AGENDA
TAVARES CITY COUNCIL

APRIL 16, 2014
4:00 P.M.
TAVARES CITY HALL COUNCIL CHAMBERS

(Members of the public wishing to speak on an item that is on the agenda must fill out a Request to Speak from available from the City Clerk or at the Council Meeting prior to the meeting being called to order. In addition, the Mayor will ask for comment under the agendized item titled "Audience to be Heard" for matters not on the Agenda. For further information contact the City Clerk at (352) 742-6209 or nbarnett@tavares.org)

I. CALL TO ORDER

II. INVOCATION & PLEDGE OF ALLEGIANCE

Pastor Greg Watts, Liberty Baptist Church

III. APPROVAL OF AGENDA

(The City Council Agenda is subject to change at the time of the Tavares City Council Meeting)

IV. APPROVAL OF MINUTES

Tab 1) City Council Regular City Council Meeting of March 19; April 2 is Deferred to May 7

V. PROCLAMATIONS/PRESENTATIONS

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

IX. ORDINANCES/RESOLUTIONS

FIRST READING

SECOND READING

Tab 2) Ordinance #2014-01 – Annexation and Zoning – 30329, 30333, and 30337 Mansfield Road – City Residential Mobile Home **Jacques Skutt**

Subdivision

Tab 3) Ordinance #2014-02 – Future Land Use Amendment 30329, 30333, and 30337 Mansfield Road from County Urban Low to City Mobile Home — **Jacques Skutt**

RESOLUTIONS

Tab 4) Resolution #2014-07 – Variance to Read Yard Setback 2408 Vindale Road (deferred from previous meeting) — **Jacques Skutt**

Tab 5) Resolution #2014-12 - City Credit Card Limit Adjustment — **Lori Houghton**

X. GENERAL GOVERNMENT

Tab 6) Request from Fire Pension Board to Submit Disability Claim to State Attorney for Review — **Richard Keith**

Tab 7) Update on Golden Triangle District — **Richard Keith**

Tab 8) Response from Lake County Water Authority re: Reclaimed Water Request & Fire Assessment — **John Drury**

Tab 9) Establish City Representatives on Fire and Police Union Negotiating Teams — **John Drury**

XI. OLD BUSINESS

XII NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

Tab 10) City Administrator — **John Drury**

Tab 11) Council Reports — **City Councilmembers**

F.S. 286.0105 If a person decides to appeal any decision or recommendation made by Council with respect to any matter considered at this meeting, he will need record of the proceedings, and that for such purposes he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.
Individuals with disabilities needing assistance to participate in any of these proceedings should contact the City Clerk at least two (2) working days in advance of the meeting date and time at (352) 253-4546.

CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MARCH 19, 2014
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
Brad Hayes, Utility Director
Lori Houghton, Finance Director
Chris Thompson, Public Works Director
Joyce Ross, Communications Director
Bill Neron, Economic Development Director
Lori Tucker, Human Resources Director
Tammey Rogers, Community Services Director
Richard Keith, Fire Department

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, First United Methodist Church, 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

Tab 1) Approval of Minutes – March 5, 2014

Robert Speaks requested a correction on Page 3, line 15-17, noting that Norman Hope was shown as both moving and seconding the Consent Agenda. [Motion to approve the Consent Agenda of March 5, 2014 was made by Robert Speaks and seconded by Norman Hope.]

The minutes of March 5, 2014 with the above correction were approved unanimously.

V. PROCLAMATIONS/PRESENTATIONS

Tab 2) National Surveyors Week

Mayor Wolfe read a proclamation designating March 16-22, 2014 as National Surveyors Week. He presented the proclamation to the group of surveyors in attendance.

Tab 3) Aviation Appreciation Month

Mayor Wolfe read a proclamation designating April as Aviation Appreciation Month. He presented the proclamation to Mr. Drury representing aviators.

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

Attorney Williams noted there was one quasi-judicial matter, Fisherman's Cove Comprehensive Plan Amendment (Tab 8). He swore in those who would be giving testimony.

Council indicated there were no ex-parte communications on this matters.

VII. READING OF ALL ORDINANCES/RESOLUTIONS

Ms. Barnett read the following ordinances and resolution by title only:

RESOLUTION 2014-09

RESOLUTION AUTHORIZING THE FILING AND ADMINISTRATION OF A FLORIDA BOATING IMPROVEMENT GRANT

RESOLUTION 2014-04

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, RELATING TO THE STATE REVOLVING FUND LOAN PROGRAM; ADOPTING THE CITY OF TAVARES' CAPITAL FINANCING PLAN; RE-ESTABLISHING THE PREVIOUSLY APPROVED PRELIMINARY ENGINEERING REPORT AND ENVIRONMENTAL REPORT; AUTHORIZING SUBMISSION OF THE PLAN TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP); AND DESIGNATING THE AUTHORIZED REPRESENTATIVE AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2013-22

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN AND FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 36 ACRES OF PROPERTY FROM CITY COMMERCIAL TO CITY MIXED USE COMMERCIAL, REMOVING AN ASSOCIATED COMPREHENSIVE TEXT AMENDMENT THAT RESTRICTS THE INTENSITY OF THE SITE AND THAT PROHIBITS ANY RESIDENTIAL USE ON THE SITE, FOR PROPERTY GENERALLY WEST OF NORTH EICHELBERGER ROAD, SOUTH OF LANE PARK ROAD AND NORTHWESTERLY OF STATE ROAD 19; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

VIII CONSENT AGENDA

Mayor Wolfe asked if anyone in the audience opposed the Consent Agenda items.

