Zoning Board recommended approval and staff recommends approval.

34
35 **MOTION**

36
37 Bob Grenier moved to approve Ordinance 2012-38, seconded by Norm Hope. The motion
38 carried unanimously 5-0.

39
40 **Tab 7) – Ordinance #2012-39 – Small Scale Future Land Use Amendment for Shanti**
41 **Niketan Phase 3**

42
43 Mr. Skutt said this is the Future Land Use Amendment for the property that was just annexed and
44 rezoned. It is presently county urban high density and it will be amended to city high density
45 which is the most appropriate designation for this property. The Planning & Zoning Board has
46 recommended approval and staff recommends approval.

1 **MOTION**

2
3 **Bob Grenier moved to approve Ordinance #2012-39, seconded by Kirby Smith. The motion**
4 **carried unanimously 5-0.**

5
6 **Tab 8) Ordinance #2012-40 – Rezoning of 1305 North Avenue**

7
8 Mr. Skutt said this ordinance rezones 1305 North Avenue which is located on the southwest
9 corner of Dora and North Avenues from Residential Single Family to Planned Development. Mr.
10 Jack Smith is the owner of the property and he wishes to construct three small residential
11 cottages and renovate the existing cottage that is on the property, following a Key West
12 architectural theme which is shown in Exhibit 3 of the proposed Planned Development ordinance.
13 The Planning & Zoning Board recommended approval and staff recommends approval.

14
15 **MOTION**

16
17 **Bob Grenier moved to approve Ordinance #2012-40, seconded by Lori Pfister. The motion**
18 **carried unanimously 4-0 with Vice Mayor Smith abstaining from the vote.**

19
20 **Tab 9) Ordinance #2012-41 – Small Scale Future Land Use Amendment for 1305 North**
21 **Avenue**

22
23 Mr. Skutt said this ordinance is for a future land use amendment for the same property that was
24 just rezoned on 1305 North Avenue. The designation will be changed from low to medium
25 density. The Planning & Zoning Board recommended approval and staff recommends approval.

26
27 **MOTION**

28
29 **Norm Hope moved to approve Ordinance #2012-41, seconded by Bob Grenier. The motion**
30 **carried unanimously 4-0 with Vice Mayor Smith abstaining.**

31
32 **X. GENERAL GOVERNMENT**

33
34 **Tab 10) Horizon Project Teams and Board Representation – Update**

35
36 Mr. Drury reviewed the current Horizon Project Teams and Board representation as part of his
37 annual update to Council.

38
39 **Current Horizon Project Teams:**

- 40
41 1. Special Events Project Team (Mayor Wolfe, Bill Neron and Lauren Farrell)
42 2. Alfred Street-Carolina Street one way pair (Councilmember Pfister, Jacques Skutt)
43 3. Public Safety Complex & School Board Bus Barn Property (Richard Keith, Stoney Lubins,
44 Nancy Barnett, Mayor Wolfe)
45 4. Public Works Complex (Chris Thompson, John Drury, Councilmember Grenier)
46 5. Rail upgrades (John Drury, Vice Mayor Smith, Bill Neron, Lori Houghton)
47 6. Tavares Sports Park Complex (John Drury, Councilmember Hope, Tamera Rogers)

7. Tavares Pavilion on the Water Project – (John Drury, Councilmember Pfister, Tamera Rogers)
8. Gateways (Jacques Skutt, Councilmember Grenier)
9. Economic Development (Vice Mayor Smith, Bill Neron)
10. Sister City Program (Mayor Wolfe, Joyce Ross)
11. Golden Triangle Fire District (John Drury, Mayor Wolfe, Richard Keith)

Current Board Representation:

Florida League of Cities Legislative Committees

- Urban Administration – Richard Keith
- Environment & Energy Council – Mayor Wolfe (Brad Hayes alternate)
- Growth Management & Transportation – Jacques Skutt
- Finance & Taxation – Lori Houghton

Lake Community Action Agency – 4th Wed. at 7 p.m.

John Drury – Representative

Lake County Library Advisory Board – 3rd Thursday at 5 p.m.

Patricia Miller – Representative (through 2014)
Rosa Rosario - Library Director - Alternate

Lake County League of Cities – 2nd Friday at 11:30 a.m.

