

**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
JANUARY 16, 2013
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

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

Robert Wolfe, Mayor

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

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor John Barham, First United Methodist Church, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Vice Mayor Smith noted that Mayor Wolfe is attending the Tourist Development Council on behalf of the City.

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

MOTION

Bob Grenier moved to approve the agenda, seconded by Norman Hope. The motion carried unanimously 4-0.

1
2 **IV. APPROVAL OF MINUTES**

3
4 **MOTION**

5
6 **Bob Grenier moved to approve the minutes of December 5 and December 19, 2012 as**
7 **submitted, seconded by Norman Hope. The motion carried unanimously 4-0.**
8

9 **V. PROCLAMATIONS/PRESENTATIONS**

10
11 **Tab 2) Presentation to Eagle Scout, Garrett McCormack**

12
13 Ms. Rogers noted Council had given permission to Mr. McCormack to build a pavilion at the
14 Tavares Nature Park who solicited the funds and then built the pavilion as part of his Eagle Scout
15 project. He noted Mr. McCormack has been successful in meeting his commitment, has earned
16 his Eagle Scout award and has built a beautiful pavilion for the City. She presented a plaque to
17 Mr. McCormack. Mr. McCormack thanked Council for the opportunity to complete the project.
18 Vice Mayor Smith noted there will be a plaque at the pavilion commemorating the work done by
19 Mr. McCormack.
20

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

22
23 Attorney Williams noted there is one zoning hearing Tab 7, rezoning of 11.23 Acres at Dora
24 Lakes Subdivision. He swore in those who would be giving testimony on Tab 7.
25

26 Attorney Williams asked Council if they had had communications on this matter. There were
27 none.
28

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

30
31 Ms. Barnett read the following ordinances by title only:
32

33 **FIRST READING**

34
35 **ORDINANCE 2013-01**

36
37 **AN ORDINANCE CREATING ARTICLE VI OF CHAPTER TWO OF THE CITY**
38 **OF TAVARES CODE OF ORDINANCES CREATING A DOMESTIC**
39 **PARTNERSHIP REGISTRY; ESTABLISHING POLICIES AND PROCEDURES**
40 **FOR THE REGISTRATION OF DOMESTIC PARTNERSHIPS; PROVIDING FOR**
41 **TERMINATION OF DOMESTIC PARTNERSHIPS; PROVIDING FOR**
42 **DEFINITIONS; PROVIDING FOR CERTAIN RIGHTS; ESTABLISHING FEES;**
43 **PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND**
44 **PROVIDING FOR AN EFFECTIVE DATE.**
45

46 **SECOND READING**
47

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47

ORDINANCE 2012- 42

AN ORDINANCE AMENDING THE CITY OF TAVARES, FLORIDA WAIVER OF IMPACT FEES; EXTENDING THE IMPACT FEE WAIVER TO JUNE 30, 2013; PROVIDING FOR A GRADUATED REINTRODUCTION OF THE IMPACT FEES BEGINNING JULY 1, 2013, AND INCREASING IN SIX MONTH INCREMENTS UNTIL JULY 1, 2014, WHEN THE CURRENT FULL IMPACT FEE WILL BECOME EFFECTIVE AGAIN; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2012-35

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 11.28 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MANSFIELD ROAD, FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) & RMF-3 (RESIDENTIAL MULTI-FAMILY) TO PD (PLANNED DEVELOPMENT); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2012-36

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 9.89 ACRES OF PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF MANSFIELD ROAD, FROM LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE

VIII. CONSENT AGENDA

Vice Mayor Smith stated he would like to pull Tab 3 – Right of Way Deed to Lake County for the Alfred Street One Way Pair Project.

Vice Mayor Smith asked if anyone in the audience was opposed to any item on the Consent Agenda, Tabs 4 and 5.

MOTION

Bob Grenier moved to approve the consent agenda [Tab 4 – Electric Charging Station Use Update and Tab 5 – Request for Proposals for Broker to Sell Water Taxis], seconded by Norman Hope.

The motion carried unanimously 4-0.

1 **Tab 3) Approval of Right of Way Deed to Lake County for the Alfred Street One Way Pair**
2 **Project Design**

3
4 Attorney Williams said this is a request from Lake County for a right of way deed on Caroline
5 Street along the south side of the future Public Safety property. He noted the survey shows that
6 the strip is on the far eastern end and is a two foot wide strip with two feet down to the end where
7 it fans out to about 4.17 feet as it meets Alfred Street. It is approximately 563 square feet.