MOTION

Norman Hope moved to approve the Consent Agenda [TRIM calendar for Fiscal Year Budget 2015 and Appointment to Lake Community Action Agency – Steve Pueschel], seconded by Robert Speaks. The motion carried unanimously 5-0.

IX. ORDINANCES/RESOLUTIONS

Tab 6) Resolution #2014-04 – Capital Financing Plan and State Revolving Fund Loan Agreement for Stormwater Project

Ms. Houghton stated this resolution is for the purpose of adopting the Capital Financing Plan to accompany the Preliminary Engineering Report and Environmental Report submitted to the Florida Department of Environmental Protection for State Revolving Fund Loan requirements. She reviewed the summary to date of this project.

MOTION

Robert Speaks moved to approve Resolution #2014-04, seconded by Kirby Smith. The motion carried unanimously 5-0.

Tab 7) Resolution #2014-09 – Florida Boating Improvement Grant – Filing for Wooton Park Expansion

Mr. Neron advised that Council has previously authorized staff to submit several grant applications to seek funds for enhancing the Wooton Park expansion project. The boating improvement grant due at the end due at the end of the month requires a resolution from Council authorizing the filing of the grant and designating a project manager (Economic Development Director).

MOTION

Kirby Smith moved to approve Resolution #2014-04, seconded by Robert Speaks. The motion carried unanimously 5-0.

Tab 8) Ordinance #2013-22 – Fisherman's Cove – Large Scale Future Land Use Map Amendment

Mr. Skutt reported that this is final reading and adoption hearing for the Large Scale Future Land Use Map Amendment for Fisherman's Cove at 28721 State Road 19. It changes the designation from Commercial to a Mixed Use Commercial.

On January 15, 2014 Council held a Public Transmittal Hearing on this amendment. At that meeting the amendment was approved for transmittal to the Department of Economic Opportunity for review. The State has responded that they have no comments related to state resources or facilities that would be impacted if this amendment were to be adopted. The Planning & Zoning Board recommended unanimous approval of this amendment on December 19, 2013 and staff recommends approval.

MOTION

Norman Hope moved for approval of Ordinance #2013-22, seconded by Robert Speaks. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 9) Replacement of Lost Public Parking Spots on Alfred Street

Mr. Skutt advised that the Alfred Street One Way Parking Project is underway. When completed Alfred Street will become a city maintained road under the Interlocal Agreement with the County. When the road upgrades were under design, one of the objectives was to add as much paved safe on-street parking as possible and 28 parking spaces were added to those two road corridors.

Prior to the project there existed only five on-street paved parking spaces in these two corridors and these were located at the southwest intersection of Alfred and Disston in front of the Corman and Son commercial building. Unfortunately that location needed a turn lane and through lane and out of necessity those five spaces had to be removed because there was insufficient road right of way.

The owner (Mr. Corman) desires to replace the on-street parking spaces by using a dirt and gravel area located behind his building to create five paved replacement spaces. Access to the new parking lot would be from Boulware Alley He is requesting that the city contribute one-half of the cost of constructing this parking lot as he believes the parking spaces contributed to the economic vitality of his business. The estimate to create the code compliant parking spaces is $21,176.

Staff recommends approval of the request subject to receiving an ingress/egress easement from the owner for public use and access to these spaces and subject to inspection of the work performed to the city's satisfaction. Mr. Skutt noted this is an unbudgeted item and would need to be taken out of General Fund reserves.

Councilmember Smith asked if Mr. Corman was present. Mr. Skutt stated he had spoken to Mr. Corman and he had indicated he planned to be present.

Councilmember Smith asked if the parking area would be considered city property after it was completed. Attorney Williams said it would still be his private property but the city would have an easement over the parking lot and they would be public spaces.

Councilmember Speaks asked if any other spaces could be added. Mr. Skutt said it will only allow five spaces.

Councilmember Smith requested to table this item so that Council can ask Mr. Corman whether he fully understands the proposal.

Discussion followed on staff's communications with Mr. Corman. Mr. Drury suggested Council could vote to move forward subject to Mr. Corman executing the easement.

Councilmember Smith said it would be a good agreement for the city but he wanted to be sure Mr. Corman understood. Attorney Williams noted the spaces that were in front of his building that are now going away, were also public spaces.

Vice Mayor Pfister said she was unsure whether she wanted to invest in a parking lot noting the spaces were public before.

Mr. Drury discussed the concept of "public pocket parking lot" which have 10 spaces or less. He said a healthy community will have several small parking lots scattered throughout.

Vice Mayor Pfister said she would be agreeable as long as the parking spaces are clearly identified as public parking.

MOTION

Norman Hope moved to approve the request, contingent on the owner signing the easement so he understands it is public parking, seconded by Robert Speaks. The motion carried 4-1:

Robert Wolfe	**Yes**
Lori Pfister	**Yes**
Norman Hope	**Yes**
Kirby Smith	**No**
Robert Speaks	**Yes**

Tab 10) Discussion on Distribution of Free Publications

Mr. Drury stated that increasingly there are publishers of various free newspapers that are distributing them throughout the community, particularly in high density areas._He presented some samples of free newspapers that eventually decompose if not picked up. He noted there are various residents who leave for long periods and attempt to have neighbors pick up the newspaper when they are gone.

