

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

**COUNCILMEMBERS PRESENT**

**ABSENT**

Robert Wolfe, Mayor  
Lori Pfister, Councilmember  
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**

Carlos Colon, Chaplain, Fire Department 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 Norman Hope. The motion carried unanimously 5-0.

**IV. APPROVAL OF MINUTES – Deferred**

**V. PROCLAMATION OF ELECTION RESULTS**

1  
2 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS**

3  
4 None

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

7  
8 Ms. Barnett read the following Ordinances by title only:

9  
10 **ORDINANCE 2013-18**

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

18  
19 **ORDINANCE 2013-20**

20  
21 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, TO AMEND**  
22 **CHAPTER 4 OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES TO**  
23 **PROVIDE FOR MANDATORY SPAYING AND NEUTERING OF DOGS AND**  
24 **CATS WITHIN THE CITY; PROVIDING FOR EXEMPTIONS; PROVIDING FOR**  
25 **PERMITS FOR UNALTERED ANIMALS; PROVIDING FOR PENALTIES; AND**  
26 **PROVIDING FOR AN EFFECTIVE DATE.**

27  
28 Mayor Wolfe noted that first readings of ordinances are only read into the record; full discussion  
29 will be held at the next meeting. In addition he stated if any member of the audience wishes to  
30 speak on an item they should complete a Request to Speak card.

31  
32 **VIII CONSENT AGENDA**

33  
34 Mayor Wolfe asked if anyone in the audience opposed Tab 1 – Award of Pest Control Services.

35  
36 Councilmember Smith said he wished to pull Tab 1 for discussion.

37  
38 **Tab 1) Award of Contract for Pest Control**

39  
40 Councilmember Smith said he did not see the pavilion in the contract. Mr. Thompson said the  
41 pavilion will be added on when it comes on board.

42  
43 **MOTION**

44  
45 **Kirby Smith moved to approve the pest control contract with Florida Pest Control**  
46 **Corporation, seconded by Robert Speaks. The motion carried unanimously 5-0.**  
47

1 **IX. ORDINANCES/RESOLUTIONS**

2  
3 **Tab 3) Ordinance #2013-20 – Spaying and Neutering of Animals – Second Reading**

4  
5 Attorney Williams reviewed the process behind developing this ordinance. He said he had  
6 researched whether the city could lawfully adopt this ordinance, noting there have been similar  
7 ordinances adopted in other Florida cities and counties. He said the ordinance obligates, in  
8 general, for cats and dogs within the city to be spayed or neutered unless they obtain a permit to  
9 become an unaltered animals (show dogs, dogs without medical fitness, law enforcement, service  
10 animals, etc.)

11  
12 Mayor Wolfe noted four individuals have signed up to speak on this ordinance.

13  
14 **Jennifer Cotch**

15  
16 Ms. Cotch stated she lives in Clermont. She commended Council for considering this ordinance  
17 noting she is in full support. She said she is a volunteer at the Lake County Animal Shelter and it  
18 is heart breaking to see so many animals having to be put to sleep.

19  
20 **Halie Weber**

21  
22 Ms. Weber stated she is a Lake County resident. She thanked Council for considering this  
23 ordinance adding she had spoken to Council on this topic about a year ago. She said this will  
24 save tax payers dollars rather than sheltering and putting animals to sleep.

25  
26 **Joanne Spring – resident of Fox Run in Tavares**

27  
28 Ms. Spring said she is not opposed to spaying and neutering but she did not want it to be  
29 government imposed. She said she had spoken to several Fox Run residents who agreed  
30 with her opinion. She commented that she did not see how this ordinance could be fairly  
31 enforced.

32  
33 **Dee Russell**

34  
35 Ms. Russell said she is speaking on behalf of the Baytree Homeowners Association. Ms.  
36 Russell said they have 215 senior families and noted that the spaying and neutering fee  
37 of approximately \$100 would be a hardship on their residents. She said this is another  
38 example of government overreach.

39  
40 **Linda Goings**

41  
42 Ms. Goings said she is a responsible pet owner and has gotten her pets fixed or helped  
43 others. She said she believed other counties have free spaying programs and this would  
44 be a better solution. She said it is not a city matter and this is an invasion of citizens'  
45 freedoms.

