

**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
MARCH 20, 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  
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**

Pastor Doug Dykstra, Adventure Christian Church, gave the invocation and those present recited the pledge of allegiance.

**III. APPROVAL OF AGENDA**

Mr. Drury requested to add one item under Old Business, 11A – Acceptance of Federal Railroad Administration Grant for Rail Line Relocation and Improvement.

**MOTION**

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

**IV. APPROVAL OF MINUTES**

1  
2 **MOTION**

3  
4 Kirby Smith moved to approve the minutes of March 6, 2013, as submitted, seconded by  
5 Bob Grenier. The motion carried unanimously 5-0.  
6

7 **V. PROCLAMATIONS/PRESENTATIONS**

8  
9 **Tab 2) Water Conservation Month**

10  
11 Mayor Wolfe read a proclamation recognizing April as Water Conservation Month.  
12

13 **VI. DISCLOSURE OF EXPARTE CONTACTS**

14  
15 Attorney Williams swore in those giving testimony for the rezoning ordinance. There were no ex  
16 parte communications.  
17

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

19  
20 Ms. Barnett read the following by title only:  
21

22 **ORDINANCE 2013-02**

23  
24 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING**  
25 **APPROXIMATELY .45 ACRES OF PROPERTY GENERALLY LOCATED ON THE**  
26 **SOUTHEAST CORNER OF SAINT CLAIR ABRAMS AVENUE AND ESTHER**  
27 **AVENUE FROM RMF-2 (RESIDENTIAL MULTI-FAMILY) TO MU (MIXED USE);**  
28 **SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY**  
29 **THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.**

30  
31 **ORDINANCE 2013-03**

32  
33 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE**  
34 **TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020,**  
35 **PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON**  
36 **APPROXIMATELY .45 ACRES OF PROPERTY GENERALLY LOCATED ON**  
37 **THE SOUTHEAST CORNER OF SAINT CLAIR ABRAMS AVENUE AND**  
38 **ESTHER AVENUE; FROM MEDIUM DENSITY RESIDENTIAL TO MIXED USE**  
39 **COMMERCIAL; PROVIDING FOR SEVERABILITY AND CONFLICTS;**  
40 **PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE**  
41 **DATE.**

42  
43  
44 **VIII. CONSENT AGENDA**

45  
46 Mayor Wolfe asked if anyone in the audience was opposed to the Consent Agenda.  
47

1 **MOTION**

2  
3 **Norman Hope moved to approve the Consent Agenda [Plat Amendments for Oak Bend**  
4 **Subdivision, Air Boss Contract for Sea Plane Fly In; and Approval of Event in Wooton Park**  
5 **– “Steamship into the Past: Relive the North and the South”], seconded by Bob Grenier.**  
6

7 Vice Mayor Smith asked if the Orange Blossom Cannonball will be running during the Wooton  
8 Park event under Tab #5 [Steamship into the Past]. Ms. McGinley of the Tavares Chamber  
9 confirmed.

10  
11 **The motion carried unanimously 5-0.**

12  
13 **IX ORDINANCES/RESOLUTIONS**

14  
15 **Tab 6) Ordinance #2013-02 – Rezoning of 518 N. St. Clair Abrams from RMF-2 to Mixed Use**

16  
17 Mr. Skutt said this rezoning request is for mixed use for ½ an acre of property located on the  
18 southeast corner of St. Clair Abrams and Esther Avenue. There is a large house on the property  
19 which the owner has refurbished. The owner has received inquiries from prospective buyers  
20 asking if the building could be used as professional office. The property is presently zoned  
21 residential multi-family 2 which only allows single family dwellings, duplexes and townhomes. To  
22 allow a professional office the zoning would have to be assigned a mixed use designation. This  
23 zoning would allow the single family dwellings, duplexes, townhomes, and apartment buildings,  
24 as well as low intensity commercial buildings, offices, and service uses.  
25

26 Mr. Skutt said the downtown master plan suggests high intensity uses along the water front,  
27 medium intensity along Alfred Street and Caroline Street and low density uses north of that. It  
28 does recommend that the north downtown residential neighborhoods be preserved. Sinclair and  
29 St. Clair Avenues are main regional connecting roads which should be characterized with  
30 extensive streetscaping, wide sidewalks, etc. He said this is a policy decision to be made by  
31 Council. He said the Planning & Zoning Board recommended approval 6-1.  
32