Mr. Drury discussed the Mt. Dora ordinance that allows owners to request to the newspaper or company to be put on a "do not deliver" list. He said he is requesting direction on whether to have the city attorney craft an ordinance addressing this issue.

Councilmember Speaks asked if any city other than Mt. Dora has a similar ordinance. Mr. Drury said he did not know about this locally but Mt. Dora obtained their ordinance from out west. Attorney Williams stated there are five or six communities in Florida that have an ordinance. He discussed some of the legal issues concerning handbills. He noted this will not be a city issue; it will be initiated by the homeowner who would give the notice and reference the ordinance.

Councilmember Speaks asked how comprehensive the ordinance would be. Attorney Williams quoted from the Mt. Dora ordinance noting it would be fairly broad and might include handbills in a door. Councilmember Speaks discussed the problem of vacant houses.

Attorney Williams acknowledged it may be difficult to contact some of the companies distributing material; however, the newspapers identified by Mr. Drury do have contact information.

Vice Mayor Smith, Councilmember Speaks and Mayor Wolfe spoke in support. Councilmember Speaks asked how the ordinance will be enforced. Attorney Williams acknowledged the enforcement may not be easy, however it will be included under police or code enforcement..

MOTION

Kirby Smith moved to draft an ordinance for City Council approval, seconded by Norman Hope. The motion carried unanimously 5-0.

Tab 11) Award of Police Vehicles and Solid Waste Vehicle – Capital Lease Bid

Ms. Houghton said this item is to request approval of the award of the RFP to finance the purchase of 12 police vehicles and one solid waste vehicle (RFP No. 2014-0007). She reviewed the previous action taken by City Council. She said staff will be recommending at the April 2nd City Council meeting to piggy back off the Sheriff's bid.

Ms. Houghton discussed the bid process and how the RFP was advertised. She discussed the six responses that had been received. Staff recommendation was to award the RFP to BB&T Bank for Lease Purchase Revenue Note, Series 2014 in the amount of $690,000 plus cost of issuance for a term of 5 years at a rate of 1.33% to finance the 12 police vehicles and one automated solid waste vehicle and request staff to prepare a resolution with bond counsel for debt issuance, and set a date for the bond closing.

Councilmember Speaks commended Ms. Houghton for the research that was done. Councilmember Smith asked what was budgeted per car. Ms. Houghton said the budget did not fully anticipate the cost to purchase the vehicles but because the debt service is lower, the overall purchase comes within the budget.

Councilmember Smith asked in the future if the budget information and more details regarding the purchase could also be included in the summary.

MOTION

Robert Speaks moved for approval of Agenda Tab 11 for award of the RFP #2014-0007, seconded by Kirby Smith. The motion carried unanimously 5-0.

Tab 12) Work Authorization for Arcadis to Provide Construction Administration Services for Royal Harbor Potable Water Booster Pump Station

Mr. Hayes said this is to approve the Work Authorization for construction administration services associated with the Royal Harbor Booster Pump Station project in the amount of $77,500.00. He reviewed the work that was done under a prior authorization for design and permitting and bidding services by Arcadis. The project has been designed and permitted and is out to bid. This agreement will cover the engineering services to oversee the installation to ensure it is done in exact performance of the bid specifications. Mr. Hayes reviewed the specific duties for this service.

Councilmember Smith asked for confirmation of the price negotiated and the length of the project. Mr. Hayes confirmed and said the length of the project would be 7 months to substantial completion and 30 days for final completion.

MOTION

Kirby Smith moved to approve the Work Authorization with Arcadis U.S. Inc. for construction administration services for the Royal Harbor Water Booster Pump Station in the amount of $77,500 and authorize the City Administrator to execute the agreement, seconded by Robert Speaks. The motion carried unanimously 5-0.

Tab 13) Scope of Work and Fee Estimates for Final Engineering of the Wooton Park Expansion Project – Phase 2 Design Services

Mr. Neron stated the Wooton Park Expansion design was broken up into two design phases. Phase 1 was the design services for the preliminary concept plan and filing of the FDEP permit application. Phase 2 will be to develop a set of biddable engineered plans and specifications that incorporate the City Council's approved concept plans as well as any DEP permit conditions.

Staff has developed a scope of services with Avcon and has negotiated a fee in the amount of $171,941.00 to complete all of the outlined items in the scope of work that will

produce a set of biddable plans and specifications. It is estimated at this time if all the grant funding becomes available to go out to bids by late summer or early fall of 2014.

Councilmember Smith asked if the final design will include the pavilion and bathroom at the other end. Mr. Neron confirmed. He said it will be designed as a component of the bathroom storage building. Mayor Wolfe said he had seen that included in the projected numbers. Mr. Neron said that was correct and it is subject to the $80,000 being funded [by Sunnyland]. Councilmember Smith said he wanted to ensure it includes all the expanded items.

MOTION

Norman Hope moved to approve the Scope of Work and authorize the City Administrator to enter in to a Final Design Services contract with Avcon Inc. in the amount of $171,941 for final engineering and design of the Wooton Park Expansion Project, seconded by Lori Pfister. The motion carried unanimously 5-0.