8
9 Vice Mayor Smith asked for comment from the audience.

10
11 **MOTION**

12
13 **Norman Hope moved to approve the granting of the right of way deed to Lake County for**
14 **the Alfred Street One Way Pair, seconded by Bob Grenier. The motion carried 4-0**
15 **unanimously.**

16
17 **IX ORDINANCES/RESOLUTIONS**

18
19 **FIRST READING**

20
21 **Tab 6) Ordinance #2013-01 – Domestic Registry - read by title only. This ordinance will be**
22 **open for public comment on February 6, 2013 at second reading.**

23
24 **SECOND READING**

25
26 **Tab 7) Ordinance #2012-35 – Rezoning of 11.23 Acres – Lake Arbor Court/Sea Pines**
27 **Court/Mansfield Road – Dora Lakes Estates Subdivision**

28
29 Mr. Skutt noted this rezoning is located on the south side of Mansfield Road and would rezone
30 the property from residential multifamily to planned development, to allow the construction of a
31 250 unit assisted and independent living facility. The property is vacant except for roads and
32 utility infrastructure that was installed about six years ago for a single family subdivision that did
33 not materialize. The existing infrastructure will be abandoned and the older plat will be vacated.
34 The ordinance includes conceptual architectural plans and the developer would have to go
35 through the usual site plan approval process. The buildings would have to conform substantially
36 to the conceptual plan provided with the ordinance. The Planning & Zoning Board voted
37 unanimously to recommend approval and staff recommends approval.

38
39 Vice Mayor Smith asked for comment from the audience.

40
41 **MOTION**

42
43 **Bob Grenier moved to approve Ordinance 2012-35, seconded by Norman Hope. The**
44 **motion carried unanimously 4-0.**

45
46 **Tab 8) – Ordinance #2012-36 –Future Land Use Map Amendment for 9.39 Acres at Dora**
47 **Lakes Estate Subdivision**

1
2 Mr. Skutt said ten of the 11 acres presently bears a low density residential density and this
3 amendment will change that to high density residential. This is the most appropriate designation
4 for the property and for the new zoning that has just been approved. The Planning & Zoning
5 Board voted unanimously to recommend approval and staff recommends approval.

6
7 Vice Mayor Smith asked if there were comments from the audience.

8
9 **MOTION**

10
11 **Bob Grenier moved to approve Ordinance #2012-36, seconded by Norman Hope. The**
12 **motion carried unanimously 4-0.**

13
14 **Tab 9) Ordinance #2012-42 – Extension of Impact Fee Waiver Program**

15
16 Mr. Neron stated at the first meeting in December 2012, Council authorized an ordinance be
17 developed to extend the current impact fee waiver program for an additional six months to the
18 end of June, and then every six months to gradually phase in 33% of the impact fees until the full
19 impact fee program is restored in 2014. Staff recommends approval.

20
21 Vice Mayor Smith asked for comment from the audience.

22
23 Councilmember Grenier said he would support this ordinance after discussing this with Mr. Hayes
24 regarding the utility projects.

25
26 **MOTION**

27
28 **Bob Grenier moved to approve Tab #9, Ordinance #2012-42 – Extension of Impact Fee**
29 **Waiver Program, seconded by Norman Hope. The motion carried unanimously 4-0.**

30
31 **X. GENERAL GOVERNMENT**

32
33 **Tab 10) Request to Dedicate the Dora Canal Bridge**

34
35 Mr. Drury noted that on August 15, Council had considered a request from Councilmember
36 Grenier supported by the National Railroad Historical Society and the Lake County Historical
37 Society to dedicate the bridge to Clayton Bishop for his involvement as a railroad historian.
38 Council voted at that meeting to defer the matter until after the 2013 budget had been approved
39 and then in October deferred it again until after January 1, 2013.

40
41 He said the Tavares Historical Society has requested that the bridge be dedicated to L.A. Duckett
42 and John Henry Wade who were citizens of Tavares and worked on the railroad. They have
43 suggested “Duckett - Wade Memorial Bridge.”

