

**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
APRIL 17, 2013
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

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

STAFF PRESENT

John Drury, City Administrator
Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
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
Brad Hayes, Utility Director

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Rick Fountain, Pastor, First Baptist Church, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe stated he would like to add under Tab 3A, a mention about a local veteran who will be flying into Washington D.C. through a local organization.

MOTION

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

1 **IV. APPROVAL OF MINUTES**

2
3 **MOTION**

4
5 Kirby Smith moved to approve the minutes of March 20 and April 3, 2013 as submitted,
6 seconded by Norman Hope. The motion carried unanimously 5-0.
7

8 **V. PROCLAMATIONS/PRESENTATIONS**

9
10 **Tab 2) Military Family and Community Covenant Day**

11
12 Mayor Wolfe read a proclamation recognizing April 17, 2013 as Florida Military Family &
13 Community Covenant Day.
14

15 **Tab 3) Presentation of Life Saving Awards to Police Officers**

16
17 Chief Lubins presented life saving awards to Sergeant Reynolds and Lieutenant Paynter for their
18 heroic efforts in saving an individual's life on March 3, 2013. The man was participating as a
19 runner in the Orange Blossom Half Marathon Event when he suffered a cardiac arrest. Chief
20 Lubins noted that the officer's quick response and professionalism during the incident directly
21 impacted the individual's survival and suffering of no ill effects from this catastrophic event.
22

23 **Tab 3A) Honor Flight Central Florida**

24
25 Mayor Wolfe stated that since May of 2005 Honor Flight Central Florida has taken over 100,000
26 WW II and Korean Veterans to Washington D.C. so they can see the World War II memorial. He
27 noted that on April 27th, Earl Mick of Tavares, a WW II veteran serving from Tavares, who served
28 in the Navy and survived the bombing of Pearl Harbor, will among the group taking the trip
29 through this great organization.
30

31 **VI. QUASI JUDICIAL AND DISCLOSURE OF EXPARTE CONTACTS**

32
33 Attorney Williams said there is one quasi judicial hearing which is Tab 6, the Rigsby Annexation
34 and Rezoning. He gave the oath to those who wished to give testimony.
35

36 Attorney Williams asked if Council wished to disclose any ex parte communications. There were
37 none.
38

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

40
41 Ms. Barnett read the following ordinances and resolution by title only. She noted that Ordinance
42 #2013-06 had actually been on the agenda the previous meeting for first reading but the title had
43 not been read. She said this ordinance has been advertised for the second reading on May 5,
44 2013.
45

46
47 **FIRST READING**

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ORDINANCE NO. 2013-06

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-101, DEFINITIONS; AMENDING SECTION 15-127, PRIOR FIRE SERVICE; AMENDING SECTION 15-128, DEFERRED RETIREMENT OPTION PLAN; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2013-04

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.35 ACRES OF LAND GENERALLY LOCATED ON COUNTY DRIVE, REZONING THE PROPERTY FROM COUNTY RM (MIXED HOME RESIDENTIAL) TO CITY RMH-S (RESIDENTIAL MANUFACTURED HOME SUBDIVISION); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2013-05

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 0.35 ACRES OF PROPERTY GENERALLY LOCATED ON COUNTY DRIVE FROM LAKE COUNTY URBAN LOW TO CITY MOBILE HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

VIII. CONSENT AGENDA

Mayor Wolfe asked if anyone in the audience opposed the Consent Agenda.

MOTION

Kirby Smith moved to approve the Consent Agenda [Tab 4 – Renewal of Contract for Concession Services at Woodlea Sports Park and Tab 5 – Award of Bid for Basketball Courts for Ingraham Park], seconded by Norman Hope. The motion carried unanimously 5-0.