33 Mayor Wolfe said he did not think it was a proper rezoning at this time. Vice Mayor Smith said he  
34 believed it would be a good use and it was time to start. Councilmember Pfister said she agreed  
35 with the mayor.  
36

37 Mayor Wolfe asked for audience comment. Tom Pfeiffer said he is the property owner. He said  
38 there has been a lot of interest with the option of either having a law office or real estate office.  
39 He said the corridor is 80% rentals and this would not only increase the value of all those  
40 properties but it would also open up the corridor for development and connectivity to the  
41 downtown.  
42

43 Councilmember Grenier said he was concerned as to the type of businesses that might come  
44 onto the corridor and was concerned as to the future gateway. He said he would rather see  
45 requirements come into place before doing a rezoning.  
46



1  
2  
3 **X. GENERAL GOVERNMENT**  
4

5 **Tab 8) Approval of Police Benevolent Association Collective Bargaining Contract and**  
6 **Memorandum of Agreement**  
7

8 Chief Lubins noted that over the last several months he, Councilmember Hope and Mr. Drury had  
9 met with the members of the PBA including Officer Sean Dison, Bill Harper, Jason Baugh, and  
10 Karl Grogan, along with Steve Micciche from PBA, for the purpose of negotiating this union  
11 contract. The negotiations have concluded and the Union members have approved the  
12 agreement.  
13

14 Chief Lubins discussed the issue of the contracting out of the dispatch services. He said the PBA  
15 and the management team have negotiated a Memorandum of Understanding on the departing  
16 dispatch employees for Council's approval. He said the Emergency Operations Center may not  
17 be available until May 31<sup>st</sup> of this year. The city may therefore extend the layoff date for some of  
18 its dispatchers who voluntarily wish to stay beyond April 1<sup>st</sup> in order to coincide with the EOC  
19 completion date. Any cost to extend the service will be covered by funds previously set aside to  
20 pay the Sheriff's office for the City's contracted communications needs.  
21

22 The fiscal impact of the proposed bargaining agreement is estimated to be \$12,000 over the  
23 previously approved budget. The city also budgeted for the departure of the dispatcher  
24 employees. The only increase to that which was previously budgeted is the 30 days of health  
25 care coverage which is estimated to cost \$3,506. These two costs will be paid for out of the  
26 Police Budget by deferring the hiring of the vacant police officer position until the fall.  
27

28 Mr. Drury added that one of the items bargained was to maintain the same health coverage as  
29 the other employees and leave that up to the city Council as to how it is budgeted every year. The  
30 contract refers to a chart with percentages. He said that chart has a transposition error that needs  
31 to reflect not rounded numbers. He said the only change he recommends if the agreement is  
32 approved is that it is subject to the insertion of the corrected chart which is on page 25 and which  
33 is current for this fiscal year.  
34

35 Mayor Wolfe thanked Councilmember Hope, Mr. Drury and Chief Lubins for doing a good job  
36 negotiating and the Police Officers for their negotiating efforts.  
37

38 **MOTION**  
39

40 **Norman Hope moved to approve the PBA contract, the Memorandum of Agreement and**  
41 **the change to page 25 of the contract as recommended by Mr. Drury, seconded by Bob**  
42 **Grenier.**  
43

44 Vice Mayor Smith and Councilmember Pfister expressed appreciation for the negotiating teams.  
45

46 **The motion carried unanimously 5-0.**  
47

1 **Tab 9) Agreement for Phase 2 of Wind Turbine Feasibility Study**  
2

3 Mr. Hayes stated this will continue the Wind Turbine Feasibility study by approving a contract of  
4 \$19,400 to collect the wind data, produce the financial pay back reports, and conduct  
5 environmental studies for the potential use of wind to augment electricity at Woodlea Wastewater  
6 & Reclamation Facility. Mr. Hayes gave a report on work to date. He said if the study indicates  
7 the wind feasibility is not there the project will be discontinued. If there is potential, the next step  
8 will be to apply for a grant from the Rural Energy for America Program which allows up to  
9 \$50,000 for reimbursement for the studies. This item was budgeted in the current budget. He  
10 added that the technology has improved for capturing wind speed and it can now be as low as  
11 three to five mph to be effective.  
12