44
45 Councilmember Grenier said he had recommended dedicating the bridge to someone living to be
46 able to enjoy the honor, but he was fine with this option. He noted he has written about Mr.
47 Duckett and Mr. Wade in two books.

1
2 Vice Mayor Smith said Mr. Bishop is a great historian but he liked the fact that two Tavaresans
3 would be memorialized along with their families because of the work they had provided on the
4 bridge.

5
6 Vice Mayor Smith invited the Tavares Historical Society to speak.
7

8 Brenda Smith, President of the Tavares Historical Society, thanked Council for deferring the
9 matter so they could provide their recommendation. She said they have no opposition keeping
10 the canal the Dora Canal Trestle Bridge. She said the society felt strongly that if it was to be
11 dedicated it should be dedicated to Tavares residents who had worked on the bridge. She noted
12 Mr. Bishop has been honored at the Lake County Historical Society with a gallery.
13

14 Councilmember Grenier agreed that the official name is the Dora Canal Bridge but that he
15 believed it was a good idea to dedicate the bridge as well.
16

17 Patsy Umlauf of 2805 Wekiva Road, stated she is a new resident. She said she had researched
18 both men and noted Mr. Duckett lived to be almost 106 years old and he and his wife are both
19 buried in Tavares. She said he worked for the Seaboard Railroad as a foreman. She said Mr.
20 Wade had worked as a fireman for the Tug and Grunt and rode on the very last run.
21

22 Councilmember Grenier said he had interviewed Ms. Wade before she passed away.
23

24 Councilmember Pfister said she wanted to be sure no one's feelings were hurt and that the
25 Historical Society feels these two men stand out above all others. She said her next question was
26 about the monetary impact. Mr. Drury said if Council approves this request, that during the
27 budgeting process options will be presented ranging from no expenditures to costs for signage.
28 Councilmember Pfister thanked the Historical Society for their work.
29

30 **MOTION**

31
32 **Norman Hope moved to approve Tab #10 for the option of dedicating the bridge to the two**
33 **Tavaresans [Wade-Duckett Memorial Bridge], seconded by Lori Pfister. The motion carried**
34 **unanimously 4-0.**
35

36 **Tab 11) Conceptual Plan for Wooton Park Expansion**

37
38 Mr. Neron stated that on March 2, 2012, the voters of Tavares approved the referendum of 3.2
39 million to purchase additional property to expand Wooton Park by approximately 4 acres and
40 preserve the waterfront property for posterity. On October 3, 2012 the design team of AVCON
41 engineering was approved. The first item of work was the development of a conceptual plan
42 which will layout the major features of the project. It includes all of the items that were promised in
43 the bond referendum as well as some safety improvements in the existing Wooton Park boat
44 ramp and trail area. The master plan was developed with input from the departments and then an
45 open meeting was held with the user groups. Based on those meetings, Mr. Baldocchi of AVCON
46 will present the concept plan for Council consideration which will be used for the FDEP
47 application process. There is tentative approval for a Tav Lee Trail extension grant of over

1 \$500,000. He said he will be coming back in February to request permission to file grant
2 applications with Lake County TDC for additional funds.

3
4 Mr. Baldocchi thanked Council for the opportunity to work on the project. He gave a slide
5 presentation on the concept plan. He discussed the input he had received from staff and the
6 community stakeholders. The major ideas heard were safety and security of the aircraft
7 operations for both existing ramps and in future areas; maintain and improve the flexibility (due to
8 special events); and extend amenities through the expansion (music, ability to get power, public
9 art, etc.) He noted a major element is to separate pedestrian traffic on the existing ramp from the
10 aircraft traffic therefore the trail has been relocated on the back side of the aircraft ramp. He said
11 they are also proposing to have a secured gate arm at the entrance of the park to limit access. In
12 addition a controlled gate is proposed to keep people aware that there is aircraft in the area. Mr.
13 Drury noted he was concerned about the number of planes and potential conflict with
14 pedestrians.

15
16 Councilmember Pfister asked about the seaplanes on the open area. Mr. Baldocchi said he would
17 address that issue further in his report.

18
19 Mr. Baldocchi discussed the unloading areas for boats, short term parking, and service vehicles,
20 the boat ramp and observation deck.

