

**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
AUGUST 21, 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
Lori Houghton, Finance Director
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Bill Neron, Economic Development Director
Tammey Rogers, Community Services 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

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

III. APPROVAL OF AGENDA

Mayor Wolfe requested to add Tab 3A – presentation to Brad Hayes, Utility Director.

MOTION

Kirby Smith moved to approve the agenda with said change, seconded by Norman Hope. The motion carried unanimously 5-0.

IV. APPROVAL OF MINUTES

1
2 **MOTION**

3
4 **Bob Grenier moved to approve the minutes of July 17, 2013 as submitted, seconded by**
5 **Norman Hope. The motion carried unanimously 5-0.**

6
7 **V. PROCLAMATIONS/PRESENTATIONS**

8
9 **Tab 2) Presentation to Firefighters and Police Officers re: Life Saving Event**

10
11 Mayor Wolfe recognized Acting Chief Bart Walker from Marion County Fire Rescue who was in
12 attendance to commend Tavares Police Officers and Firefighters who performed life saving
13 measures to Larry Haney at the LRMC Half Marathon event in March of 2013.

14
15 Chief Walker described the events of the marathon which occurred in Tavares when Mr. Haney
16 collapsed and then was attended to by Lt. Jason Paynter and Sergeant Amy Reynolds who
17 started cardiac resuscitation. He noted Lake County EMS and the Tavares Fire Department also
18 responded and were able to defibrillate him and obtain a pulse immediately. He then presented
19 commendation to Engineer Jermy Bringard, Firefighter James McClung, and Lieutenant Mark
20 Kidd. [Battalion Chief Eric Wages and Battalion Chief Alan Gagne were not present to receive
21 recognition.]

22
23 Mayor Wolfe noted there is an event to be held on August 24th at Wooton Park to celebrate the
24 First Responders and raise money for the victims of the Blue Rhino explosion.

25
26 **Tab 3) Presentation on Pavilion Grand Opening**

27
28 Ms. Rogers noted the city is approaching the 100 year anniversary of the pavilion which will occur
29 in 2014. She said the staff would like to celebrate the anniversary in conjunction with the opening
30 of the new pavilion. Staff has budgeted for the grand opening in the fiscal year budget for 2014.

31
32 Ms. Rogers described the events planned for the day noting that the local Bay Street Players
33 have agreed to provide costumed actors and a barbershop quartet; the Tin Lizzy Club and
34 Osprey Lodge (serving ice cream) will participate; a photo shop will be available on the shore with
35 vintage background. etc. She reviewed the expense sheet and reviewed the outline of events.

36
37 Ms. Rogers added that staff has located a Jimmy Buffet tribute band. The lead member is a
38 seaplane pilot and has offered to fly in and perform with his band. There will be full day tours the
39 following week for people who cannot make the opening day. There will be classical music in the
40 pavilion and a slide show of the construction project. In the evening a Black Tie gala is planned
41 for tickets to be sold at \$150.00. A profit of about \$2500 is anticipated for this part of the event.
42 The Atlanta Rhythm Section has been contacted for the headliner band.

43
44 Ms. Rogers stated the total anticipated expense with the credit from the Black Tie event comes to
45 a budget of \$37,000 for the entire day and evening. Ms. Rogers said the cost for the event is
46 comparable to the value of advertising. She compared it to the cost of newspaper ads, television

1 coverage, etc. The market equivalency for this type of advertising (including bridge magazines)
2 comes to \$122,389 versus the grand opening budget of \$37,000.

3
4 Mr. Drury said the marketing component is very important as the city will be reaching out to the all
5 of the professional writers encouraging them to participate. He noted the goal is to have this
6 pavilion be an economic engine for the community.

7
8 Mayor Wolfe thanked Ms. Rogers for the financial breakdown. He noted this will be budgeted in
9 the upcoming FY 2014 budget.

10
11 Councilmember Hope thanked Ms. Rogers for addressing his concerns for residents who cannot
12 be there for the grand opening. He said the monies are not coming out of the General Fund; it is
13 coming out of the budgeted funds for the pavilion

14
15 Councilmember Grenier suggested having a historical marker ready for the event.