46  
47 **Council Discussion**

1  
2 Vice Mayor Pfister responded that this ordinance would not affect a responsible pet  
3 owner. She noted that part of the taxes go to pay Animal Control to take care of animals  
4 and she personally believes she cannot afford to support anymore unwanted animals.  
5 She commented there are a lot of organizations that will assist with the cost of spaying.  
6 She noted it is not a perfect fix but would help to solve the problem.  
7

8 Councilmember Smith said he is in favor of as little government in people's personal lives  
9 as ultimately possible. He discussed the costs in terms of staff time to enforce the  
10 ordinance.  
11

12 Councilmember Hope thanked Attorney Williams for his work on the ordinance. He said  
13 he does not support the ordinance. He said he empathizes with the individuals who work  
14 at the shelter. He said he agrees that this should not be a government matter and  
15 believes the ordinance will be costly to residents whether or not they are responsible pet  
16 owners.  
17

18 Mayor Wolfe said he owns dogs and they are not spayed but he considers himself a  
19 responsible pet owner. He said he did not believe this should be a city government  
20 matter.  
21

22 Councilmember Speaks said he agrees that pets should be spayed/neutered but he also  
23 did not believe it should be a city governed matter.  
24

25 **MOTION**

26  
27 **Kirby Smith moved to not approve Ordinance #2013-20, seconded by Norman**  
28 **Hope.**  
29

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

31			
32	<b>Robert Wolfe</b>	<b>Yes</b>	
33	<b>Kirby Smith</b>	<b>Yes</b>	
34	<b>Norman Hope</b>	<b>Yes</b>	
35	<b>Robert Speaks</b>		<b>Yes</b>
36	<b>Lori Pfister</b>	<b>No</b>	
37			

38 **X. GENERAL GOVERNMENT**

39  
40 **Tab 4) Board Appointments – Mutual Position Police Pension and Lake County**  
41 **Advisory Board**  
42

43 Mayor Wolfe stated he wished to reappointment David Myers to the Police Pension Board  
44 and Ms. Miller to the Lake County Library Advisory Board.  
45

46 **MOTION**  
47

1 **Robert Speaks moved to confirm the Mayor’s appointments, seconded by Kirby**  
2 **Smith. The motion carried 5-0.**

3  
4 **Tab 5) Report on Electric Charging Stations**  
5

6 Mr. Skutt reviewed the previous history on the electric charging stations. He said the 2010  
7 grant included the charging stations and a three year subscription to Charge Point  
8 Monitoring program and its device location web site. The three year subscription expires  
9 at the end of the year. The cost to renew is \$230.00 per station or \$920.00 for the four  
10 stations. He noted over the last three years a total of \$62.00 of electricity has been  
11 dispensed. It is staff recommendation to not renew the subscription but to continue to  
12 operate and provide electricity to the charging stations.  
13

14 Vice Mayor Pfister asked why the city would not continue to provide the electricity since it  
15 was a small amount.  
16

17 Mr. Skutt said that to access the stations, the individuals would have to purchase a  
18 Charge Point card which costs \$5.00. Mr. Skutt said under this scenario the city would  
19 continue to pay the electricity but the individual would pay for the access card. In order to  
20 charge electricity to the person with a card, the city would have to subscribe to the  
21 program (\$920.00 a year). The \$5.00 is a one time charge when the person buys the  
22 card.  
23

24 Councilmember Smith asked if the \$5.00 fee would remain consistent after the end of the  
25 grant period and if this was addressed in the contract. Mr. Skutt said that was a good  
26 question and he would do further research.  
27

28 **MOTION**  
29

30 **Kirby Smith moved to table this agenda item until the next meeting to allow Mr.**  
31 **Skutt enough time to ensure the cost of the card by discussing with Charge Point,**  
32 **seconded by Lori Pfister.**  
33

34 Attorney Williams said if Council wanted to give some discretion to the City Administrator  
35 it could be handled administratively.  
36