21
22 Mr. Drury said that 90% of the time seaplanes will not be allowed to use the ramp where the
23 boats are and there will be a separation of traffic. He said there will be a time during a boating
24 ramp when both ramps will be used for boating and similarly for a seaplane event when both
25 ramps would be used for seaplanes.

26
27 Councilmember Pfister asked how much green space is left. Mr. Baldocchi said he did not know
28 the entire area but the entire area depicted would be open green space except during special
29 events. He said he could provide the exact acreage. He pointed out the area that is designated as
30 shoreline enhancement has a proposal going to FDEP that to allow a boat to come onto the
31 beach. He discussed the retention pond proposed. He discussed the different ways to taxi a
32 seaplane that was considered noting that for a seaplane to taxi in on the runway it would require
33 more clearance area.

34
35 Vice Mayor Smith asked if when utilizing the proposed mixed purpose boat ramp would no
36 seaplane be allowed to use the ramp unless there was a staff member standing at the ramp. Mr.
37 Drury confirmed. He said it would not be available to seaplanes unless a special seaplane fly in
38 event was being held.

39
40 Vice Mayor Smith asked if the current boat ramp on the east side would be a mixed use ramp as
41 well. Mr. Drury confirmed that that would be the recommendation.

42
43 Councilmember Pfister asked for the figure on pavement as well.

44
45 Councilmember Grenier asked for confirmation that by approving the conceptual plan, staff could
46 follow up on the next step and a more precise plan would be brought back to Council. Mr. Drury

1 said the preliminary design would be brought back at 30% which would answer Ms. Pfister's
2 questions. The plans would then come back at about 90%.

3
4 Mr. Neron said the plan is to have this project done by construction manager at risk. He noted a
5 new restroom will be done as well to serve the boating area. Mr. Baldocchi said the concept plan
6 has many items that are above and beyond what was in the referendum. Mr. Drury noted the Tav
7 Lee trail is currently not connected. One of the goals of the city's master plan is to connect the
8 trailhead building to the Tav Lee Trail.

9
10 Councilmember Grenier asked for an estimated time line. Mr. Neron said the permitting is the
11 next major aspect which can take anywhere from four to eight months.

12
13 Councilmember Pfister expressed concern about the bond requirements. Mr. Neron said included
14 in the 3.2 million, there was about \$770,000 set aside for engineering and development. That
15 amount will do a basic trail and basic boat ramp, restroom facility and small docks. Through
16 grants the city hopes to enhance the level of those improvements to include what was promised
17 in the bond issue as well as additions, as funds can be found.

18
19 Mr. Drury said staff can provide the referendum and the brochure that was provided to the
20 citizens and identify anything that is different. He said the two things that are different are creating
21 a safety zone for the seaplanes in the current seaplane area, and the other is to connect the
22 current Tav Lee Trail. Councilmember Pfister said she would only agree to other spending if it is
23 fully covered by grants.

24
25 Councilmember Hope said he has concerns about what was told the voters however he
26 understands the safety issue with the seaplanes. He said he would support enhancements if they
27 are fully covered by grants.

28
29 Attorney Williams noted that when a bond issue is done, the bond counsel is careful to make sure
30 that what is done is consistent with what is stated in the referendum He said there is nothing to
31 prohibit the city from doing more with the property legally. Mr. Neron confirmed staff is looking at
32 grants to cover further enhancements.

33
34 Vice Mayor Smith asked for comments from the audience.

35
36 Denise Laratta, Royal Harbor

37
38 Ms. Laratta asked about the gate on the east side and a turnaround point for boats. She asked
39 how the gate would open for a boater. Mr. Drury said there will be a phone available for drivers.
40 Ms. Laratta said the safety enhancements are excellent but as a citizen who voted for the
41 expansion she did not anticipate additional RV parking, or beach volleyball courts and the
42 remaining green space appeared to be seaplane or boat parking.

43
44 Mr. Drury said the open space will provide flexibility for special events being held twice a year.

45
46 Ms. Laratta asked about trees and benches. Mr. Drury said the details of the plan will show the
47 landscaping. Mr. Neron said he hoped there will be oaks along the trail.

1
2 Councilmember Pfister reiterated that the concept plan did not reflect what she had envisioned.

3
4 Vice Mayor Smith he had envisioned the plan including a boat ramp at the end. He said the
5 problem was including seaplanes in the grass on the concept plan.