XI. OLD BUSINESS

XII. NEW BUSINESS

XIII. AUDIENCE TO BE HEARD

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

XIV. REPORTS

Tab 14) City Administrator

City Clerk

Human Resources

Economic Development

Mr. Neron discussed the various upcoming events.

Public Works

Public Communications

Utility Department

Police Department

Community Services

Fire Department

Community Development

Finance Department

City Attorney

Attorney Williams noted if the agenda had been printed it would have been 285 pages long or 3000 pages for all so the cost of the tablets has probably been paid for through print savings.

Tab 15) City Council

Vice Mayor Pfister

Councilmember Hope

Councilmember Hope thanked Mr. Hayes, Ms. Houghton, and Ms. Neron for their preparation and diligence and hard work behind the scenes.

Councilmember Speaks

Councilmember Smith

Councilmember Smith noted Council had received a Water Festival magazine that was very professionally done. Mr. Neron said that Triangle Publications does production but all of the city chambers work together. He said Ms. Ross has done a great job with the advertising for the city.

Councilmember Smith said on this day in 1918 Congress authorized daylight savings time and on this day in 1931 the State of Nevada legalized gambling.

Mayor Wolfe

Mayor Wolfe noted Wyatt Earp was born on this day [in 1848].

Adjournment

There was no further business and the meeting was adjourned at 5:07 p.m.

Respectfully submitted,

Nancy A. Barnett, C.M.C.
City Clerk

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO. 2 **SECOND READING**
SUBJECT TITLE: **Ordinance 2014-01**
Annexation & Rezoning – Kilburn Family Properties
30329, 30333 and 30337 Mansfield Road

OBJECTIVE:

To consider the annexation and rezoning from Lake County RM (Mixed Home Residential) to RMH-S (Residential Mobile Home Subdivision) of approximately 0.36 acres of property located at the south end of Mansfield Road.

SUMMARY:

The subject property is located at the south end of Mansfield Road. The property is approximately 0.36 acres in size and is comprised of three existing mobile home lots and homes. These three lots form a County enclave within the boundaries of the City of Tavares. All adjacent properties are zoned Mobile Home Subdivision. These homes are on septic tanks and the owners desire to connect to the city's sanitary sewer that is currently being extended to the end of Mansfield Road.

OPTIONS:

1. That City Council moves to approve Ordinance 2014-01.
2. That City Council denies the proposed annexation and rezoning.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2014-01.

PLANNING & ZONING BOARD RECOMMENDATION:

At its March 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2014-01.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2014-01

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.36 ACRES OF LAND CONSISTING OF THREE MOBILE HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF MANSFIELD ROAD, REZONING THE PROPERTY FROM COUNTY RM (MIXED HOME RESIDENTIAL) TO CITY RMH-S (RESIDENTIAL MANUFACTURED HOME SUBDIVISION); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the owners of the properties described in **Exhibit "A"** have voluntarily petitioned to annex into the City of Tavares, and

WHEREAS, the properties legally defined in **Exhibit "A"** and presently addressed as 30329, 30333 and 30337 Mansfield Road are contiguous with the corporate limits of the City of Tavares, and

WHEREAS, the City of Tavares, Florida, is in a position to provide municipal services to the properties described herein; and,

WHEREAS, the City Council of the City of Tavares, Florida, deems it in the best interest of the City to accept said petition and to annex said properties, and

WHEREAS, the properties are currently zoned County RM (Mixed Home Residential) and the applicants have requested to be rezoned to City RMH-S (Residential Manufactured Home Subdivision); and

WHEREAS, the City of Tavares held duly noticed public hearings before the Planning and Zoning Board and City of Tavares City Council, providing opportunity for individuals to hear and to be heard regarding the proposed amended zoning; and

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and

WHEREAS, the City is concurrently processing an amendment to the City's Comprehensive Plan to re-designate the property from Lake County Urban Low to City Mobile Home on the Future Land Use Map 2020; and

WHEREAS, the City Council finds this amendment in compliance with the City of Tavares Land Development Regulations and the proposed amended Comprehensive Plan; now therefore

BE IT ORDAINED by the City Council of the City of Tavares, Florida, as follows:

Section 1. Annexation

The properties legally defined as and depicted in **Exhibit "A"** attached hereto, situated in Lake County, Florida, is hereby incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes.

Section 2. Rezoning

The said properties, as legally defined in **Exhibit "A",** attached hereto and made a part herewith, is hereby rezoned from Lake County RM (Mixed Home Residential) to City RMH-S (Residential Manufactured Home Subdivision), under the specific provisions as established by the City of Tavares Land Development Regulations.

Section 3. Severability.

Upon a determination by a court of competent jurisdiction that a portion of this ordinance is void, unconstitutional, or unenforceable, all remaining portions shall remain in full force and effect.

Section 4. Effective Date.

This ordinance shall take effect immediately upon its final adoption by the Tavares City Council.

PASSED AND ORDAINED this _____ of _____, 2014 by the City Council of the City of Tavares, Florida.