37 Councilmember Smith said he would like the item to be brought back to Council.  
38

39 **The motion carried unanimously 5-0.**  
40

41 **Tab 6) Public Safety Facility Project Presentation**  
42

43 Chief Keith said the objective is to present the conceptual, architectural, floor and site  
44 plans for the proposed public safety facility. He said for several years the Horizon project  
45 team has been working on this project. He said this facility, partially funded by a \$500,000  
46 FEMA emergency operations center grant, was accepted by Council in June of 2012. It  
47 will include a city Emergency Operations Center, the Police Station, and a replacement

1 for Fire Station #1 which is currently located at the old Train Station. Previously Council  
2 awarded the design contract to the architectural firm of GatorSkitch from Clermont. This  
3 agenda item fulfills one of the deliverables required of the architect by the city's contract  
4 and the federal grant. The agenda item has three parts for Council approval: conceptual  
5 building elevations, conceptual floor plans, and conceptual site plan.  
6

7 Chief Keith then introduced Mr. Michael Latham from GatorSkitch.  
8

9 Mr. Latham noted he is present with one of his partners, Alex Busto. He said his goal is to  
10 review a time line, show the concept plans and present three options for the concept  
11 elevations.  
12

13 Mr. Latham said the FEMA grant has criteria for the concepts. It controls what goes into  
14 the building in terms of the Emergency Operations Center and looks at criteria for the  
15 building outside, the materials that can be used, and wind speeds that have to be met.  
16

17 Mr. Latham reviewed the previous history on obtaining the property. He said there is one  
18 portion that is still not owned by the city. He discussed the firm's evaluation process in  
19 terms of various factors including the one way pair, buffers between the residential and  
20 church properties that are adjacent, etc. Current staffing and future staffing levels were  
21 considered. He then reviewed the slides of the concept plans. He noted the first estimate  
22 of costs was \$12.8 million. The design team and staff agreed that this figure required  
23 reduction.  
24

25 Mr. Busto then presented the refined site plan noting 8500 square feet had been removed  
26 from the project. He reviewed the details of the floor plan. Mr. Latham noted on the first  
27 floor the EMS living quarters, the mezzanine above it, and the city storage was eliminated  
28 from this version.  
29

### 30 Part I – Elevation

31  
32 Elevation options with three facades were presented:  
33

- 34 Option A) Traditional materials of brick and columns and gable roof (classical)
- 35 Option B) Stone façade
- 36 Option C) Contemporary style that uses more modern materials  
37

38 Mr. Latham said the architects are leaning more toward the Georgian classical style.  
39

40 Mayor Wolfe noted Brenda Smith had filled out a card to speak.  
41

### 42 Brenda Smith – Tavares Historical Society

43  
44 Ms. Smith said the Historical Society prefers the traditional look; however she asked if the  
45 more traditional façade could be facing the main flow of the traffic coming in and out of  
46 the city. Mr. Bousto answered there are options, noting this was at a conceptual stage.  
47

1 Mayor Wolfe said he preferred the traditional. Councilmember Smith noted that one of the  
2 vision statements refers to the city “building on a historical foundation.” He agreed with  
3 the traditional. He thanked the architects and Chief Keith for reviewing the plans with him.  
4

5 Councilmember Hope, Councilmember Speaks, and Vice Mayor Pfister all agreed on the  
6 traditional elevation. Councilmember Speaks noted he had appreciated the opportunity to  
7 look at the plans ahead of time and visit the Sanford facility with Chief Keith.  
8

9 Vice Mayor Pfister added that monetarily the traditional should be more reasonable.  
10

11 **MOTION**

12  
13 **Kirby Smith moved to approve Option 1 for a traditional elevation for the firm to**  
14 **come back to Council with a final design, seconded by Lori Pfister. The motion**  
15 **carried unanimously 5-0.**  
16

17 **Part II – Floor Plans**

18  
19 Chief Keith said Part II is approval of the floor plans for the two story 37,000 square foot  
20 facility as well as an estimated budget of \$10.4 million. He said the preliminary budget is  
21 an estimate based on conceptual renderings with no detailed plans and specifications.  
22 Once the presented concept plans are approved, the engineers will develop detailed  
23 plans which will be used to develop a probable estimated cost to construct. The detailed  
24 probably cost, engineering plans and financing package will come back to Council for  
25 approval at a future date.  
26