6
7 Mr. Drury said the plan will come back at 30% for further council feedback. He discussed how the
8 seaplane concept has been figured into the concept plan.

9
10 **MOTION**

11
12 **Bob Grenier moved to approve the concept plan as presented by AVCON in order for staff
13 to work on the permit applications, seconded by Lori Pfister.**

14
15 Councilmember Hope said the concept plan reflected what he had presented to the residents.
16 Vice Mayor Smith concurred. Councilmember Pfister said she still would like to know the figures
17 on green space and pavement.

18
19 **The motion carried unanimously 4-0.**

20
21 **XI. OLD BUSINESS**

22
23 None.

24
25 **XII. NEW BUSINESS**

26
27 None

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

30
31 Brenda Smith, 1250 Smith Avenue

32
33 Ms. Smith said the Board of the Historical Society was invited to Mr. Russ's house to see his
34 Lionel Train Display. He said this collection will be a tourist attraction for the City of Tavares. She
35 described the display and historical details which will be in the future Tavares Historical Museum
36 at Fire Station #1. Councilmember Grenier spoke in support. He said the company will make
37 reproductions of a town's buildings and these displays are very popular in various cities.

38
39 Councilmember Pfister said she had been approached by someone with a collection of train
40 memorabilia to donate and she would provide Ms. Smith with her name.

41
42 William Soriero, 351 N. Duncan Drive

43
44 Mr. Soriero said he had met with Ms. Houghton about his tax increases [referring to the fire
45 assessment] and asked about the equitability. He discussed his situation with his rental
46 properties. He said he has received almost a 30% tax increase.

47

1 Councilmember Hope asked if it was commercial property noting the millage rate had been
2 lowered and according to the tax assessor the property values had gone down about 5%. He
3 suggested that Mr. Soriero may want to meet with the property tax assessor. He also
4 recommended that he meet with Mr. Drury. Mr. Drury said he would have staff review his property
5 for the fire assessment. Mr. Soriero asked his recourse if there are no errors. Vice Mayor Smith
6 suggested that this would be best discussed in a meeting with the city staff.

7
8 Denise Laratta, Royal Harbor

9
10 Ms. Laratta thanked Chris Thompson for coming up with the idea of the flagpole project in the
11 roundabout and for his success in achieving the goal and for his military service.

12
13 **XIV. REPORTS**

14
15 **Tab 14) City Administrator**

16
17 Mr. Drury noted the annual MPO meeting is January 23rd at the Carriage House. He said he
18 believed Tavares was being nominated for an award for the Dora Canal Bridge.

19
20 **City Clerk**

21
22 **City Attorney**

23
24 Attorney Williams noted the FDEP is not usually supportive of white beaches so that it is
25 important for the city to have other design options for the Wooton Park expansion.

26
27 **Finance Department**

28
29 **Economic Development**

30
31 Mr. Neron reminded everyone of the Crappie Tournament coming up the next weekend.

32
33 **Public Communications**

34
35 Ms. Joyce said WUCF has just completed a nice video for the City of Tavares and a link is
36 available on the city's web site.

37
38 **Fire Department**

39
40 **Public Works Department**

41
42 Chris Thompson said the goal has been passed at over \$31,000, the flagpole is being delivered
43 soon and he will present the date for the dedication ceremony in the near future.

44
45 **Community Services Department**

46
47 Ms. Rogers said this Friday evening 5:30 to 7:30 is the employee art show.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41

Human Resources

Community Development

Utility Department

Tab 24) City Council

Councilmember Pfister

No report.

Councilmember Hope

Councilmember Hope stated that recently that Council became aware one of the major employers is vacating a large facility and that Mr. Drury immediately began seeking to find a company to fill those buildings and he appreciated the proactive stance of Mr. Drury and Mr. Neron. He expressed appreciation to Mr. Neron for his ability to find grants. He stated he is very excited about the proposed Freedom Flag monument.

Councilmember Grenier

Councilmember Grenier said he is excited about the flagpole coming. He said he appreciated Mr. Drury's ability to communicate with the residents in a dignified matter on difficult issues.

Vice Mayor Smith

Vice Mayor Smith complimented Ms. Rogers for the design work she did on Mr. Drury's office noting it was accomplished very frugally.

Adjournment

There was no further business and the meeting was adjourned at 5:39 pm.

Respectfully submitted,

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