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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
OCTOBER 2, 2013
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

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

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

Tom Cavanaugh, First Baptist Church of Mt. Dora, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe noted for those wishing to give public comment on any items on the agenda, they may fill out a form located by the door and bring to the City Clerk. He noted there are other times the public may speak—on the Consent Agenda and at the end of the meeting under Audience to be Heard.

MOTION

1 **Kirby Smith moved to approve the agenda, seconded by Bob Grenier. The motion carried**
2 **unanimously 5-0.**

3
4 **IV. APPROVAL OF MINUTES**

5
6 **MOTION**

7
8 **Kirby Smith moved to approve the minutes of the August 21, 2013 City Council meeting as**
9 **submitted, seconded by Bob Grenier. The motion carried unanimously 5-0.**

10
11 **V. PROCLAMATIONS/PRESENTATIONS**

12
13 **Tab 2) Red Ribbon Week – Support for Drug Free Environment – Young Marines – Orlando**
14 **Devil Dogs**

15
16 Mayor Wolfe read a proclamation designating October 23 through October 31, 2013 as “Red
17 Ribbon Week” in observance of activities by the Young Marines to reduce the use of illicit drugs in
18 the community. He then presented the proclamation to Marie Osteen, a member of the Young
19 Marines.

20
21 **Tab 2) ALS Ribbon Cutting Presentation**

22
23 Chief Keith played the audio that was sent over the Lake EMS Dispatch Channel the previous
24 night at midnight October 1 which stated that Tavares Fire Department recognized Fire Station 28
25 as its first ALS Fire Station. Chief Keith stated with that announcement, Tavares has entered the
26 realm of Advanced Life Support and he wished to thank the City Council for their support. He
27 noted it has been a team effort between Council, the City Administrator, Finance Department,
28 staff members, and the City’s partnership with Mt. Dora and Eustis.

29
30 Chief Keith introduced Jerry Smith, Executive Director of Lake EMS. Mr. Smith stated that on
31 behalf of the Lake EMS Board of Directors, he wished to congratulate the City Council for their
32 support of the staff on this initiative to improve the services to the citizens. He noted the
33 paramedic staff had gone through extensive testing for their certification.

34
35 Chief Keith presented Shane Lanoue, Ryan Gregg, and Nicole Chavers, the Tavares Firefighter
36 Paramedics. The official ribbon cutting, utilizing paramedic shears, was done by City Council to
37 commence the ALS service.

38
39 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE CONTACTS**

40
41 None.

42
43 **VII READING OF ALL ORDINANCES/RESOLUTIONS**

44
45 Ms. Barnett read the following ordinances by title only:

46
47 **ORDINANCE NO. 2013-16**

1
2 **AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15,**
3 **PENSIONS AND RETIREMENT, ARTICLE IV, POLICE OFFICERS' PENSION**
4 **TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES;**
5 **AMENDING SECTION 15-74, FINANCES AND FUND MANAGEMENT;**
6 **PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN**
7 **CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

8
9 **ORDINANCE NO. 2013-17**

10
11
12 **AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15,**
13 **PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION**
14 **TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES;**
15 **AMENDING SECTION 15-104, FINANCES AND FUND MANAGEMENT;**
16 **PROVIDING FOR CODIFICATION; REPEALING ALL ORDINANCES IN**
17 **CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

18
19 **RESOLUTION #2013-11**

20
21 **A RESOLUTION ADOPTING A FINDING OF NECESSITY STUDY THAT**
22 **IDENTIFIES A PORTION OF THE DOWNTOWN AREA OF THE CITY OF**
23 **TAVARES AS SLUM AND BLIGHT; IDENTIFYING THAT THE**
24 **REDEVELOPMENT OF THIS AREA IS ESSENTIAL TO THE INTEREST OF THE**
25 **PUBLIC HEALTH, SAFETY, AND WELFARE OF THE RESIDENTS OF THE**
26 **CITY OF TAVARES; AMENDING THE TAVARES DOWNTOWN TAVARES**
27 **REDEVELOPMENT MASTER PLAN AND THE DOWNTOWN COMMUNITY**
28 **REDEVELOPMENT MAP TO ADD CITY OWNED PROPERTIES LYING**
29 **BETWEEN E. ALFRED STREET AND E. MAIN STREET; AND PROVIDING AN**
30 **EFFECTIVE DATE.**

31
32 **RESOLUTION 2013-15**

33
34 **A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF**
35 **TAVARES, FLORIDA, AUTHORIZING THE CITY OF TAVARES TO INITIATE**
36 **THE NEGOTIATION PROCESS FOR AN INTERLOCAL SERVICE BOUNDARY**
37 **AGREEMENT BETWEEN THE CITY OF TAVARES AND LAKE COUNTY, FOR**
38 **LANDS GENERALLY LOCATED ALONG THE OLD 441 CORRIDOR,**
39 **PURSUANT TO CHAPTER 171, PART II, FLORIDA STATUTES; PROVIDING**
40 **THAT THIS RESOLUTION SHALL ACT AS THE REQUIRED INITIATING**
41 **RESOLUTION UNDER CHAPTER 171.203, FLORIDA STATUTES; SUBJECT**
42 **TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE**
43 **CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

