

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
FEBRUARY 6, 2013
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

Tim Green, Clyde F. Green Foundation for Children, 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

MOTION

1
2 **Bob Grenier moved to approve the minutes of December 21, 2012 and January 16, 2013, as**
3 **submitted, seconded by Norman Hope. The motion carried unanimously 5-0.**
4

5 **V. PROCLAMATIONS/PRESENTATIONS**
6

7 **Tab 2) Lake Sumter MPO Horizon Award to City of Tavares for Dora Canal Bridge Project**
8

9 Councilmember Hope stated this award was awarded conjointly to the City of Tavares, Mt. Dora,
10 Eustis, and Central Florida Railroad for the replacement of the Dora Canal Bridge which
11 demonstrated the achievements of a combined project between the cities and other entities.
12

13 **VI – SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**
14

15 There were none.
16

17 **VII READING OF ALL ORDINANCES/RESOLUTIONS**
18

19 Ms. Barnett read the following ordinance by title only:
20

21 **SECOND READING**
22

23 **ORDINANCE 2013-01**
24

25 **AN ORDINANCE CREATING ARTICLE VI OF CHAPTER TWO OF THE CITY**
26 **OF TAVARES CODE OF ORDINANCES CREATING A DOMESTIC**
27 **PARTNERSHIP REGISTRY; ESTABLISHING POLICIES AND PROCEDURES**
28 **FOR THE REGISTRATION OF DOMESTIC PARTNERSHIPS; PROVIDING FOR**
29 **TERMINATION OF DOMESTIC PARTNERSHIPS; PROVIDING FOR**
30 **DEFINITIONS; PROVIDING FOR CERTAIN RIGHTS; ESTABLISHING FEES;**
31 **PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; AND**
32 **PROVIDING FOR AN EFFECTIVE DATE.**
33

34 **VIII. CONSENT AGENDA**
35

36 Mayor Wolfe asked if anyone in the audience was opposed to Tab #3 on the Consent Agenda.
37

38 **MOTION**
39

40 **Bob Grenier moved to approve the consent agenda [Tab 3 – Amendment of Interlocal**
41 **Agreement with Lake County for Alfred Street Widening Project], seconded by Norman**
42 **Hope.**
43

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

46 **IX ORDINANCES/RESOLUTIONS**
47

1 **Tab 4) Ordinance #2013-01 – Domestic Partnership Registry**

2
3 Ms. Barnett discussed the proposed ordinance, noting that the purpose of the ordinance was to
4 create a registry for unmarried people which would give access to certain rights such as hospital
5 visitation, funeral arrangements, etc.

6
7 Mayor Wolfe asked for public comment.

8
9 The following spoke in support of the ordinance:

10
11 Connie Squadere, Clermont
12 Joyce Henry, Director of Mid Florida Office, ACLU
13 Dale Gruber, Paisley
14 Sherry Aly, Tavares
15 Robin Mathias, Eustis
16 Mark Cross, Tavares
17 Beth Ann Gause, Tavares
18 Judy Phillips Jones, Mt. Dora
19 Michele Nadeau, Fruitland Park

20
21 The following spoke against the ordinance:

22
23 Vance Joachim, Tavares

24
25 Council Discussion:

26
27 Councilmember Pfister, Councilmember Norman Hope, Mayor Robert Wolfe, and Vice Mayor
28 Smith spoke in support of the ordinance, with the consensus that this was a social issue that
29 would provide basic rights to individuals in Tavares which may not be available to them currently.

30
31 **MOTION**

32
33 **Kirby Smith moved to approve Ordinance #2013-01, seconded by Bob Grenier. The motion**
34 **carried 4-1 as follows:**

35
36 **Robert Wolfe** Yes
37 **Kirby Smith** Yes
38 **Norman Hope** Yes
39 **Lori Pfister** Yes
40 **Bob Grenier** No

41
42 Mayor Wolfe adjourned the meeting for a few minutes at 4:32 pm.

43
44 The meeting was reconvened at 4:34 p.m.

45
46 **X. GENERAL GOVERNMENT**

47

1 **Tab 5) Authorization to Establish a Restricted Fund for Maintenance of the Freedom Flag**
2

3 Mr. Thompson reviewed the past process of the approvals by Council of the landscape plans and
4 the fundraising done to date. He said as of this morning \$35,400 has been donated and there will
5 be sufficient funds to set aside for the maintenance. Starting tomorrow any funds received will be
6 assigned to the maintenance fund. Council expressed appreciation to Mr. Thompson for bringing
7 the project forward. Mr. Thompson noted it had been a group project and thanked Council for
8 their support.
9

10 **MOTION**
11

12 **Kirby Smith moved to direct staff to establish a restricted fund for the monies collected**
13 **from this point forward going solely to the flagpole project, seconded by Norman Hope.**
14 **The motion carried unanimously 5-0.**
15

16 **Tab 6) Discussion of Utility Fee Policy for Vacant Properties**
17

18 Ms. Houghton stated this item has been brought forward based on a request from Council to
19 review the policy. She said there is no requirement for action at this meeting. She reviewed the
20 ordinance passed in 2009 that established base rates noting Tavares at the time was one of the
21 few cities in the area that did not charge a base rate. At the time there was a “vacation hold” and
22 customers could elect this option. She discussed that if the policy was changed again, the costs
23 would be shifted to other taxpayers of about \$42.00 per year per household. She discussed the
24 scenario which allows the meter to be pulled such as when a structure is demolished. Ms.
25 Houghton said at the current time the policy will continue to be followed unless Council directs
26 otherwise.
27