16
17 Vice Mayor Smith thanked Ms. Rogers for starting off the pavilion on the right foot and for
18 providing an amount to go back into the General Fund.

19
20 Mayor Wolfe noted there will be no free tickets given to anyone on Council or staff; everyone will
21 pay if they wish to attend.

22
23 **Tab 3A) Presentation to Brad Hayes, Utility Director**

24
25 Mayor Wolfe noted Brad Hayes was recently recognized by the Florida Water & Pollution Control
26 Operators Association for his accomplishments in several areas. He maintains his certification as
27 a Senior Systems Operator and has done so for many years. He thanked Mr. Hayes for his years
28 of service to the profession and his willingness to mentor others. He presented a plaque to Mr.
29 Hayes on behalf of the Association.

30
31 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

32
33 None.

34
35 **VII READING OF ALL ORDINANCES/RESOLUTIONS**

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

38
39 **ORDINANCE 2013-10**

40
41 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE**
42 **LAND DEVELOPMENT REGULATIONS BY AMENDING CHAPTER 16,**
43 **SECTION 16.9, ACCEPTANCE OF PUBLIC INFRASTRUCTURE, BY ADDING**
44 **CLAUSE (D), ABANDONED SUBDIVISIONS, REQUIRING THE REINSPECTION**
45 **OF PUBLIC INFRASTRUCTURE BEFORE BEING PUT INTO USE; SUBJECT**
46 **TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE**
47 **CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

1
2 **VIII. CONSENT AGENDA**

3
4 Mayor Wolfe asked if anyone in the audience wished to oppose an item on the Consent
5 Agenda.

6
7 **MOTION**

8
9 **Norman Hope moved to approve the Consent Agenda [Tab 4 - Interlocal Agreement
10 with Lake County for Traffic Signal Maintenance and Tab 5 – Interlocal Agreement
11 with Lake County for Library Services], seconded by Bob Grenier. The motion
12 carried unanimously 5-0.**

13
14 **IX. ORDINANCES/RESOLUTIONS**

15
16 **Tab 6) Ordinance # 2013-10 – Amendment to Land Development Regulations –**
17 **Abandoned Subdivisions – Acceptance of Public Infrastructure**

18
19 Mr. Skutt advised this is an amendment to the Land Development Regulations that
20 pertains to the acceptance of public infrastructures in subdivisions that have been
21 abandoned. He said that during the economic decline a number of subdivisions were
22 foreclosed upon and abandoned. The present code provides for a two year process for
23 accepting the infrastructure with a two year maintenance period. That process was not
24 carried through with the foreclosures. The city policy has been when the subdivisions
25 come back on line they are required to be reinspected and repaired to make sure they
26 have not deteriorated through neglect or damaged components. He said this policy has
27 worked well and most of the subdivisions are back on line. Staff would like to codify this
28 process. The Planning & Zoning Board voted unanimously to recommend it for approval
29 and staff recommends approval.

30
31 Vice Mayor Smith asked what constitutes a subdivision. Mr. Jacques said it is three lots or
32 more.

33
34 **MOTION**

35
36 **Kirby Smith moved to approve, seconded by Norman Hope. The motion carried**
37 **unanimously 5-0.**

38
39 **X. GENERAL GOVERNMENT**

40
41 **Tab 7) Approval of International Association of Firefighters Local 3245 Contract**

42
43 Chief Keith noted this is the annual collective bargaining agreement with Local 3245. He
44 said the negotiating teams for both parties have met composed of Mayor Wolfe, Mr. Drury
45 and himself. Representing the IAFF was President Alan Gagne and Vice President Mark
46 Kidd. He said only Article 33 was bargained. It includes a 2.5% cost of living adjustment
47 effective October 1, 2013. The salary ranges were increased by 2.5% which helps the

1 department to stay marketable. It impacted two employees and that financial impact is
2 \$3,211.78 which will be included in the budget. Under Paramedic Incentives it requires
3 that the paramedic has to maintain their license to work under the Medical Director and
4 language was struck that had referred to a contingency on the ALS services being
5 provided, which will now be in effect October 1.

