

**CITY OF TAVARES  
MINUTES OF REGULAR COUNCIL MEETING  
DECEMBER 18, 2013  
CITY COUNCIL CHAMBERS  
4:00 p.m.**

**COUNCILMEMBERS PRESENT**

**ABSENT**

Robert Wolfe, Mayor  
Lori Pfister, Vice Mayor  
Kirby Smith, Councilmember  
Robert Speaks, Councilmember  
Norman Hope, 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 Chief  
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 Rick Fountain, First Baptist Church of Tavares, 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 Robert Speaks. The motion carried unanimously 5-0.

**IV. APPROVAL OF MINUTES**

**MOTION**

1  
2 **Norman Hope moved to approve the minutes of the regular City Council meeting of**  
3 **October 16, 2013, seconded by Robert Speaks. The motion carried unanimously 5-0.**

4  
5 **V. PRESENTATION**

6  
7 Mr. Neron introduced Robert Chandler from the Lake County Economic Development and Tourist  
8 Office who was present to provide an annual update.

9  
10 Mr. Chandler thanked Council for the financial assistance provided previously. He discussed the  
11 Business Opportunity Center, its activities and its objectives. He said the program was launched  
12 last September with three locations in the County (Eustis, Groveland, and Leesburg). For the first  
13 year the report card was mixed. He said the support services were good but there needed to be  
14 more classes.

15  
16 Mr. Chandler said the County did not ask for more funding in 2014 because of the mixed report.  
17 He said Nancy Muenzmay, a member of the Lake Sumter State College staff, is the new director  
18 of the incubator program. He said they have combined the Business Opportunity Center and the  
19 Incubator Program under one roof. He said they will be focusing on marketing and sources of  
20 funding for businesses. He added they need more participation from the business community. He  
21 read the revised Vision Statement as follows: “The Business Opportunity Center is a  
22 comprehensive business support ecosystem designed to connect business innovators, market  
23 experts, customers, and capital providers for the purpose of transforming business ideas into  
24 viable business ventures.”

25  
26 Ms. Muenzmay discussed the specifics of the plans for the program moving forward regarding  
27 their training program, incubator services, marketing, etc..

28  
29 Mr. Chandler said updated data on the program will be provided in February and they will  
30 continue their community outreach.

31  
32 Mayor Wolfe thanked Mr. Chandler for not requesting more sponsorship money from the city. He  
33 said in terms of the marketing for this area, he believes the community needs to focus more on  
34 trades and the technical schools and recognize that not all children will go to college. Mr.  
35 Chandler said he is in agreement and added he believes there is a new trend in this area.

36  
37 Councilmember Smith said he appreciated that Lake County has responded to the changes  
38 needed in this program in a timely manner.

39  
40 Mr. Drury commented that the city had worked with the new owner of the Jones Brothers  
41 seaplane business who received assistance from the BOC and he hoped they would continue to  
42 follow up with this individual. He also stated that the local chefs need more support in business  
43 planning and he hoped the BOC will expand their consulting services to go out to the restaurants  
44 to meet with the business owners and chefs on site.

45  
46 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS**

47

1 Attorney Williams swore in those who wished to give testimony on the rezoning case for Idamere  
2 Crossings, Ordinance #2013-18. He asked Council to disclose any ex parte communications.  
3 There were none.

4  
5 **VII. READING OF ALL ORDINANCES/RESOLUTIONS**

6  
7 Ms. Barnett read the following Ordinance by title only:

8  
9 **ORDINANCE 2013-18**

10  
11 **AN ORDINANCE OF THE CITY OF TAVARES REZONING APPROXIMATELY**  
12 **18.56 ACRES LOCATED AT THE SOUTHEAST INTERSECTION OF STATE**  
13 **ROAD 19 AND LANE PARK CUT-OFF FROM PCD (PLANNED COMMERCIAL**  
14 **DEVELOPMENT) TO C-2 (HIGHWAY COMMERCIAL); SUBJECT TO THE**  
15 **RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF**  
16 **TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

17  
18 **VIII CONSENT AGENDA**

19  
20 Mayor Wolfe asked if anyone in the audience opposed Tab 3 – Edward Byrne Grant for Police  
21 Department for Body Worn Camera and Equipment.