44
45 **RESOLUTION 2013-16**

46
47 **A RESOLUTION ADOPTED BY THE CITY COUNCIL OF THE CITY OF**
48 **TAVARES, FLORIDA, EXPRESSING THAT THE CITY OF TAVARES DESIRES**

1 TO PARTICIPATE IN NEGOTIATIONS WITH THE CITY OF MOUNT DORA AND
2 LAKE COUNTY TOWARDS THE ENTERING OF AN INTERLOCAL SERVICE
3 BOUNDARY AGREEMENT UNDER CHAPTER 171.203, FLORIDA STATUTES;
4 SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED
5 BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.
6

7 **RESOLUTION NO. 2013 –18**
8

9 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES,
10 FLORIDA, PROVIDING FOR PLAN RESTATEMENT UNDER SECTION 401(a)
11 OF THE INTERNAL REVENUE CODE TO THE GENERAL EMPLOYEES
12 RETIREMENT PLAN NO. 7763, A DEFINED CONTRIBUTION PLAN WITH THE
13 MASSMUTUAL FINANCIAL COMPANY
14

15 **VIII. CONSENT AGENDA**
16

17 Mayor Wolfe asked if anyone in the audience opposed any item on the Consent Agenda.
18

19 **MOTION**
20

21 **Norman Hope moved to approve the Consent Agenda [Contract with Air Boss
22 Services for Seaplane Fly In; Agreement for HydroDrag Event Sponsorship; and
23 Domestic Registry Update], seconded by Kirby Smith. The motion carried
24 unanimously 5-0.**
25

26 **IX. ORDINANCES/RESOLUTIONS**
27

28 **Tab 9) Resolution #2013-11 – Amendment of CRA Boundary**
29

30 Mr. Skutt explained that the resolution will expand the Downtown CRA District to include
31 the city owned properties that lie between Disston and the railroad tracks where the
32 Public Works Building and the Fire Station are now located. Staff has done the necessary
33 study and determined that the properties qualify and have notified the County and the
34 relevant taxing authority. This property will become a prime area for redevelopment once
35 the city buildings have been relocated. The Planning & Zoning Board recommended
36 approval and staff recommends approval.
37

38 **MOTION**
39

40 **Bob Grenier moved to approve Resolution #2013-11, seconded by Lori Pfister. The
41 motion carried unanimously 5-0.**
42

43 **Tab 10) Resolution #2013-15 – Interlocal Services Boundary Agreement with Lake
44 County regarding Old US 441**
45

46 Mr. Skutt stated on August 21, City Council directed staff to negotiate an Interlocal
47 Services Boundary Agreement between Lake County and the City of Tavares for

1 properties that are located along the old US 441 corridor between Tavares and Bay
2 Road. The key advantage of this agreement is that non-contiguous properties can be
3 annexed voluntarily. The law requires that if the City desires to initiate an ISBA or wishes
4 to participate in another city's negotiation of an ISBA, that the desire must be stated in a
5 council resolution. Staff recommends approval.

6
7 **MOTION**

8
9 **Lori Pfister moved to approve Resolution #2013-15, seconded by Bob Grenier. The**
10 **motion carried unanimously 5-0.**

11
12 **Tab 10) Resolution #2013-16 – Request to Participate in City of Mt. Dora Interlocal**
13 **Services Boundary Agreement**

14
15 Mr. Skutt stated that Mt. Dora has also initiated an ISBA with Lake County and their area
16 of negotiation at the request of Lake County has now expanded westerly along Old US
17 441. There is an overlap between their proposed boundary and the City of Tavares'
18 proposed boundary and this resolution will establish the City's desire to participate in this
19 negotiation. Staff recommends approval.

20
21 **MOTION**

22
23 **Norman Hope moved to approve Resolution #2013-16, seconded by Bob Grenier.**
24 **The motion carried unanimously 5-0.**

25
26 **Tab 12) Resolution #2013-17 – Request to Participate in City of Leesburg Interlocal**
27 **Services Boundary Agreement**

28
29 Mr. Skutt stated that Leesburg has also initiated an ISBA with Lake County. Their
30 proposed boundary on US 441 abuts the City of Tavares boundary. Leesburg has invited
31 the City to participate in those negotiations and it is staff's recommendation to accept that
32 invitation.