6
7 **MOTION**
8

9 **Norman Hope moved to approve the 2013 Collective Bargaining Agreement with**
10 **IAFF Local 3245, seconded by Bob Grenier. The motion carried unanimously 5-0.**
11

12 **Tab 8) Police Union Contract Amendment**
13

14 Chief Lubins advised that Councilmember Hope, Mr. Drury, and he were appointed to the
15 management team. The PBA Union's Chief Negotiator along with three police officers
16 bargained at several sessions. This year's bargaining was limited to wages only. The
17 tentative agreement has been reached subject to Council's approval. All employees will
18 receive a 2.5% wage increase effective October 1; road patrol supervisor's current range
19 will be adjusted to \$24.65 to \$25.24 per hour based on the date of hire and date of
20 promotion. This adjustment is limited to the four road patrol supervisors to correct a
21 compression issue that resulted in some cases of supervisors making less than the
22 officers being supervised. It will cost \$23, 473.32.
23

24 Mayor Wolfe asked if Council had questions. He thanked Councilmember Hope, Mr.
25 Drury and Chief Lubins for negotiating on behalf of the city.
26

27 **MOTION**
28

29 **Bob Grenier moved to approve the staff recommendation to approve the**
30 **management teams and union's contract amendment to Article 17.1 as provided,**
31 **seconded by Kirby Smith. The motion carried unanimously 5-0.**
32

33 **Tab 9) Acceptance of Grant for Life Pack – 15 Cardiac Monitor**
34

35 Chief Keith reported that on October 1 the City will begin providing ALS and in
36 conjunction with that the city has been awarded a \$25,000 grant from the State of Florida
37 Department of Health. The equipment costs \$33,000. Chief Keith discussed the functions
38 of the equipment. He introduced the Administrative Officer Helen Vilissov who applied for
39 the grant. Chief Keith asked for approval to purchase the equipment now in order to be
40 ready for October 1st. The department will borrow the difference from reserves of
41 \$8,559.95 and then eliminate this item from the next year's budget.
42

43 Mayor Wolfe noted that Council has approved for the department to provide ALS on
44 October 1st and this request is in tune with that approval.
45

46 **MOTION**
47

1 **Bob Grenier moved to approve Option #1, to accept the State of Florida Department**
2 **of Health grant of \$25,000 and provide an \$8,559.95 grant match from the General**
3 **Fund Reserves, and eliminate this item from next year's budget fiscal year 2014**
4 **budget and commence ALS on October 1, 2013. The motion was seconded by**
5 **Norman Hope.**
6

7 Vice Mayor Smith said he agrees with purchasing the equipment now, however he would
8 like to request that when the line item is removed from the budget that money would then
9 go into next year's reserves. He asked that it be included in the motion.

10
11 **Councilmember Grenier agreed to amend his motion with this stipulation, [money**
12 **budgeted for Life Pak in next year's budget going back into reserves] seconded by**
13 **Norman Hope, The amended motion was approved 5-0 unanimously.**
14

15 **Tab 10) Interlocal Services Boundary Agreement with Lake County for Old 441**
16

17 Mr. Skutt said this is a request for Council approval on whether to begin working on an
18 agreement with Lake County regarding the Old 441 corridor.
19

20 The most common method used now for annexing properties into the city is a voluntary
21 annexation of contiguous lands. As the city moves outward the utilities are extended which works
22 well for small cities with a relatively slow growth rate. It becomes more complicated when the
23 gaps are filled in between two cities and it is necessary to coordinate the utilities and the services
24 so that these services mesh seamlessly.
25

26 To address this issue the State has adopted the Interlocal Boundary Act which provides for a
27 more flexible process for adjusting municipal boundaries while encouraging intergovernmental
28 coordination in planning and service delivery.
29