_____

Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Passed Second Reading: _____

ATTEST:

_____

Nancy Barnett, City Clerk

APPROVED AS TO FORM AND LEGALITY:

_____

Robert Q. Williams, City Attorney

Exhibit A

THAT PART OF LOTS 1 AND 2 IN WEST SHORE, A SUBDIVISION IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 13, PAGE 69, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE MOST NORTHERLY CORNER OF THE SAID LOT 1 RUN SOUTH ALONG THE EAST LINE OF THE SAID LOT 1 A DISTANCE OF 159.4 FEET FOR A POINT OF BEGINNING; FROM SAID POINT OF BEGINNING, RUN THENCE SOUTH ALONG THE EAST LINE OF THE SAID LOT 1 A DISTANCE OF 75 FEET, MORE OR LESS, TO THE WATERS OF A CANAL, THE SAID POINT BEING HEREBY DESIGNATED AS POINT "A"; BEGIN AGAIN AT THE POINT OF BEGINNING, THENCE RUN WEST 54.87 FEET; THENCE RUN SOUTH 02° 50′ EAST 91.61 FEET; THENCE RUN NORTH 82° 49′ 10" EAST 5 FEET, MORE OR LESS, TO THE WATERS OF A CANAL; THENCE RUN EASTERLY, ALONG AND WITH THE WATERS OF THE SAID CANAL TO THE ABOVE DESIGNATED POINT "A".

and

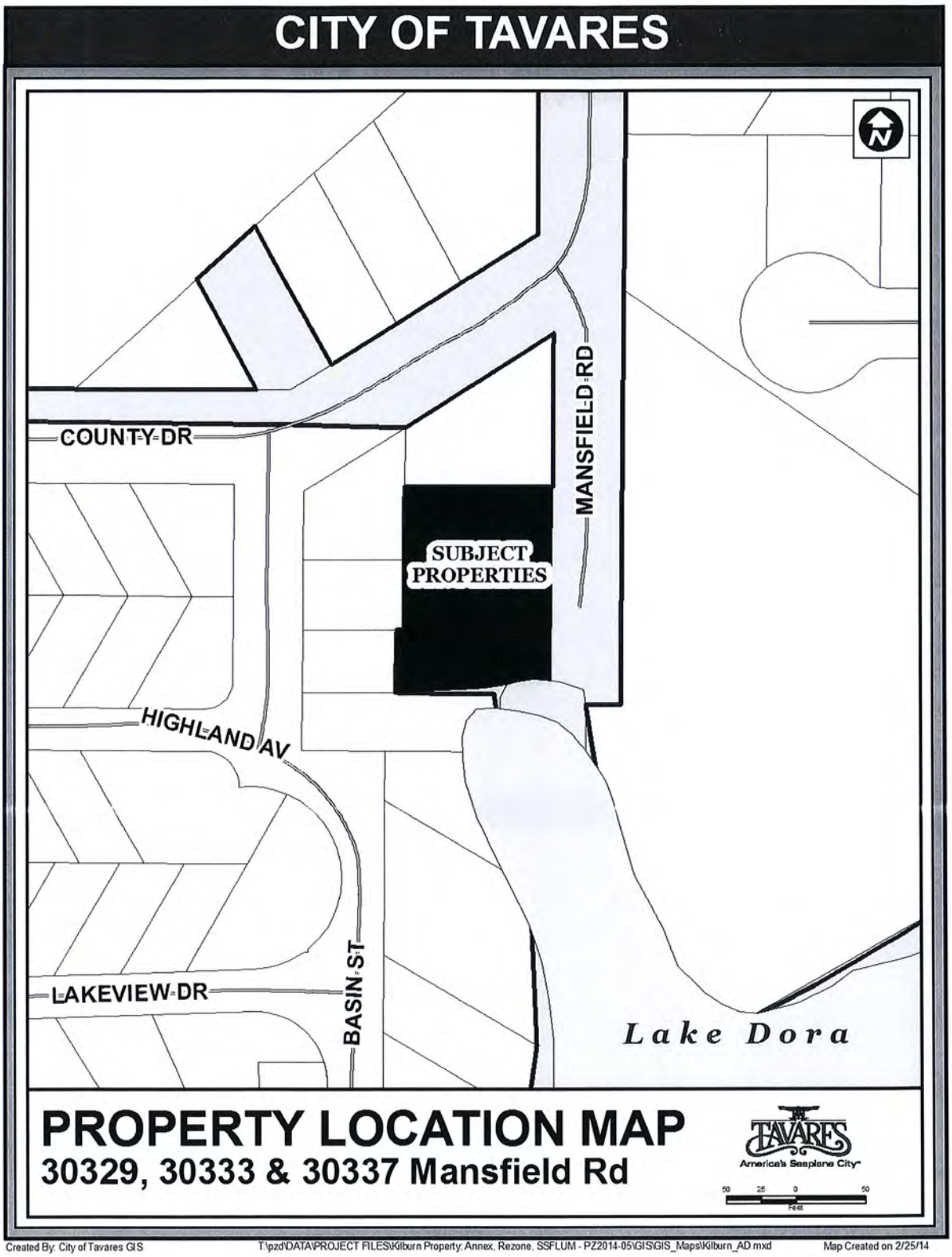
THAT PART OF LOTS 1 AND 2 IN WEST SHORE, A SUBDIVISION IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 69, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF THE SAID LOT 2, RUN NORTH ALONG THE WEST LINE OF THE SAID LOT 2 A DISTANCE OF 41 FEET; THENCE RUN EAST 65 FEET FOR A POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, RUN THENCE NORTH 49 FEET; THENCE RUN EAST 5 FEET; THENCE RUN NORTH 50 FEET; THENCE RUN EAST 50 FEET TO A POINT THAT IS 54.87 FEET WEST OF THE EAST LINE OF THE SAID LOT 1; THENCE RUN SOUTH 02°50' EAST 91.61 FEET TO A POINT THAT IS NORTH 82°49'10" EAST OF THE POINT OF BEGINNING; THENCE RUN SOUTH 82°49'10" EAST OF THE POINT OF BEGINNING; THENCE RUN SOUTH 82°49'10" WEST 60 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH EASEMENT RIGHTS AS RECORDED IN OFFICIAL RECORDS BOOK 867, PAGES 955, 956 AND 957, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