22  
23 **MOTION**

24  
25 **Kirby Smith moved to approve the Consent Agenda [Edward Byrne Grant], seconded by**  
26 **Robert Speaks. The motion carried unanimously 5-0.**

27  
28 **IX. ORDINANCES/RESOLUTIONS**

29  
30 **Tab 4) Ordinance #2013-18 – Rezoning Idamere Crossings – Southeast Intersection of SR**  
31 **19 & Lane Park Cutoff from Planned Commercial to Highway Commercial– Second**  
32 **Reading**

33  
34 Mr. Skutt said this vacant property is approximately 18.56 acres. The owner desires to  
35 rezone the property to Highway Commercial. Under this zoning an automobile service  
36 station is an allowed use. The owner wishes to have as many options available as  
37 possible. Staff believes this would be an appropriate zoning at this intersection. Prior to  
38 the issuance of any permits the owners will have to receive approval from the city of any  
39 site plans to ensure it meets requirements.

40  
41 Mayor Wolfe asked if anyone in the public wished to speak on this issue.

42  
43 **Ted Wicks, Wicks Engineering Services**

44  
45 Mr. Wicks said his firm has spent time assisting the new owner to determine the best  
46 development for this property. He noted there are several things happening that will have  
47 impact: one is the future four laning of SR 19 He said potentially the entire intersection

1 could be a very substantial commercial node containing some professional uses if it were  
2 planned properly. He encouraged the City to look at this area that has five or six  
3 substantial properties as part of the study being done for the south side of the City.

4  
5 **MOTION**

6  
7 **Norman Hope moved to approve Ordinance #2013-18, seconded by Robert Speaks.**  
8 **The motion carried unanimously 5-0.**

9  
10 **X. GENERAL GOVERNMENT**

11  
12 **Tab 5) Board Appointment for MPO Citizen Advisory Committee**

13  
14 Mayor Wolfe said that David Clutts is willing to be reappointed.

15  
16 **MOTION**

17  
18 **Robert Speaks moved to approve the Mayor's appointment of David Clutts to the**  
19 **MPO Advisory Committee, seconded by Kirby Smith. The motion carried**  
20 **unanimously 5-0.**

21  
22 **Tab 6) Adopt a Bench Program**

23  
24 Ms. Ross discussed the proposed program policy that will detail how the public can adopt  
25 one of the new benches for the city's park facilities. She noted the current plaque policy  
26 was never formalized and does not specify how long the benches or plaques will be  
27 maintained. She said the useful life of an outdoor bench is between 10 to 15 years. She  
28 discussed the specifics of the policy and noted it was included in the agenda packet.

29  
30 Councilmember Smith said he noticed there were about 26 plaques on the list and asked  
31 if they had all been distributed. Ms. Ross confirmed they are on existing benches that will  
32 be aging out. Councilmember Speaks asked how long the plaque will be authorized. Mr.  
33 Drury answered it will be 10 years for a commercial metal plaque unless the individual  
34 sets up a recurring trust fund that can adequately pay for the replacement and  
35 maintenance of the bench and there would be an agreement to formalize this.

36  
37 **MOTION**

38  
39 **Kirby Smith moved to approve the Adopt a Bench program, seconded by Norman**  
40 **Hope. The motion carried unanimously 5-0.**

41  
42 **Tab 7) Approval of Solid Waste Disposal Contract**

43  
44 Mr. Thompson noted the current contract has expired. The city continues to use the  
45 Covanta facility at the negotiated price of \$40.00 per ton which is in effect until June 30,  
46 2014.

47

1 Staff has explored possible options for future solid waste disposal needs. Mr. Thompson  
2 reviewed the Request for Proposals, and the staff recommendation of Covanta Lake II  
3 Incorporated as the number one choice. He noted the draft contract has been provided  
4 which is currently being reviewed by the City Attorney. The rate has been reduced from  
5 \$40.00 to \$27.50 per ton with CPI not exceeding 2.5% subject to annual negotiations. He  
6 discussed other features of the contract.