30 Several property owners and Developers have asked the City of Tavares if it is planning to
31 provide sewer and water services along the Old 441 Corridor between Tavares and Mount Dora
32 (to Bay Road). Although the city has utility capacity, lines would need to be extended. A
33 Preliminary Engineering Report for Old 441 from SR 19 to Bay Road was completed in 2007. The
34 present Alfred/Caroline Street one-way project is only the first phase of recommended
35 improvements along that corridor. Subsequent phases would continue the project to Bay Road.
36 An Interlocal Service Boundary Agreement (ISBA) would assist the City and County to formulate
37 a unified plan for service and utility provision within an area defined by the agreement. Under an
38 ISBA, annexation of non-contiguous properties is allowed since urban service extensions to these
39 properties are predetermined under the agreement.
40

41 Staff believes this is a viable alternative and is seeking Council's direction on whether to initiate
42 this process.
43

44 Mr. Drury noted one of the issues that came out of the Visioning Process was to improve how the
45 community looks upon entering and exiting and one of the projects taken on is improvement of
46 the Alfred Street Corridor, which Councilmember Pfister has spearheaded. He said this
47 presentation is a natural progression from what has been initiated thus far.

1
2 Vice Mayor Smith said he had consulted with the City Attorney as he owns property that might be
3 incorporated into this project. Attorney Williams said this will be a long process to be negotiated
4 over a large area but because it is a general action over a large area it is not recognized as a
5 voting conflict.

6
7 **MOTION**
8

9 **Norman Hope moved to approve pursuing an ISBA with Lake County for provision of**
10 **services along the Old 441 Corridor and direct staff to initiate the process for establishing**
11 **this agreement, seconded by Bob Grenier. The motion carried unanimously 5-0.**
12

13 **Tab 11) Appointment of Library Board Member**
14

15 Mayor Wolfe stated that Mr. Cooke has stepped down from the Library Board. He recommended
16 the appointment of Norma Emerson to fill his remaining term.
17

18 **Council consensus to approve the Mayor's recommendation.**
19

20 **XII. OLD BUSINESS**
21

22 Councilmember Pfister said that for the upcoming event in May for the pavilion grand opening,
23 she would like permission to solicit sponsors for the event itself. The money will be used for
24 marketing and promotion for the event. She said one local citizen came to her without solicitation
25 and offered \$1000.
26

27 Mr. Drury said this is consistent with the City's policy.
28

29 **Council consensus for Councilmember Pfister to solicit sponsorships.**
30

31 **XIII. NEW BUSINESS**
32

33 **XIV. AUDIENCE TO BE HEARD**
34

35 **XV. REPORTS**
36

37 **Tab 14) City Administrator**
38

39 **City Clerk**
40

41 Ms. Barnett said she would like to announce the City Council candidates who qualified for office
42 on August 15, 2013 at noon. Councilmember Kirby Smith qualified without opposition for Seat 2
43 and Robert Speaks qualified without opposition for Seat 4. The city will not be placing names on
44 the ballot and these individuals are considered elected to these positions.
45

46 **Economic Development**
47

1 Mr. Neron reminded everyone of the upcoming Jet Ski event.

2
3 **XV. REPORTS**

4
5 **Tab 15) City Council**

6
7 **Councilmember Pfister**

8
9 **Councilmember Hope**

10
11 Councilmember Hope stated that he and his wife had attended the annual League of City
12 Conference and 95% of the people attending knew about Tavares and its reputation as the
13 Seaplane City. He said it was interesting to attend the sessions and learn about the problems
14 around the state. He said he was proud to be able to say the city is solving those problems in
15 Tavares. He said they had enjoyed participating in the conference.

16
17 **Councilmember Grenier**

18
19 Councilmember Grenier said he is almost done with writing the paper for the VIVA Florida time
20 capsule and will bring it back to Council before he turns the report in to VIVA Florida.

21
22 Councilmember Grenier said that Disston Avenue had been mentioned at this meeting. He said
23 that Hamilton Disston was from Philadelphia and he believes he still holds the American record
24 as the individual purchasing the single largest parcel of land when he bought four million acres of
25 Florida land.