Mayor Wolfe – Representative
Councilmember Grenier - Alternate

Lake County League of Cities - Solid Waste Advisory Committee

Lori Houghton – Representative

Lake County School Board – Lake County Schools Local Preference Committee:

Lori Houghton, Member

Lake County Water Alliance Technical Committee

Brad Hayes – Representative
Burney Vaughn - Alternate

Metropolitan Planning Organization

Councilmember Hope – Governing Board Member
Vice Mayor Smith - Alternate

1
2 **Metropolitan Planning Organization – Technical Advisory Committee**

3
4 Jacques Skutt – Representative
5 Alisha Maraviglia - Alternate

6
7 **Metropolitan Planning Organization – Bicycle/Pedestrian Committee**

8
9 Jim Ellrodt - Effective through December 31, 2013
10 Councilmember Lori Pfister - Alternate

11
12 **Metropolitan Planning Organization – Citizens Advisory Committee**

13
14 David Clutts – Effective through December 31, 2012

15
16 **Myregion.org**

17
18 Mayor Wolfe – Representative

19
20 **Tavares Chamber of Commerce**

21
22 Councilmember Grenier - Representative

23
24 **School Concurrency Committee**

25
26 Council Representative – Councilmember Hope
27 School Concurrency Technical Advisory Committee – Jacques Skutt/Alisha Maraviglia

28
29 Mayor Wolfe asked if any Councilmembers wished to make a change in representation to any of
30 the project teams or boards. No changes were indicated.

31
32 **Tab 11) Developer’s Agreement with Tavares Station – Improvement of Alleyway off Ruby**
33 **Street between Lake County Parking Lot and New Hotel**

34
35 Mr. Thompson said the city continues to improve the Ruby Street corridor. He said the city has been
36 upgrading all of its dirt alleyways throughout the downtown to pavers over the past five years as
37 funds and opportunities were presented. He said the developer of the hotel is required to pave the
38 public alleyway that is in between the hotel property and the county property at an estimated cost of
39 \$13,000. The estimated cost to brick pave the alley is approximately \$23,000. Staff has approached
40 the hotel owner to consider partnering with the city to upgrade the alleyway from pavement to brick
41 pavers with 40% which would be \$4,000 of the upgrade being paid by the owner, and 60% which
42 would be \$6,000 paid by the City. The Developer’s Agreement included in the packet covers the
43 terms of this agreement.

44
45 Councilmember Pfister spoke in support. Vice Mayor Smith questioned the budgeted amount and
46 allocations. Mr. Thompson said the \$25,000 put in during the budget is earmarked to do the sidewalk
47 going to Ruby Street. The \$6,000 will come out of the capital fund for paving which is a rollover from

1 years past. Ms. Houghton explained how the budget process was developed and some savings that
2 were realized afterwards.

3
4 Mayor Wolfe asked for comment from the audience.

5
6 **MOTION**

7
8 **Lori Pfister moved to approve the Developer’s Agreement, seconded by Kirby Smith. The**
9 **motion carried unanimously 5-0.**

10
11 **Tab) Request for Work Authorization with Malcolm Pirnie for a Planning Assessment on Lift**
12 **Station #49 (Florida Waterman Hospital) and the Associated Medical Park Area**

13
14 Mr. Hayes said the existing lift station has aged and has inadequate storage capacity and pumping
15 capacity as well as undersized waste water gravity piping. With the Osprey Lodge facility coming on
16 line and the combined flow from the Medical Park, and recent upgrades to the hospital, the existing
17 gravity line is becoming exacerbated and thus limiting new growth in the medical area. The goal is to
18 conduct a planning assessment that will enable the city to systematically upgrade the two lift stations
19 with proper pump sizing and increase the capacity for build out of this area.

20
21 Mr. Pirnie said staff has negotiated a scope of work with Malcolm Pirnie. Staff recommends approval
22 for the authorization for \$24,447. He said the fiscal impact has an error as it is actually budgeted in
23 the current budget for 2012-2013.