33
34 **MOTION**

35
36 **Kirby Smith moved to approve Resolution #2013-17, seconded by Bob Grenier. The**
37 **motion carried unanimously 5-0.**

38
39 **Tab 13) Resolution #2013-18 – MassMutual Employee Retirement Plan Restatement**
40 **to Meet IRS Regulations**

41
42 Ms. Houghton explained that every five years the IRS requires entities with plan
43 documents of individually designed plans to be re-state their plan documents to reflect
44 any changes for the purpose of IRS rule changes. Although the City went to the FRS plan
45 in 2006 there are still some employees on the older Hartford Plan (now MassMutual).

46
47 **MOTION**

1
2 **Bob Grenier moved to approve Resolution #2013-18, seconded by Norman Hope.**
3 **The motion carried unanimously 5-0.**

4
5 **X. GENERAL GOVERNMENT**

6
7 **Tab 14) Golden Triangle Fire District Update**

8
9 Attorney Williams noted the plan for the consolidation was originally anticipated to be
10 composed of Tavares, Mt. Dora, and Eustis; however Eustis has decided not to
11 participate (at least this year). Mt. Dora and Tavares are continuing to move forward. The
12 plan is to combine firefighting services with Mt. Dora and to provide for the ability of a
13 District that would be comprised of the city limits of each City. To do that the city will have
14 to create a legal entity or governing board for the District. He noted most of the Fire
15 Districts in the state have independent boards. The staff's preference is to have
16 representatives from both cities that would be appointed by the cities. He said the
17 legislative route may require an elected board. In addition there has been discussion with
18 the County on how to handle the areas that are not within the city limits but that are closer
19 to a municipal fire station. He said the County's preference is not to include those county
20 areas within the District. He said the city is negotiating with the County regarding a
21 "closest to serve" provision within the new District. There would be a charge at the end of
22 the year for whichever entity provides the service. The plan is to try to get this included in
23 the special legislative hearings for adoption next year (hopefully by October 2014) as a
24 legal entity.

25
26 Mr. Drury stated last night he had attended the City Council meeting in Mt. Dora and the
27 Mt. Dora City Council all voted unanimously to move forward. Their concern was when
28 Tavares would begin ALS services.

29
30 Mr. Quinn, City Manager of Mt. Dora, addressed Council. He noted there was unanimous
31 approval by the Council in Mt. Dora and he believed it was the right direction as it will
32 improve customer services. He said he anticipated that the City of Eustis and the County
33 will want to work with the District. Mr. Drury said there will be an update at the next
34 Council Meeting on this topic.

35
36 **MOTION**

37
38 **Bob Grenier moved to move forward on creating the Golden Triangle Fire District,**
39 **seconded by Kirby Smith.**

40
41 Vice Mayor Smith noted it was an honor to participate in this project as it will help the
42 citizens of both cities get better service, quicker response time, and more logistics.

43
44 **The motion carried unanimously 5-0.**

45
46 **Tab 15) Discussion on Spaying/Neutering Ordinance**

47

1 Attorney Williams stated Councilmember Pfister requested that he research this topic at
2 the last Council Meeting. He said he has found that there are a number of Florida cities
3 and one or two counties who have adopted local ordinances that require pet owners to
4 have their pets spayed or neutered. There are exceptions for animal breeders, certain
5 types of service dogs, certain types of police dogs, etc. It requires dogs and cats that are
6 older than four to six months to get spayed. Some ordinances require permits and
7 licensing.
8

9 Councilmember Pfister said she had brought this up because of her concern about the
10 growing numbers of unwanted pets. She said Tavares is the County seat and has taken
11 leadership in certain initiatives. She said although she does not like more rules, she
12 believes that since the tax dollars pay for the services of Animal Control, the citizens have
13 the right to impose regulations.
14

15 There was discussion regarding having an ordinance prepared to review but some
16 concern expressed on imposing more regulations on citizens.
17

18 **MOTION**

19
20 **Bob Grenier moved to direct the City Attorney to develop an ordinance, seconded
21 by Lori Pfister.**
22

23 Mayor Wolfe commented the ordinance could become a deterrent similar to traffic
24 violations.
25

26 **The motion carried 4-1 as follows:**
27

28 Robert Wolfe	Yes
29 Kirby Smith	No
30 Bob Grenier	Yes
31 Norman Hope	Yes
32 Lori Pfister	Yes

33

34 Attorney Williams asked for feedback on permitting and licensing and said he would bring
35 some options.
36

37 **Tab 16) ART Sponsorship Program for the Pavilion**
38

39 Ms. Rogers noted that the public enjoys art but do not usually want tax dollars to go
40 towards the purchase of art, so this has not been calculated in the pavilion budget. Staff
41 has developed a program whereby a letter will be sent to local businesses requesting a
42 minimal donation of \$1,000. The money collected will be placed in a restricted fund for the
43 purchase of the artworks. A selection committee will be formed of Councilmember Pfister,
44 the City Administrator, and Ms. Rogers to select and purchase the art for the new
45 pavilion. The donor's contribution will be memorialized by installing a plaque at the
46 entrance to the pavilion that would be updated as art is changed out over time. There will
47 be a letter of agreement sent with the invitation to become a donor.