TOGETHER WITH THAT CERTAIN 1974 SHEB. MOBILE HOME, ID#731264S460430LB, AND ALL APPURTENANCES THERETO.

and

Begin 159.4 feet South of the most Northerly corner of Lot 1 of West Shore, according to the plat thereof, as recorded in Plat Book 13, Pages 69, Public Records of Lake County, Florida, run thence West 104.87 feet thence North 50 feet, thence East to the East line of said Lot 1, thence South to Point of Beginning.


CITY OF TAVARES
COUNTY DR
MANSFIELD RD
SUBJECT PROPERTIES
HIGHLAND AV
BASIN ST
LAKEVIEW DR
Lake Dora
PROPERTY LOCATION MAP
30329, 30333 & 30337 Mansfield Rd
TAVARES
America's Seaplane City
50 25 0 50
Feet
Created By: City of Tavares GIS
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Map Created on 2/25/14

1
2
3
4

CITY OF TAVARES

PROPERTY LOCATION MAP

30329, 30333 & 30337 Mansfield Rd

TAVARES
America's Seaplane City

30 15 0 30
Feet

Created By: City of Tavares GIS

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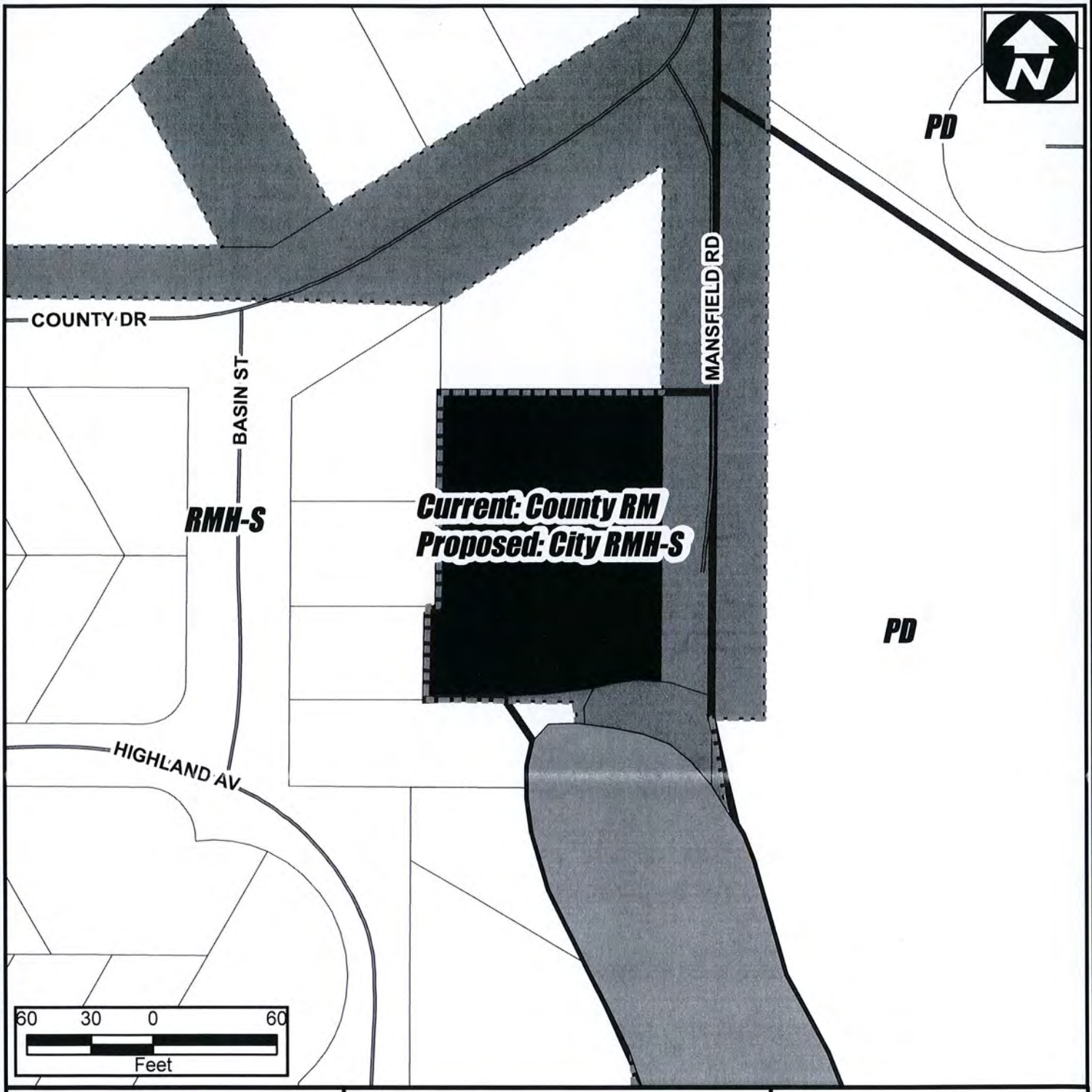
Map Created on 2/25/14