13 Mayor Wolfe asked for audience comment.  
14

15 **MOTION**  
16

17 **Norman Hope moved to approve to fund the WECC continuing contract to complete the**  
18 **Site Wind Data Collection & Management and Detailed Wind Resource Study at \$19,400,**  
19 **seconded by Lori Pfister. The motion carried 4-1 as follows:**  
20

21		
22	<b>Robert Wolfe</b>	<b>Yes</b>
23	<b>Kirby Smith</b>	<b>Yes</b>
24	<b>Norman Hope</b>	<b>Yes</b>
25	<b>Lori Pfister</b>	<b>Yes</b>
26	<b>Bob Grenier</b>	<b>No</b>
27		

28 **Tab 10) Marketing City Owned Property on Caroline Street**  
29

30 Mr. Neron reviewed the background on this property noting Council had considered utilizing this  
31 property as a potential public works facility site but had decided to remove the property from  
32 consideration. He said staff recommends to do an RFP for a real estate broker and list the  
33 property with a broker to find a potential buyer in order to put it back on the tax roll. He said the  
34 current zoning is public facility but rezoning it may increase the value of the property.  
35

36 Vice Mayor Smith asked for information regarding the process on the sale price before  
37 contracting with a broker. Attorney Williams said staff would receive an option contract that would  
38 be subject to Council approval.  
39

40 Councilmember Pfister asked if there was any need for the property in the future. Mr. Neron said  
41 there are no plans currently.  
42

43 **MOTION**  
44

45 **Bob Grenier moved to approve Tab #10 [instruct staff to solicit proposals from real estate**  
46 **firms to market and sell this property and bring a real estate broker's contract back to**  
47 **Council for approval], seconded by Lori Pfister. The motion carried unanimously 5-0.**

1  
2 **Tab 11) Dragonboat Fireworks Donation & Agreement**

3  
4 Mr. Drury stated the Rotary Club has requested that the Mayor solicit funding for the fireworks  
5 portion for the Dragonboat Races. He said the Chamber will be contributing \$500 and the Rotary  
6 will contribute \$500. The estimated cost is \$5,000.

7  
8 Mr. Drury noted that Council had developed a policy and procedure regarding solicitation of  
9 funds. He said this request meets the policy requirements. Mayor Wolfe said the Taiwanese  
10 officials have indicated they are willing to donate \$2500. He said he anticipates the community  
11 will be willing to support the fireworks.

12  
13 Vice Mayor Smith said he would like those people who donate to receive recognition for their  
14 contribution. Mayor Wolfe said there were two people who did donate last year who were allowed  
15 to bring their sponsorship signs. Ms McGinley said the Chamber does allow that and puts the  
16 information on their web site.

17  
18 **MOTION**

19  
20 **Norman Hope moved to approve the acceptance of \$1,000 pledged donations from the**  
21 **Rotary Club and Tavares Chamber, authorize the Mayor to solicit additional funding for the**  
22 **Dragon Boat Festival Fireworks program, authorize the City Administrator to enter into a**  
23 **contract for Fireworks in the amount of \$5,000 and appropriate the necessary funding and**  
24 **financial reimbursement mechanisms from donations for that appropriated funding. The**  
25 **motion was seconded by Kirby Smith. The motion carried unanimously 5-0.**

26  
27 **XI. OLD BUSINESS**

28  
29 **Tab 11A) Acceptance of the Federal Administration Grant for Rail Line Relocation and**  
30 **Improvement**

31  
32 Mr. Drury stated that Council had approved an agreement between Florida Central Railroad and  
33 the City of Tavares for a \$2.2 million in anticipation of receiving the Federal railroad grant. He  
34 noted Tavares is the pass through agency and did receive the grant and now requires formal  
35 action of City Council to accept the grant, before the City can have access to all of the grant  
36 documents. Ms. Houghton noted that Council will need to give authorization to the City  
37 Administrator or Mayor to accept the grant.

38  
39 **MOTION**

40  
41 **Kirby Smith moved to authorize the City Administrator and/or Mayor to sign off on**  
42 **acceptance of the grant, seconded by Norman Hope.**

43  
44 Ms. Houghton noted some of the documents will require signature of the Mayor and some by the  
45 City Administrator.