27 Mayor Wolfe said he agreed about 90% but still thinks the gun range on the Police  
28 Department side needs to be built out completely when construction takes place and not  
29 just used as a shell until the future. He said he would like to know what the actual costs of  
30 that would be. Councilmember Hope agreed noting it would save staff time to have the  
31 site. Councilmember Smith asked if the size of the building is going to be sufficient for 20  
32 to 30 years down the road. Chief Keith responded that there is future growth anticipated  
33 in this design.  
34

35 Mr. Drury answered that on the side of the building where the EMS portion was removed  
36 it has been left as grass parking so there is sufficient land in the future for future  
37 expansion.  
38

39 Councilmember Smith said he agreed with building it out now. Vice Mayor Pfister asked  
40 about the size of the building and what population the building is suited for in a low crime  
41 city such as Tavares. Mr. Latham said they could provide this information. Mr. Busto said  
42 currently the building is sized for a 20 year growth for the Fire Department at 100% as it is  
43 laid out now and the Police Department is designed up to 15 years out with expansion  
44 options.  
45

1 Vice Mayor Pfister asked about the savings considering the School Board facility that is  
2 already available. She also asked how many Police Departments in Lake County have a  
3 stand alone police station.  
4

5 Chief Lubins answered most cities of 10,000 or greater have this type of facility although  
6 the gun range is more unusual. Chief Lubins noted the Ken Bragg Center is available but  
7 there are times when there are conflicts because the city does not have exclusive access  
8 to it. He said the weapons training room is also unique. Chief Lubins added the building is  
9 also designed to meet accreditation standards.

10  
11 **MOTION**

12  
13 **Kirby Smith moved to approve the proposed floor plans (Option 1) and the**  
14 **estimated budget with the addition of the firing range, seconded by Norman Hope.**  
15 **The motion carried unanimously 5-0.**  
16

17 **Part 3 – Conceptual Site Plan**

18  
19 Chief Keith noted that Mr. Latham had presented a conceptual site plan which shows the  
20 placement of the building and how it will interface with surrounding roads. He noted there  
21 is one out-parcel of land still owned privately (the Spark's property) and that staff will  
22 continue to negotiate with the owner. He discussed the options for Council consideration.  
23

24 Councilmember Smith said he is in agreement as long as the seller is willing.

25 Councilmember Hope said he is in agreement whether or not it is a willing seller. Vice

26 Mayor Pfister said she is in agreement with Councilmember Smith.

27 Mayor Wolfe said the proposal tonight is for the City Attorney to negotiate with the  
28 property owner.  
29

30 **MOTION**

31  
32 **Norman Hope moved to approve Option 1 which was as follows: Move to approve**  
33 **the proposed site plan, with the understanding that the goal of “willing buyer and**  
34 **willing seller” is achieved for the referenced out-parcel of land. In the event the**  
35 **willing buyer/seller goal is not achieved, staff will return to City Council for further**  
36 **discussion and direction. In the event the goal is achieved staff will bring back**  
37 **terms, conditions and financing back to Council for Council’s approval prior to**  
38 **acquisition of the property. The motion was seconded by Kirby Smith. The motion**  
39 **carried unanimously 5-0.**  
40

41 **Tab 7) Horizon Committee Updates**

42  
43 Mr. Drury noted that he has provided an update of the Horizon project team for the end of  
44 the year. He said he had identified 12 teams with associated council liaisons and this is  
45 an opportunity for Council comment. He listed the following teams:  
46

1 Alfred Street-Caroline Street One Way Pair; Public Safety Complex; Public Works  
2 Complex; Railroad Upgrades; Tavares Sports Park Complex; Tavares Pavilion on the  
3 Waterfront Project; Sister City Program; Golden Triangle Fire District initiatives; the  
4 Interlocal Service Boundary Agreement; and the South Lake Dora Land Use Team. In  
5 addition he noted he had identified all of the different boards the City is involved in and  
6 the city representatives.

7  
8 **Consensus to stay with the current Horizon Project teams and boards and**  
9 **assigned liaisons and/or representatives.**

10  
11 **Tab 8) Summary of Tavares City Projects and Initiatives Status Report**

12  
13 Mayor Wolfe noted the report had been provided by the City Administrator for the packet  
14 and he invited comment.