7  
8 Mayor Wolfe thanked Mr. Thompson and Mr. Henderson. Henderson for negotiating this  
9 contract and for holding individual meetings with the Councilmembers.

10  
11 Councilmember Smith added his appreciation for the detail provided by Mr. Thompson.

12  
13 Attorney Williams said staff understands the terms and there are a few minor items that  
14 need to be revised including the definitions of acceptable waste. He said Mr. Neron was  
15 assisting him in review of the contract as he has had previous experience in this area.

16  
17 **MOTION**

18  
19 **Kirby Smith moved to approve the contract with Covanta, seconded by Robert**  
20 **Speaks. The motion carried unanimously 5-0.**

21  
22 **Tab 8) Downtown Theater Initiative**

23  
24 Vice Mayor Pfister discussed the research she had undertaken regarding the need for  
25 cultural arts in the City. She listed some of the facts she had gathered in her research as  
26 follows:

- 27  
28 1) The best small towns to visit in 2013 all have similar characteristics including  
29 cultural activities  
30 2) The top towns also have heartwarming settings  
31 3) They are devoted to preserving their historic centers  
32 4) They encourage talent and support careful economic growth  
33 5) The most important characteristics are unpretentious people with small town  
34 values and high cultural expectations

35  
36 Vice Mayor Pfister said she was requesting permission to spearhead this initiative for a  
37 community theater to be able to investigate and arouse community interest and to solicit  
38 and accept any money with no provisions other than that the money is to be used for the  
39 community theater initiative. She said if a donor asked for conditions she would come  
40 back to Council approval, but for now she wished to accept donations that would have no  
41 conditions.

42  
43 Vice Mayor Pfister quoted the actor, Sr. Laurence Olivier, "I believe that in a great city or  
44 even in a small city or a village, a great theater is the outward and visible sign of an  
45 inward and probable culture."  
46

1 Mayor Wolfe said he did not object to Vice Mayor Pfister's request, however he would  
2 want it assurance that whatever venture it leads to, that the theater be downtown and be  
3 on property that is already tax exempt.  
4

5 Vice Mayor Pfister said she wanted to take this one step at a time without conditions.  
6 Discussion followed on some of the existing tax exempt properties in the downtown.  
7

8 Councilmember Smith said asked if the people who make donations will know that this  
9 will not be a city run venue. He said there will be operational costs that he would not want  
10 the taxpayers to have to fund. He asked if an outside organization theater will construct  
11 and operate the building. He said he would want to communicate that, at this time, the city  
12 is not planning on any matching funds to complete the project.  
13

14 Vice Mayor Pfister agreed. She said she wishes to solicit funds for a community theater  
15 initiative no matter how it is done. She said the city attorney might be able to assist in  
16 determining the best way for a community theater initiative to develop.  
17

18 Attorney Williams said he believed Vice Mayor Pfister was requesting an expression of  
19 city support for the idea of an independent non-profit community theater. He noted the  
20 recent money for the library was given to the non-profit Friends of the Library Association  
21 which is an entity that supports the library. He said he thinks Vice Mayor Pfister needs  
22 support to help publicize and promote and be a vehicle to get the non-profit entity started.  
23

24 Councilmember Speaks said he agreed with this proposal and thinks Tavares could use  
25 an independent community theater. Councilmember Hope noted he is in favor of the  
26 community theater and the concept.  
27

28 Lou Buigas, 32047 Harris Road, Tavares  
29

30 Ms. Buigas said she was representing the Tavares Waterfront Entertainment District who  
31 are a group of three private business owners. She said their goal is to market the  
32 Entertainment District to its fullest potential. She said she wished to show their support for  
33 a community theater project noting its economic benefit. She presented a check in the  
34 amount of \$2,000 for this program.  
35

36 Mr. Drury stated the city will have an agreement with donors. He asked Ms. Buigas if the  
37 theater did not end up in the District would that be acceptable. Ms. Buigas said their goal  
38 is to keep the funds and the theater in the District. Mr. Drury reiterated that he wanted to  
39 clarify that if the building was not technically in the district would that be agreeable. Ms.  
40 Buigas said she would have to discuss this with the other partners but at this Point they  
41 would like to earmark it for the District.  
42

43 Vice Mayor Pfister said her original plan was for the theater to be in the Downtown  
44 Entertainment District.  
45

46 Mr. Drury noted the District is a well defined line and there are some great properties that  
47 may be located just outside the District line that would still bring people to the downtown.