CITY OF TAVARES ORDINANCE # 2014-01



RSF-A Residential Single Family
RSF-1 Residential Single Family
RMF-2 Residential Multi-Family
RMF-3 Residential Multi-Family
RMH-S Residential Manufactured Home Sub.
RMH-P Residential Manufactured Home Park
PD Planned Development District
MU Mixed Use District
C-1 General Commercial
C-2 Highway Commercial
CD Commercial Downtown District
I Industrial District
PFD Public Facilities District

TAVARES
America's Seaplane City

ZONING MAP

ORDINANCE # 2014-01

30329, 30333 & 30337 Mansfield Rd.

Current Zoning: County RM
Proposed Zoning:
City RMH-S

0.33 ± Acres

Legend

CITY BOUNDARY
ZONING
SUBJECT PROPERTY
UNINCORPORATED
MAJOR ROADS
STREETS
PARCELS
CONS/WETLANDS

DRAFTED BY: CITY OF TAVARES GIS T:\pzd\DATA\PROJECT FILES\Kilburn Property; Annex, Rezone, SSFLUM - PZ2014-05\GIS\GIS_Maps\Kilburn_ZONE_PT.mxd MAP CREATED ON 3/4/14

Jacques Skutt stated that the City of Tavares tries to ensure that HOA approval is obtained prior to a building permit being issued as a courtesy to active HOAs.

Alma Seaburg confirmed that a letter of approval was sent to Mr. Reineck.

MOTION

Morris Osborn moved to recommend approval of Resolution 2014-07. The motion was seconded by Howard Haynes. The motion carried 5-0.

2) Kilburn Family Property – Annexation & Rezoning (Ordinance 2014-01)

Jacques Skutt, Community Development Director provided the following staff report;

The subject property is located at the south end of Mansfield Road. The property is approximately 0.36 acres in size and is comprised of three existing mobile home lots and homes. These three lots form a County enclave within the boundaries of the City of Tavares. All adjacent properties are zoned Mobile Home Subdivision. These homes are on septic tanks and the owners desire to connect to the city's sanitary sewer that is currently being extended to the end of Mansfield Road.

Morris Osborn requested that Jacques Skutt revise the legal descriptions as they appeared to be incomplete.

MOTION

Morris Osborn moved to recommend approval of Ordinance 2014-01. The motion was seconded by Norb Thomas. The motion carried 5-0.

3) Kilburn Family Property – LSFLUM (Ordinance 2014-02)

Jacques Skutt, Community Development Director provided the following staff report;

Ordinance 2014-02 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Numbers 1769698, 2809116 and 1497698) is 0.36 acres in size and located at the south end of Mansfield Road. An application to annex and rezone this property to a RMH-S (Residential Manufactured Home Subdivision) zoning is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Lake County Urban Low Density to City Mobile Home.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban Low. A City Mobile Home designation is most compatible with surrounding property.

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO. 3 **SECOND READING**

SUBJECT TITLE: **Ordinance 2014-02**
Small Scale Future Land Use Amendment- Kilburn Family Properties
30329, 30333 and 30337 Mansfield Road

OBJECTIVE:

To consider a Future Land Use Map amendment for approximately 0.36 acres of property located at the south end of Mansfield Road.

SUMMARY:

Ordinance 2014-02 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Numbers 1769698, 2809116 and 1497698) is 0.36 acres in size and located at the south end of Mansfield Road. An application to annex and rezone this property to a RMH-S (Residential Manufactured Home Subdivision) zoning is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Lake County Urban Low Density to City Mobile Home.

Future Land Use Amendment
The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban Low. A City Mobile Home designation is most compatible with surrounding property.

Compatibility
Properties adjacent to this property are residential in nature occupied by mobile and manufactured homes.

Site Conditions
The property is comprised of three existing mobile home lots and homes. The applicants have no development or modification desires.

Impact on City Services
The City of Tavares has municipal water and sewer services available to the subject parcel and the owners are currently a water service customer. They desire to connect to the city sanitary sewer that is being extended to their properties.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Mobile Home Residential Future Land Use designation is consistent with the subject property's existing conditions and would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 7A)

OPTIONS:

1. That City Council moves to approve Ordinance 2014-02.
2. That City Council denies the proposed Future Land Use Map amendment.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to approve Ordinance 2014-02.

PLANNING & ZONING BOARD RECOMMENDATION:

At its March 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2014-02.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

This ordinance has been reviewed by the City Attorney and approved for legal sufficiency.