24
25 **MOTION**

26
27 **Kirby Smith moved to approve the agreement with Malcolm Pirnie, seconded by Norm Hope.**
28 **The motion carried unanimously 5-0.**

29
30 **Tab 13) Request to Approve Work Authorization Amendment with Malcolm Pirnie for**
31 **Woodlea Road Water Reclamation Facility Permit Renewal**

32
33 Mr. Hayes said this agreement is in the amount of \$78,193 with Malcolm Pirnie to coordinate and
34 prepare a data request of information to renew the existing FDEP operation permit for the
35 Woodlea Road Reclamation Facility. This item was budgeted in FY 2012-2013. Two actions are
36 combined into one contract. The existing permit is required to be renewed every five years and
37 staff will be requesting a 10 year permit. In addition there is a requirement to conduct a capacity
38 analysis which will be incorporated into this permit renewal. Staff has worked to make internal
39 process control changes to optimize the treatment process which has led the City to make higher
40 standards and allow the city to apply for the 10 year permit.

41
42 **MOTION**

43
44 **Kirby Smith moved to approve the agreement with Malcolm Pirnie, seconded by Bob**
45 **Grenier. The motion carried unanimously 5-0.**

46
47 **XI. OLD BUSINESS**

1
2 None.

3
4 **XII. NEW BUSINESS**

5
6 None

7
8 **XIII. AUDIENCE TO BE HEARD**

9
10 **XIV. REPORTS**

11
12 **Tab 14) City Administrator**

13
14 Mr. Drury noted the next Council Meeting will be January 16, 2013 and he wished everyone a
15 Merry Christmas.

16
17 **City Clerk**

18
19 Ms. Barnett wished everyone a Merry Christmas and Happy New Year.

20
21 **City Attorney**

22
23 **Finance Department**

24
25 Ms. Houghton wished everyone a Merry Christmas Happy New Year.

26
27 **Economic Development**

28
29 Mr. Neron said 2012 had been an excellent year for the City in economic development and he
30 anticipated more progress in the New Year. He wished everyone a Happy New Year.

31
32 **Public Communications**

33
34 Mr. Thompson wished everyone a Merry Christmas.

35
36 **Fire Department**

37
38 Chief Keith wished everyone a Merry Christmas.

39
40 **Public Works Department**

41
42 Ms. Ross wished everyone a Happy New Year.

43
44 **Community Services Department**

45
46 Ms. Rogers wished everyone a Merry Christmas and stated that one year from tonight this
47 meeting would be held in the new pavilion.

1
2 **Human Resources**

3
4 **Community Development**

5
6 **Utility Department**

7
8 Mr. Hayes said last week he had attended a meeting at St. Johns River Water Management
9 Board Meeting and the City of Tavares has officially been awarded a 20 year consumptive use
10 permit. Mr. Drury added the permit has practically no conditions which is exceptional. Mr. Hayes
11 thanked Attorney Williams and Malcolm Pirnie for its assistance.
12

13 **Tab 24) City Council**

14
15 **Councilmember Pfister**

16
17 Councilmember Pfister asked the status on the Freedom Flag. Mr. Drury said the funds are up to
18 about \$21,000 with the goal being \$28,000. Mr. Thompson said the flag has been shipped and
19 the tentative plan is to install it around the first of the year and have a ceremony.
20

21 Councilmember Pfister wished everyone a Merry Christmas and reminded everyone to watch the
22 College Bowl on January 7th. (“go Irish”)
23

24 **Councilmember Hope**

25
26 Councilmember Hope stated it has been a pleasure to be on Council since April of this year and
27 to work with the staff. He commended the staff for their hard work and making the city shine. He
28 wished everyone Merry Christmas.
29

30 **Councilmember Grenier**

31
32 Councilmember Grenier stated he shared Councilmember Hope’s sentiments and expressed
33 appreciation to staff and the citizens of Tavares for their support. He said he wanted to add
34 appreciation to Garratt Smith and asked everyone to visit the Tavares Nature Park and see the
35 new pavilion he has built.
36

37 **Vice Mayor Smith**

38
39 Vice Mayor Smith said that he had enjoyed attending the City’s employee Christmas party and
40 staff had done a good job recognizing the employees. He wished everyone a Merry Christmas
41 and a prosperous New Year.
42

43 **Mayor Wolfe**

44
45 Mayor Wolfe commended staff and asked everyone to extend appreciation to everyone in their
46 department. He said he looked forward to the New Year and continued new projects. He wished
47 everyone a Merry Christmas and a Happy New Year.

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12

Adjournment

There was no further business and the meeting was adjourned at 4:36 pm.

Respectfully submitted,

Nancy A. Barnett, C.M.C.
City Clerk