28 **Tab 7) Agreement with Florida Central Railroad for Federal Administration Grant for Rail**
29 **Improvements**
30

31 Mr. Neron reviewed the Council approval of the rail improvement grants that have included
32 several Lake County entities and Orange County. He noted the Federal 2011 grant reduced the
33 amount of local match needed for this program for this 2.2 million dollar grant. The City has been
34 asked to take the lead and be the conduit to administer the funds.
35

36 **MOTION**
37

38 **Kirby Smith moved to approve Option #1 [agreement between Florida Central Railroad and**
39 **the City of Tavares for the payment of FRA Grant Funds], seconded by Lori Pfister.**
40

41 **The motion carried unanimously 5-0.**
42

43 **Tab 8) Request to Upgrade Splash Park Surface Pad**
44

45 Mr. Neron said at the end of the 2011 season, it was noted that the splash park needed to be
46 refurbished which was approved by Council. There have been issues with accidents since the
47 surface was refurbished. Staff met and reviewed this problem at the close of this season. Based

1 on the advice of the Risk Manager and the City Attorney, staff is recommending the installation of
2 a soft pad surface. He noted the cost will be \$47,517, it is a sole supplier, and the funding will
3 need to come from reserves.

4
5 Vice Mayor Smith asked if the savings from the railroad project could be utilized. Ms. Houghton
6 said she would review the budget.

7
8 **MOTION**

9
10 **Lori Pfister moved to approve the recommendation, seconded by Kirby Smith.**

11
12 Mr. Neron thanked Lauren Farrell, Economic Development/Grants Coordinator, for her research
13 and work on this project.

14
15 **The motion carried unanimously 5-0.**

16
17 **Tab 9) Request to Name Alleyway by New Hotel**

18
19 Ms. Barnett noted the alleyway committee had recommended the name of “Pioneer Alley”, Mr.
20 Kooser had agreed, and the Tavares Historical Society voted to approve at their recent meeting.

21
22 Brenda Smith, President of the Tavares Historical Society, thanked Council for contacting them to
23 consider this recommendation and it was approved by the entire Society. She presented a picture
24 of the original Pioneer Building.

25
26 **MOTION**

27
28 **Norman Hope moved to approve the name, seconded by Bob Grenier. The motion carried**
29 **unanimously 5-0.**

30
31 **XI. OLD BUSINESS**

32
33 None.

34
35 **XII. NEW BUSINESS**

36
37 **Tab 10) Date of Freedom Flag Event**

38
39 Mr. Drury asked Council to discuss and reach consensus on a date for the raising of the Freedom
40 Flag.

41
42 **Consensus to have the ceremony on Saturday February 16th.**

43
44 Mr. Neron recommended that Council should approve the road closure.

45
46 **MOTION**

47

1 **Kirby Smith moved to close the road at 10:00 am on February 16 during the flag raising**
2 **event to be held that day. seconded by Lori Pfister.**

3
4 **The motion carried unanimously 5-0.**

5
6 **XIII. AUDIENCE TO BE HEARD**

7
8 **Betty Burleigh, Tavares**

9
10 Ms. Burleigh thanked the City for providing the senior event in the Civic Center held recently.

11
12 Mr. Drury said that Councilmember Pfister had asked a year ago that the city provide more
13 services to the seniors. He said Ms. Rogers and Mr. Aldrich have done a great job implementing
14 more services. He thanked Ms. Burleigh for bringing this forward.

15
16 **Sherrie Aly**

17
18 Ms. Aly said she is a retired senior officer from the military and she thanked Council for approving
19 the Freedom Flag.

20
21 **XIV. REPORTS**

22
23 **Tab 14) City Administrator**

24
25 Mr. Drury referred to the list of upcoming meetings. He said for the past five years the Imperial
26 Terrace community has requested to have a traffic light at their US 441 entrance. He said the
27 City has written a letter to FDOT in support of their request due to the increased traffic in the
28 area.

29
30 **Public Communications**

31
32 Ms. Joyce said this week the Tavares Prop Shop on line store went live and had its first sale
33 today.

34
35 **Tab 24) City Council**

36
37 **Councilmember Pfister**

38
39 Councilmember Pfister commented on the fun she had at the Crappie Tournament and thanked
40 Mr. Neron for coordinating it. She said she had attended the Senior Shakedown Event and it was
41 well attended. She thanked the Parks staff for their work on this event.

42
43 **Councilmember Hope**

44
45 Councilmember Hope commented on the Crappie Tournament and the African American
46 Heritage Dancers. He asked Vice Mayor Smith to attend the February MPO meeting as the
47 alternate as he would be out of town.

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Councilmember Grenier

Councilmember Grenier commended the staff for their excellent work in installing the flag.

Vice Mayor Smith

Vice Mayor Smith thanked the organizers of the African American Festival noting the parade and music was phenomenal. He thanked Councilmember Hope for attending the MPO meeting.

Mayor Wolfe

Mayor Wolfe commented on the Crappie Tournament and the African American Festival.

Mayor Wolfe asked if Ms. Farrell could look into getting a flag made with the Tavares Seaplane City brand.

Mr. Drury noted staff is doing research on the historical flag approved by the City many years ago and will bring back that information to Council. He noted Ms. Ross is researching the costs of small flags and a larger flag. Vice Mayor Smith said he would like to have the full flag underneath the state flag.

Adjournment

There was no further business and the meeting was adjourned at 5:12 pm.

Respectfully submitted,

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