1 He said when the program details come back, the donors can decide if it meets the intent  
2 of the bequest.

3  
4 Vice Mayor Pfister thanked the Tavares Waterfront Entertainment District for their  
5 generosity and support.

6  
7 **MOTION**

8  
9 **Norman Hope moved to approve and authorize Ms. Pfister to initiate this program,**  
10 **seconded by Kirby Smith.**

11  
12 **The motion carried as follows 4-1:**

13		
14	<b>Robert Wolfe</b>	<b>No</b>
15	<b>Kirby Smith</b>	<b>Yes</b>
16	<b>Lori Pfister</b>	<b>Yes</b>
17	<b>Norman Hope</b>	<b>Yes</b>
18	<b>Robert Speaks</b>	<b>Yes</b>

19  
20 Councilmember Speaks noted that Council did not provide an opportunity to establish a  
21 restricted fund.

22  
23 Mr. Drury noted it would be appropriate for a councilmember to move to establish a  
24 restricted fund for the receipt of donations for the community theater initiative.

25  
26 **MOTION**

27  
28 **Robert Speaks moved to establish a restricted fund for the receipt of donations for**  
29 **the community theater initiative, seconded by Kirby Smith.**

30  
31 **The motion carried as follows 4-1:**

32		
33	<b>Robert Wolfe</b>	<b>No</b>
34	<b>Kirby Smith</b>	<b>Yes</b>
35	<b>Lori Pfister</b>	<b>Yes</b>
36	<b>Norman Hope</b>	<b>Yes</b>
37	<b>Robert Speaks</b>	<b>Yes</b>

38  
39  
40 **XI. OLD BUSINESS**

41  
42 **Update on Electric Charging Station**

43  
44 Mr. Skutt discussed the report he had made at the previous council meeting noting he had  
45 recommended not to enter into a contract with Charge Point Commercial Networking plan.  
46 Council requested that the matter be tabled and asked for additional information.

47

1 Mr. Skutt said he had done further research into the Charge Point business. To get into the  
2 Charge Point station a Charge Point card is needed. To obtain the card, the individual must go on  
3 line and open an account with Charge Point and an initial \$25.00 deposit must be made into the  
4 account. Once the account is open and activate, the company will send two cards which will  
5 provide access to any of their electric vehicle stations (14,000 in the U.S.). The cost of the  
6 electricity used is charged to the account and the balance is replenished by a credit card. The  
7 cost of the electricity that is used is set by the owners of the charging station and some cities  
8 continue to allow it to be free similar to Tavares. Most other cities now are covering their costs  
9 and some are actually using it to make a profit. He said although he has provided more  
10 information regarding the contract, he still recommends that the city not enter into a contract of  
11 \$920.00 for \$20.00 of usage annually. He said staff will continue to monitor and if conditions  
12 change, Council will be notified.

13  
14 Councilmember Smith thanked Mr. Skutt for the additional information.

15  
16 **MOTION**

17  
18 **Kirby Smith moved to approve Option #1 – keep the Charge Point program in place but do**  
19 **not execute the one year contract, seconded by Lori Pfister. The motion carried**  
20 **unanimously 5-0.**

21  
22 **XII. NEW BUSINESS**

23  
24 **XIII. AUDIENCE TO BE HEARD**

25  
26 Mayor Wolfe asked for public comment for anything not on the agenda.

27  
28 **XIV. REPORTS**

29  
30 **Tab 14) City Administrator**

31  
32 Mr. Drury stated the next meeting will be January 15 and he wished everyone a Merry Christmas.

33  
34 **City Clerk**

35  
36 Ms. Barnett wished everyone a good holiday.