IX ORDINANCES/RESOLUTIONS

Tab 6) Ordinance #2013-04 – Annexation and Rezoning – Rigsby Property – 1340 County Drive

1
2 Mr. Skutt reported that the subject property is located at the intersection of County Drive and
3 Mansfield Road. The property is approximately 0.35 acres in size. An existing, single family
4 home is located on this property. The subject property is the primary residence of the applicant
5 and he has no desire to change the nature of the property. Properties immediately adjacent to
6 the subject property are all within the City boundaries and for many years it was generally
7 believed that the subject property was within the City limits also. All adjacent properties are zoned
8 Mobile Home Subdivision. Site built homes are now allowed in this zoning. As a result of recent
9 research, it was determined that there is no identifiable formal ordinance annexing the subject
10 property into the City's boundaries. It is for this reason that the applicant is seeking to formally
11 annex into the City limits. The owner has erroneously been paying city taxes including city sewer
12 utility fees for over twenty years, although he is connected to a private septic system. The city
13 utility department is assisting the owner with the cost to connect to a city sewer line that runs in
14 front of his house.

15
16 **MOTION**

17
18 **Bob Grenier moved to approve Ordinance #2013-04, seconded by Norman Hope. The**
19 **motion carried unanimously 5-0.**

20
21 **Tab 7) – Ordinance #2013-05 – Small Scale Future Land Use Amendment – Rigsby**
22 **Property – 1340 County Drive**

23
24 Mr. Skutt said this is a Future Land Use Map Amendment associated with the annexation just
25 approved that designates the property as City Mobile Home which is the most compatible
26 designation with the surrounding homes

27
28 Vice Mayor Smith asked for clarification that the surrounding properties are zoned the same way.
29 Mr. Skutt confirmed.

30
31 **MOTION**

32
33 **Kirby Smith moved to approve Ordinance #2013-05, seconded by Bob Grenier. The motion**
34 **carried unanimously 5-0.**

35
36 **X. GENERAL GOVERNMENT**

37
38 **Tab 8 – Discussion of Official City Flag**

39
40 Mr. Drury noted that in 1980 the City Council approved a resolution adopting an official flag. He
41 said the minutes of that meeting reflected that it would be an outline of a red shield with five red
42 stars, one centered and one in each side of the corner of the shield on a white background which
43 had been adopted from the symbol of the coat of arms of the Tavares family. This was in
44 reference to a family crest in Spain by the name of Tavares. One flag was made by the then City
45 Administrator Brenda von Hartmann. Mr. Drury invited Ms. Burleigh to show the flag.

1 Mr. Drury noted the City has rebranded itself and adopted a branding manual. He said the City
2 has been implementing various components of the manual over the past four years. At a recent
3 Council Meeting, staff was directed to research the creation of a city flag utilizing the new city
4 brand for both selling as a smaller flag appropriate for boats and to use as a large flag. He said
5 this discussion prompted Ms. Brenda Smith to develop a flag for the approval of the Tavares
6 Historical Society and Council's approval. He showed the rendering that had been provided by
7 the Tavares Historical Society. He said the Historical Society is requesting that Council rescind
8 the previous resolution and adopt a new resolution adopting this rendering as the official flag and
9 also provide permission for the Historical Society to sell the flag and retain revenues from that
10 sale to be used as a fund raising initiative to renovate the Fire Station #1 as the new Historical
11 Society's home in the future once the Fire Department moves out to the Public Safety Complex.
12

13 Ms. Smith of the Tavares Historical Society, stated she believed Tavares was the first city in Lake
14 County to have a city flag. She said her research had indicated the flag should be three colors,
15 have meaning and state what the flag is about. She discussed the railroad history and explained
16 how she had included the tracks in the design and had come up with the concept of six railroad
17 lines coming into the city in 1880 along with the City's logo. She said the society believes this
18 represents both the past and the future of the City.
19

20 Councilmember Pfister said she loved the concept of the train tracks but that she liked the one
21 horizontal track.
22

23 Vice Mayor Smith said this flag represents the hub of Lake County. He said he would suggest
24 taking out the middle track which would be similar to the Florida State Flag. He said he was proud
25 of his mother for thinking of this.
26

27 Councilmember Grenier said he agreed with Vice Mayor Smith regarding removing the middle
28 track and added he would like the tracks to be slightly wider. He said he would have liked to see
29 more renderings. Ms. Smith said the renderings were basically the same except on different
30 colored backgrounds.
31