1
2 **MOTION**

3
4 **Kirby Smith moved to approve the ART Sponsorship Program as submitted,**
5 **seconded by Bob Grenier. The motion carried unanimously 5-0.**

6
7 **XI. OLD BUSINESS**

8
9 **Tab 17) City Council Notepads for Agenda**

10
11 Ms. Houghton stated that staff has obtained a quote for tablets for Council of \$2,927 which will
12 include the City Clerk. She said that Alex Patton, IT Network Administrator, has reviewed several
13 options and found that the Samsung Note 1021 tablet appears to offer the best option at the best
14 price. She discussed the details of the tablet. Ms. Houghton recommended taking the funds from
15 the Sister City budget.

16
17 Mr. Drury said this proposal will support the City's ongoing commitment to green initiatives and
18 Council voted at the last meeting to have staff bring this item back with more information. He
19 noted the City Attorney had done some research and found Tavares is one of the last cities to go
20 paperless.

21
22 **MOTION**

23
24 **Lori Pfister moved to go forward with the purchase of the tablets, seconded by Norman**
25 **Hope.**

26
27 Vice Mayor Smith said he would like to know the cost of upgrading the devices, the cost of the IT
28 services required to keep them in performance, the longevity of the units; and whether outlets
29 will need to be installed at the dais.

30
31 **The motion carried unanimously 5-0.**

32
33 **XII. NEW BUSINESS**

34
35 **XIII. AUDIENCE TO BE HEARD**

36
37 **Don Campbell, 1502 E. Alfred Street**

38
39 Mr. Campbell said he has been a resident for 10 years and wanted to commend the City for going
40 above and beyond to help with the event [Rifles, Rails and History] held this past weekend in
41 Wooton Park, He said he was very proud to be a citizen of Tavares.

42
43 Mr. Drury commented that he appreciated the tour he had received on the first day of the event.

44
45 **XIV. REPORTS**

46
47 **Tab 14) City Administrator**

1
2 Mr. Drury referred to list of upcoming meetings. He discussed the Golden Triangle Summit that
3 will be hosted at Tavares on October 29.
4

5 **City Clerk**
6

7 Ms. Barnett reminded Council that per the Council policy there will only be one meeting in
8 November which will be November 20th. Sine Die will be held, swearing in of new
9 councilmembers and the election of Mayor and Vice Mayor. In addition there will be a reception
10 for outgoing Councilmember Bob Grenier at 3:30 p.m.
11

12 **Community Services**
13

14 Ms. Rogers said the city just received formal notice that the Friends of the Tavares Library has
15 received a bequest by Mrs. Mary Louise Stern in the amount of \$100,000. The City will be
16 working with the Friends of the Library to determine utilization of the donation.
17

18 Ms. Rogers then brought out a cake in honor of Brad Hayes' birthday.
19

20 **Tab 15) City Council**
21

22 **Councilmember Pfister**
23

24 Councilmember Pfister noted the Rifles, Trains and History event had gone very well. She
25 thanked Councilmember Grenier for his hard work and dedication to history.
26

27 **Councilmember Hope**
28

29 Councilmember Hope said he had found two and a half pages of Hopes that served in the
30 Confederate Army at the Wooton Park Event and it was a pleasure to attend and speak to the
31 residents who attended and hear the positive feedback.
32

33 **Councilmember Grenier**
34

35 Councilmember Grenier said at the next Council Meeting he and the coordinator of the event will
36 do a formal presentation to thank the Council and the staff. He said the re-enactors and visitors
37 came from all over the southeast and were very positive about Tavares. He commended the staff
38 on their support and participation.
39

40 **Vice Mayor Smith**
41

42 Vice Mayor Smith said the event was spectacular and he enjoyed the educational component. He
43 said he visited "Kirby Smith Camp" which was the camp that his grandfather was involved with.
44 He congratulated Councilmember Grenier and Heather Graham on the successful event.
45

46 Vice Mayor Smith said on this day in history in 1948 in Fall River Massachusetts, Brad Hayes
47 was born. He wished Mr. Hayes "Happy Birthday."

1
2 Vice Mayor Smith noted he would be unable to attend the next Council Meeting as he would be
3 away on business that week.

4
5 **Mayor Wolfe**

6
7 Mayor Wolfe noted it was a great turn out for the train dedication, he had enjoyed talking to the
8 participants at the different camps and he looked forward to having the event next year.

9
10 **Adjournment**

11
12 There was no further business and the meeting was adjourned at 5:17 p.m.

13
14 Respectfully submitted,

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