15  
16 Councilmember Smith noted all the information for the 30 initiatives was available on line  
17 for the public. Mayor Wolfe invited the audience members to go onto the web site and if  
18 anyone had a problem pulling up the information to contact Ms. Barnett who would  
19 provide assistance.

20  
21 **XI. OLD BUSINESS**

22  
23 **XII. NEW BUSINESS**

24  
25 Councilmember Smith stated he wished to discuss the status of Hickory Point. He said it should  
26 be in the City of Tavares per their agreement. He said he would like to direct the attorney to go to  
27 the Water Authority Board again unless Council does not support.

28  
29 Councilmember Hope said he had attended the last Water Authority Board meeting however the  
30 current Board does not want to be in the City of Tavares. He said there are pros and cons. He  
31 said he was not sure the gains outweigh the loss.

32  
33 Mayor Wolfe said he agreed with Mr. Hope. He noted the city works with the Lake County Water  
34 Authority on a number of issues and that it is a different board than the board that was part of the  
35 original agreement.

36  
37 Councilmember Smith said he will re-visit this topic next year.

38  
39 **XIII. AUDIENCE TO BE HEARD**

40  
41 Mayor Wolfe asked for public comment for anything not on the agenda.

42  
43 **XIV. REPORTS**

44  
45 **Tab 14) City Administrator**

46

1 Mr. Drury referred to the list of upcoming meetings. He said the biggest issue is the Christmas  
2 parade and celebration. In addition, he said he would be recommending that Council does not  
3 have a meeting on the first Wednesday of January which is New Year's Day and that the next  
4 meeting would be the third Wednesday (January 15).

5  
6 **City Clerk**

7  
8 **Economic Development**

9  
10 **Public Works**

11  
12 **Utility Department**

13  
14 **Community Services**

15  
16 Ms. Rogers said plans are evolving for the Christmas event very well and it is probably the largest  
17 parade yet. She thanked Council and all the staff members involved with the event.

18  
19 Ms. Rogers added that through the Friends of the Library they are moving forward on getting the  
20 flooring replaced in the library.

21  
22 **Fire Department**

23  
24 Chief Keith thanked Council for their votes and support on the public safety project.

25  
26 **Community Development**

27  
28 Mr. Skutt said the Alfred Street One Way Pair project has finally officially begun. The project has  
29 three phases: the first is the stormwater structure at the east and west side; the second phase will  
30 be Caroline Street, and the third phase will be Alfred Street. Staff and Vice Mayor Pfister will be  
31 meeting frequently with the county staff and contractors to ensure that there is the least amount  
32 of disruption for the residents. The project will take between 8 months to a year.

33  
34 **City Attorney**

35  
36 Attorney Williams commented on Hickory Point park.

37  
38 **Tab 15) City Council**

39  
40 **Vice Mayor Pfister**

41  
42 **Councilmember Hope**

43  
44 Councilmember Hope noted he had spent Thanksgiving in Ohio this year and he and his wife  
45 were glad to be back in the warmer weather and looked forward to the parade. He commended  
46 the Chiefs and said he looked forward to the building being open.

47

1 **Councilmember Speaks**

2  
3 Councilmember Speaks noted it his sixth time to be on Council, He said the amount of council  
4 and staff involvement in the city projects driven by the City Administrator is impressive. He said it  
5 is good to be involved. He said the decision to bring Mr. Drury to the City several years ago was a  
6 good decision and he was glad he has stayed and has assembled the current staff.

7  
8 **Councilmember Smith**

9  
10 Councilmember Smith encouraged everyone to come to the Christmas parade on December 7<sup>th</sup>.  
11 He noted he is the emcee this year.

12  
13 He said on a historical note, on this day in 1914 the first seaplane naval operation was put into  
14 effect by the German navy.

15  
16 **Mayor Wolfe**

17  
18 Mayor Wolfe encouraged everyone to attend the Christmas parade and event.

19  
20 **Adjournment**

21  
22 There was no further business and the meeting was adjourned at 5:39 p.m.

23  
24 Respectfully submitted,

25  
26  
27  
28 Nancy A. Barnett, C.M.C.  
29 City Clerk