32 Councilmember Hope said he appreciated Ms. Smith's work and the concept. He said his
33 preference would be to open up the design of a flag to the citizens of Tavares through a contest
34 so that all of the citizens would have input.
35

36 Mr. Drury asked if a community project could be fast tracked. Mr. Drury said it could probably be
37 done in less than a year but it should probably be done in the school year if the various grades
38 and the college students were to be included. If the schools were not included it could be done
39 within a few months.
40

41 Mayor Wolfe thanked Ms. Smith and the Historic Society. Mayor Wolfe thought the community
42 had been involved with the branding. He said he likes the flag without the railroad tracks and he
43 would prefer the city's logo alone.
44

45 **MOTION**
46

1 **Kirby Smith moved to approve the City flag with the elimination of the middle track,**
2 **seconded by Bob Grenier.**

3
4 Mayor Wolfe asked for public input.

5
6 **The motion failed 3-2 as follows:**

7		
8	Robert Wolfe	No
9	Kirby Smith	Yes
10	Norman Hope	No
11	Bob Grenier	Yes
12	Lori Pfister	No

13
14 Councilmember Grenier asked to see more renderings. Councilmember Pfister said she would
15 like to see one rendering with nothing other than the city logo, one with just the cross tracks, and
16 one with just the horizontal tracks.

17
18 Councilmember Grenier said he believed the railroad needs to be included and that the railroads
19 will be part of the city's future along with seaplanes. He noted the logo is copyrighted.

20
21 Vice Mayor Smith asked that this item be tabled until the next meeting with the three renderings
22 suggested.

23
24 Councilmember Grenier said he would welcome an additional option. Councilmember Hope said
25 he would have no problem with three additional renderings but his preference would be for the
26 public to get involved and that he wanted the seaplane symbol to be the center.

27
28 **MOTION**

29
30 **Councilmember Pfister moved to bring this item back at the next meeting in May with the**
31 **three renderings: one with horizontal tracks, one with the cross tracks and the third with**
32 **just the logo, seconded by Vice Mayor Smith.**

33
34 Vice Mayor Smith said he may not be able to attend the next meeting. Mayor Wolfe said if anyone
35 cannot make the meeting he believed the item should be tabled until all five councilmembers can
36 be in attendance.

37
38 **Councilmember Pfister amended her motion to state that the item will be brought back at**
39 **the first meeting in May or the meeting when all five councilmembers can be present,**
40 **seconded by Vice Mayor Smith.**

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

43
44 **Tab 9 – Agreement with Tavares Historical Society**

45
46 Mr. Drury said staff has negotiated an agreement with the Historical Society which has been
47 developed by the City Attorney. The agreement for the leasing of the Fire Station states that the

1 **MOTION**

2
3 **Kirby Smith moved to accept the money from the TDC Board, seconded by Lori Pfister.**
4 **The motion carried unanimously 5-0.**

5
6 **Tab 12) Award of Bid for Ruby Street Sidewalk Project and Associated Budget**
7 **Amendments**

8
9 Mr. Thompson stated that Staff seeks Council's approval to appropriate \$14,944.41 from
10 remaining funds in the Road Construction Fund to complete the Ruby Street Sidewalk Project
11 and to include street lighting in addition to the sidewalk for pedestrian and traffic safety. Staff also
12 requested Council to approve the bid award to the low bidder – SV3 General Contractor.

13
14 Councilmember Hope asked if the street would have to be torn up again when the downtown
15 project is done. Mr. Thompson it appeared there will be two areas that will have a conflict but
16 nothing major. Mr. Drury noted it is in the area where the old stormwater inlets are located but not
17 the entire sidewalk.

18
19 Councilmember Grenier asked when it would be done and how long would it take. Mr. Thompson
20 said Progress Energy is ready to go but the contractor has not given a start date as that is
21 dependent on when the contract is approved.