26
27 **Vice Mayor Smith**

28
29 Vice Mayor Smith said he had met people from the Lowes Company who volunteered to reroof
30 the baseball facility at Ingraham. He expressed his appreciation to Ms. Rogers and the parks staff
31 for assisting Lowe's in this project.

32
33 **Mayor Wolfe**

34
35 Mayor Wolfe expressed his appreciation to staff for the Lowes project.

36
37 **XI. FISCAL YEAR BUDGET WORKSHOP 2014**

38
39 Mr. Drury noted this is the last Council Budget Workshop which started in March and continued
40 through June, July and August. He presented the following update:

41
42 *Previously Council was provided Budget Clean-up Items Report #1 and #2 and took action on*
43 *some of the items in those two reports. Updated budget books were provided reflecting these*
44 *budget changes.*

45
46 *This Budget Clean-up Items Report #3 is provided to Council with updated Budget pages to be*
47 *provided when the final budget book is re-printed.*

1
2 *As it stands, with all of the budget clean up items included to date, the proposed millage rate is*
3 *now at 6.4531 which is .0279 mills less than what was presented in the first draft budget to*
4 *Council (6.4810) and .5319 less than the maximum tentative millage rate previously set by*
5 *Council (6.9850). It represents a .4681 mil above the prior year millage rate of 5.985. This*
6 *includes the Police and Fire Union negotiations and final numbers on Health care costs.*

7
8 *This reflects a balanced Budget of \$13,408,263 for the General Fund with at total estimated*
9 *reserve of \$1,137,988) (8.5%) broken out as follows:*

10
11 *Reserves for unforeseen Emergencies: \$1,024,189 (90%)*
12 *Reserves For unforeseen Contingencies: \$113,799 (10%)*
13 *\$1,137,988 (100%)*

14
15 Mr. Drury noted that after this workshop will begin the Public Hearing process when the final
16 millage rate and final budget will be approved.

17
18 Mayor Wolfe asked Council if there were other matters for discussion at this workshop.

19
20 Councilmember Hope asked if the bottom line figure on reserve will change after the amended
21 motion by Vice Mayor Smith. Mr. Hope said that was correct. One change will occur after the
22 motion made today and the other will be any adjustments to the budget in the last 30 days.
23 Underspending will go back into reserves; overspending will affect reserves. There will be
24 cleanup at the end of the fiscal year.

25
26 Mayor Wolfe said an opportunity has come up for the Tavares High School football team. The
27 Radio Station 790 has contacted the City regarding covering the Tavares High School Football
28 Team and they are looking for sponsors. Sponsorship is \$300 and there is a minimum of five ads.
29 The announcer will reference city of Tavares, America's Seaplane city during the breaks.

30
31 Vice Mayor Smith asked if that could come from the Communications budget. Mr. Drury said the
32 monies could be added to that budget. Mr. Neron said his advertising budget could probably
33 cover it.

34
35 **MOTION**

36
37 **Lori Pfister moved to approve the \$300 out of the CRA budget to pay the \$300 for the**
38 **sponsorship, seconded by Bob Grenier. The motion carried unanimously 5-0.**

39
40 Councilmember Pfister said she is satisfied with the budget and thanked the department heads
41 for their work on the budget. Mayor Wolfe concurred. He noted that comments from the public will
42 be taken at the next meeting.

43
44 **Vance Joachim**

45

1 Mr. Joachim said he wished to discuss transparency. He said there is nothing in the attachments
2 pertaining to Mr. Drury's comments on the costs of the union contract wage increases. He said
3 there was mention of the percentage increase but nothing about the total dollar impact.

4
5 Mr. Drury said the impact of the 2.5 wage impact is in the budget and it is broken out separately.
6 Mr. Joachim said that figure was not broken out for the public at this meeting. Mr. Drury noted the
7 board has discussed the total impact at previous meetings but he said he will provide the total
8 dollar figure of the overall increase. Mr. Joachim said it was something to consider for the future.

9
10 **Adjournment**

11
12 There was no further business and the meeting was adjourned at 6:16 p.m.

13
14 Respectfully submitted,

15
16
17
18 Nancy A. Barnett, C.M.C.
19 City Clerk