37  
38 **Lori Tucker**

39  
40 **Economic Development**

41  
42 Mr. Tucker wished everyone a Merry Christmas

43  
44 **Public Works**

45  
46 Mr. Thompson wished everyone Happy Holidays

47

1 **Utility Department**  
2

3 Mr. Hayes said the most recently installed sewer manhole covers now have America's Seaplane  
4 logo and he wished everyone Happy Holidays.  
5

6 Councilmember Speaks asked about the New Hampshire culvert project and any safety  
7 precautions. Mr. Hayes said the sidewalk is being poured today and two weeks later, the railing  
8 will be installed.  
9

10 **Police Department**  
11

12 Chief Lubins wished everyone a Merry Christmas.  
13

14 **Community Services**  
15

16 **Update on Pavilion**  
17

18 Ms. Rogers said the work is progressing quickly on the pavilion. She said she wished to present a  
19 copy of a cashier's check for the first rental of the pavilion in the amount of \$1500 which is half of  
20 the total rental of \$3,000. It is the first Saturday rental, September 27, 2014 for the Tavares High  
21 School class reunion of 1984. She noted that Councilmember Smith has already reserved two  
22 seats to support this event.  
23

24 **Update on Public Art for Pavilion program**  
25

26 Ms. Rogers stated that Ralph Smith was the first contributor in the amount of \$1,000 towards art  
27 in public places. Shantiniketan has also donated along with the Entertainment District, and Florida  
28 Hospital waterman. She wished everyone a Merry Christmas.  
29

30 **Fire Department**  
31

32 Chief Keith wished everyone a Merry Christmas and Happy Holidays.  
33

34 **Community Development**  
35

36 Mr. Skutt wished everyone a good holiday. He noted it is great to be in Florida and that he is  
37 expecting his Canadian friends soon to come down and spend their vacation.  
38

39 **Finance Department**  
40

41 Ms. Houghton wished everyone a Merry Christmas and Happy New Year.  
42

43 **City Attorney**  
44

45 Attorney Williams wished everyone a Merry Christmas.  
46

47 **Tab 15) City Council**

1  
2 **Vice Mayor Pfister**

3 Ms. Pfister wished everyone a Merry Christmas and a safe and happy New Year.  
4

5 **Councilmember Hope**

6 Councilmember Hope said it is great to be in Tavares. He said although the infrastructure work is  
7 disruptive it is a sign of progress. He said he reassures the residents that they will like the final  
8 result. He wished everyone in the audience and the staff a Merry Christmas. He said he is very  
9 proud of the staff. He commended Mr. Thompson and Mr. Henderson on their work on the  
10 sanitation contract. He wished everyone a great holiday season.  
11

12 **Councilmember Speaks**

13 Councilmember Speaks commended the staff on doing a great job, and said he looked forward to  
14 the next year. He said he had made an inquiry to Mr. Drury regarding billboards. He said he was  
15 on Council when they were banned years ago and he has noted that the City has approved them  
16 to be installed again. He said he hopes the City will remain concerned about billboards so that  
17 they do not become obtrusive. He wished everyone a Merry Christmas and Happy New Year.  
18

19 **Councilmember Smith**

20 Councilmember Smith said the Christmas parade was excellent and well attended and staff had  
21 done a fantastic job. He commended each Chief, adding that all of the department heads were  
22 there. He noted the class of 1984 reservation had been initiated by Jim Dolan. He encouraged  
23 everyone to attend the upcoming shuffleboard tournament [December 27].  
24

25 Councilmember Smith stated in [1936] Tyrus Raymond Cobb was the first man to be elected into  
26 the Baseball Hall of Fame. He wished everyone a Merry Christmas and Happy New Year.  
27

28 **Mayor Wolfe**

29  
30 Mayor Wolfe stated that staff have done a great job this year. He said the Christmas parade was  
31 went very well and all the departments assisted. He said he has had positive comments from  
32 members of the community regarding the city projects. He said all the hard work has been paying  
33 off and the city is moving forward. He wished everyone happy holidays.  
34

35 **Adjournment**

36 There was no further business and the meeting was adjourned at 5:23 p.m.  
37

38 Respectfully submitted,  
39  
40

41  
42 Nancy A. Barnett, C.M.C.  
43 City Clerk