22
23 **MOTION**

24
25 **Norman Hope moved to approve the award of bid and associated budget amendments,**
26 **seconded by Kirby Smith. The motion carried unanimously 5-0.**

27
28 **Tab 13) Agreement for Disston of Lake Dora Drive Line Extension from Disston to Lake**
29 **Dora Drive**

30
31 Mr. Hayes said this work authorization for BESH will complete the design for this line extension in
32 the amount of \$18,650. The project is for the water main extension from Disston Avenue to Lake
33 Dora Drive. This will upsize the water main to increase the water flow and improve the water
34 quality.

35
36 **MOTION**

37
38 **Norman Hope moved to approve the agreement with BESH for the design of the Lake Dora**
39 **Drive Line Extension, seconded by Kirby Smith. The motion carried unanimously 5-0.**

40
41 **Tab 14) Agreement for Design of Sewer Extension on Mansfield Road**

42
43 Mr. Hayes stated the property owners of the three parcels located at the furthest end of Mansfield
44 Road have approached the city concerning connecting to the city sewer. These properties are
45 within the city and form an enclave. They have indicated they would be willing to annex into the
46 city if the sewer would be made available. The sewer extension will also serve the property on the
47 east side of Mansfield which is presently undeveloped.

1
2 **MOTION**

3
4 **Kirby Smith moved to approve the agreement with BESH to design the sewer extension on**
5 **Mansfield Road, seconded by Bob Grenier. The motion carried unanimously 5-0.**

6
7 **Tab 15) Date for Next Golden Triangle Summit Meeting**

8
9 Mr. Drury discussed the past Golden Triangle meetings noting that the annual meeting is rotated
10 annually and it will be Tavares' year to host the meeting. He suggested the week of September
11 23rd.

12
13 **Consensus to suggest the week of September 23rd to the other two cities.**

14
15 **XI. OLD BUSINESS**

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17 **XII. NEW BUSINESS**

18
19 None

20
21 **XIII. AUDIENCE TO BE HEARD**

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24 **XIV. REPORTS**

25
26 **Tab 14) City Administrator**

27
28 Mr. Drury referred to the list of upcoming meetings. He noted the League of Cities Community
29 Awards Banquet coming up April 24th. In addition he noted tomorrow at Lakeside Inn the Lake
30 County Republican Executive Committee has invited the four candidates who have submitted
31 TDC grant applications from Tavares, Mt. Dora and Leesburg. He invited those present to attend.
32 He noted Council could attend the meeting but should not discuss the meeting amongst
33 themselves. Attorney Williams confirmed that the Sunshine Law does not prohibit attendance but
34 Council should not discuss their position except at a public meeting. Attorney Williams said he
35 would ask Mr. Minkoff if the meeting had been advertised. Mayor Wolfe said he would not be
36 attending since he is a member of the TDC Board.

37
38 Vance Joachim stated the County had advised him that the City of Leesburg has rescinded its
39 application.

40
41 **Economic Development**

42
43 Mr. Neron mentioned the Sea Plane Fly In and Planes, Trains and BBQ this coming weekend.

44
45 **Community Services**

46

1 Ms. Rogers stated that the technical drawings for the pavilion have been delivered and will be
2 reviewed by staff in the coming weeks.

3
4 **Attorney Williams**

5
6 Attorney Williams stated the city has entered into the GMP with Emmett Sapp however in the
7 agreement it is conditioned upon the funding being in place. He said the city did authorize them to
8 do the preliminary work in preparation.

9
10 **Tab 24) City Council**

11
12 **Councilmember Grenier**

13
14 Councilmember Grenier stated his brother had been elected to the city council of his town. He
15 said his sister is also an elected official on a city council.

16
17 **Vice Mayor Smith**

18
19 Vice Mayor Smith thanked Ms. Ross for helping the Tavares Historical Society. He said on this
20 day Apollo 13 splashed down in the Pacific Ocean.

21
22 **Adjournment**

23
24 There was no further business and the meeting was adjourned at 5:12 p.m.

25
26 Respectfully submitted,

27
28
29
30
31 Nancy A. Barnett, C.M.C.
32 City Clerk