46  
47 **The motion carried unanimously 5-0.**

1 **Other Old Business**  
2

3 Mr. Drury noted Council has held discussion about the parking motor homes in residential areas  
4 during events and has received some comments from the residents. He asked if Council would  
5 like to leave this issue as it stands currently or have him put it on the agenda for City Attorney to  
6 review the ordinance. He asked if there was consensus from Council on this issue. Mayor Wolfe  
7 said he was fine with current procedure and ordinance. Mr. Hope said his concern is that if the  
8 Code Enforcement officer cannot enforce the ordinance then it only makes sense to either revise  
9 the ordinance or do away with it. Vice Mayor Smith said he is in agreement with the ordinance  
10 currently. Councilmember Pfister said she did not want to deter someone from driving their motor  
11 home to Tavares and visiting the city. She said visiting and living are two different things and as  
12 long as they are not living in the motor home she is in agreement.  
13

14 Mr. Drury said since there is a majority opinion at this time to leave the ordinance as is, he will  
15 only bring the issue back if the problem escalates. Attorney Williams said he agrees with the  
16 ordinance as is, however, he noted the current ordinance was written in 1974 and some of the  
17 language is somewhat out of date. He noted there is updating language that could be done if  
18 Council wishes to address this in the future.  
19

20 **XII. NEW BUSINESS**  
21

22 None  
23

24 **XIII. AUDIENCE TO BE HEARD**  
25

26 Don Campbell, 1502 E. Alfred Street  
27

28 Mr. Campbell said the discussion of the motor home is important to him as he did not realize  
29 there was a question on the ordinance. He said there is a motor home in his neighborhood that  
30 has been there for about three months. He said he would like clarification. Mr. Drury said that  
31 issue appeared clear and he should contact the Code Enforcement officer as it sounded like  
32 someone is living in the motor home.  
33

34 Patsy Umlauf, 2805 Wekiva  
35

36 Ms. Umlauf asked about golf carts being able to cross SR 19 and the requirement for license  
37 plates as in the Villages.  
38

39 Mr. Drury said there is an approval process that is coming from FDOT through FDOT District Five  
40 in Deland to Tavares sometime in the current month. He said they are working through their  
41 internal approval process and it is hoped at the next Council meeting the city will be able to  
42 provide an update.  
43

44 Charlotte Hope  
45

46 Ms. Hope thanked Mr. Neron for all of his work at the Classic Race boats festival saying it had  
47 been a very successful event.

1  
2 **XIV. REPORTS**

3  
4 **Tab 14) City Administrator**

5  
6 Mr. Drury referred to the list of upcoming meetings.

7  
8 **Economic Development**

9  
10 Mr. Neron reminded everyone of the Sunnyland Antique Boats festival this weekend. He said in  
11 terms of the railroad grant he wished to acknowledge the long persistent work of Pam Richmond  
12 and T.J. Fish of the MPO.

13  
14 **Community Services**

15  
16 Ms. Rogers said the foundation is complete for the pavilion project. She said she would arrange a  
17 guided tour for those interested.

18  
19 **City Attorney**

20  
21 **Tab 24) City Council**

22  
23 **Councilmember Pfister**

24  
25 **Councilmember Hope**

26  
27 Councilmember Hope thanked Mr. Hayes and Mr. Thompson for their work in Fox Run when the  
28 “sink hole” happened. He said it was a collapsed drainage pole and the city had quickly  
29 responded and taken care of the problem.

30  
31 He commended Mr. Neron for the car show.

32  
33 **Councilmember Grenier**

34  
35 Councilmember Grenier said the springtime water events are wonderful and he is very excited  
36 about Tavares. He noted he had held a meeting to plan for the North-South event in September.

37  
38 He said the Tavares Historical Society has their pioneer luncheon this coming Sunday which  
39 celebrates the birthdays of the founder of Tavares, St. Clair Abrams, and Captain Haynes. He  
40 noted he will be out of town for the next two weeks to visit his family in Illinois.

41  
42 **Vice Mayor Smith**

43  
44 Vice Mayor Smith commended Mr. Neron and the police officers on the boat races. He also  
45 thanked staff for the splash park and recent resurfacing project.

46  
47 **Mayor Wolfe**

1  
2 Mayor Wolfe commended staff on the Classic boat race event.

3  
4 **Adjournment**

5  
6 There was no further business and the meeting was adjourned at 4:56 pm.

7  
8 Respectfully submitted,

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