ORDINANCE 2014-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY .36 ACRES OF LAND CONSISTING OF THREE MOBILE HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF MANSFIELD ROAD FROM LAKE COUNTY URBAN LOW TO CITY MOBILE HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the properties presently addressed as 30329, 30333 and 30337 Mansfield Road and legally defined as and depicted in **Exhibit "A"** attached hereto, have been incorporated into and made a part of the City of Tavares, Florida, pursuant to the voluntary annexation provisions of Section 171.044, Florida Statutes; and

WHEREAS, the owners of properties described in **Exhibit "A"** attached hereto, are requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said properties from Lake County Urban Low to City Mobile Home; and

WHEREAS, the properties consists of less than ten acres; and

WHEREAS, the City of Tavares has advertised as required by law for two public hearings prior to adoption of this ordinance; and

WHEREAS, the City has held such public hearings and the records of the City provide that the owners of the land affected have been notified as required by law; and

WHEREAS, a City Mobile Home Future Land Use designation is compatible with surrounding future land use designations; and

WHEREAS, the City of Tavares Planning and Zoning Board, Local Planning Agency, and City Council held duly noticed public hearings providing opportunity for individuals to hear and be heard regarding the adoption of the proposed map amendment; and

WHEREAS, the City Council has reviewed and considered all relevant evidence and information and testimony presented by witnesses, the public, and City staff; and

WHEREAS, the City Council finds this amendment in compliance with Chapter 163, Florida Statutes, and the City of Tavares Comprehensive Plan; and

WHEREAS, adoption of this amendment is in the best interest of the health, safety, and general welfare of the citizens of Tavares;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Tavares, Florida as follows:

Section 1. Future Land Use Amendment

The Comprehensive Plan and Future Land Use Map 2020 of the City of Tavares, Florida, is hereby amended to reflect a re-designation from Lake County Urban Low to City Mobile Home on certain real properties as legally described in **Exhibit "A"**. All provisions of the Comprehensive Plan shall hereby apply to said properties.

Section 2. Severability and Conflicts

The provisions of this ordinance are severable and it is the intention of the City Council of Tavares, Florida, to confer the whole or any part of the powers herein provided. If any court of competent jurisdiction shall hold any of the provisions of this ordinance unconstitutional, the decision of such court shall not impair any remaining provisions of this ordinance.

Section 3. Transmittal

The City Administrator is hereby authorized and directed to transmit the adopted Comprehensive Plan amendments to the Florida Department of Economic Opportunity, the East Central Florida Regional Planning Council, the St. Johns River Water Management District, the Department of Environmental Protection, the Florida Department of Transportation, and any other governmental agency in the state of Florida that has filed a written request with the City Council for a copy of the Comprehensive Plan within 10 working days of the adoption of this Ordinance as specified in the State Land Planning Agency's procedural rules.

Section 4. Effective Date

The effective date of this plan amendment, if the amendment is not timely challenged,

shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

PASSED AND ADOPTED this _____day of _____, 2014 by the City Council of the City of Tavares, Florida.

_____
Robert Wolfe, Mayor
Tavares City Council

First Reading: _____

Second Reading & Final Adoption: _____

ATTEST:

_____
Nancy A. Barnett, City Clerk

Approved as to form:

_____
Robert Q. Williams, City Attorney

Exhibit A

THAT PART OF LOTS 1 AND 2 IN WEST SHORE, A SUBDIVISION IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 13, PAGE 69, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE MOST NORTHERLY CORNER OF THE SAID LOT 1 RUN SOUTH ALONG THE EAST LINE OF THE SAID LOT 1 A DISTANCE OF 159.4 FEET FOR A POINT OF BEGINNING; FROM SAID POINT OF BEGINNING, RUN THENCE SOUTH ALONG THE EAST LINE OF THE SAID LOT 1 A DISTANCE OF 75 FEET, MORE OR LESS, TO THE WATERS OF A CANAL, THE SAID POINT BEING HEREBY DESIGNATED AS POINT "A"; BEGIN AGAIN AT THE POINT OF BEGINNING, THENCE RUN WEST 54.87 FEET; THENCE RUN SOUTH 02° 50′ EAST 91.61 FEET; THENCE RUN NORTH 82° 49′ 10" EAST 5 FEET, MORE OR LESS, TO THE WATERS OF A CANAL; THENCE RUN EASTERLY, ALONG AND WITH THE WATERS OF THE SAID CANAL TO THE ABOVE DESIGNATED POINT "A".

and

THAT PART OF LOTS 1 AND 2 IN WEST SHORE, A SUBDIVISION IN LAKE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 69, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA, BOUNDED AND DESCRIBED AS FOLLOWS: FROM THE SOUTHWEST CORNER OF THE SAID LOT 2, RUN NORTH ALONG THE WEST LINE OF THE SAID LOT 2 A DISTANCE OF 41 FEET; THENCE RUN EAST 65 FEET FOR A POINT OF BEGINNING. FROM SAID POINT OF BEGINNING, RUN THENCE NORTH 49 FEET; THENCE RUN EAST 5 FEET; THENCE RUN NORTH 50 FEET; THENCE RUN EAST 50 FEET TO A POINT THAT IS 54.87 FEET WEST OF THE EAST LINE OF THE SAID LOT 1; THENCE RUN SOUTH 02°50' EAST 91.61 FEET TO A POINT THAT IS NORTH 82°49'10" EAST OF THE POINT OF BEGINNING; THENCE RUN SOUTH 82°49'10" EAST OF THE POINT OF BEGINNING; THENCE RUN SOUTH 82°49'10" WEST 60 FEET TO THE POINT OF BEGINNING.

TOGETHER WITH EASEMENT RIGHTS AS RECORDED IN OFFICIAL RECORDS BOOK 867, PAGES 955, 956 AND 957, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

TOGETHER WITH THAT CERTAIN 1974 SHEB. MOBILE HOME, ID#731264S460430LB, AND ALL APPURTENANCES THERETO.

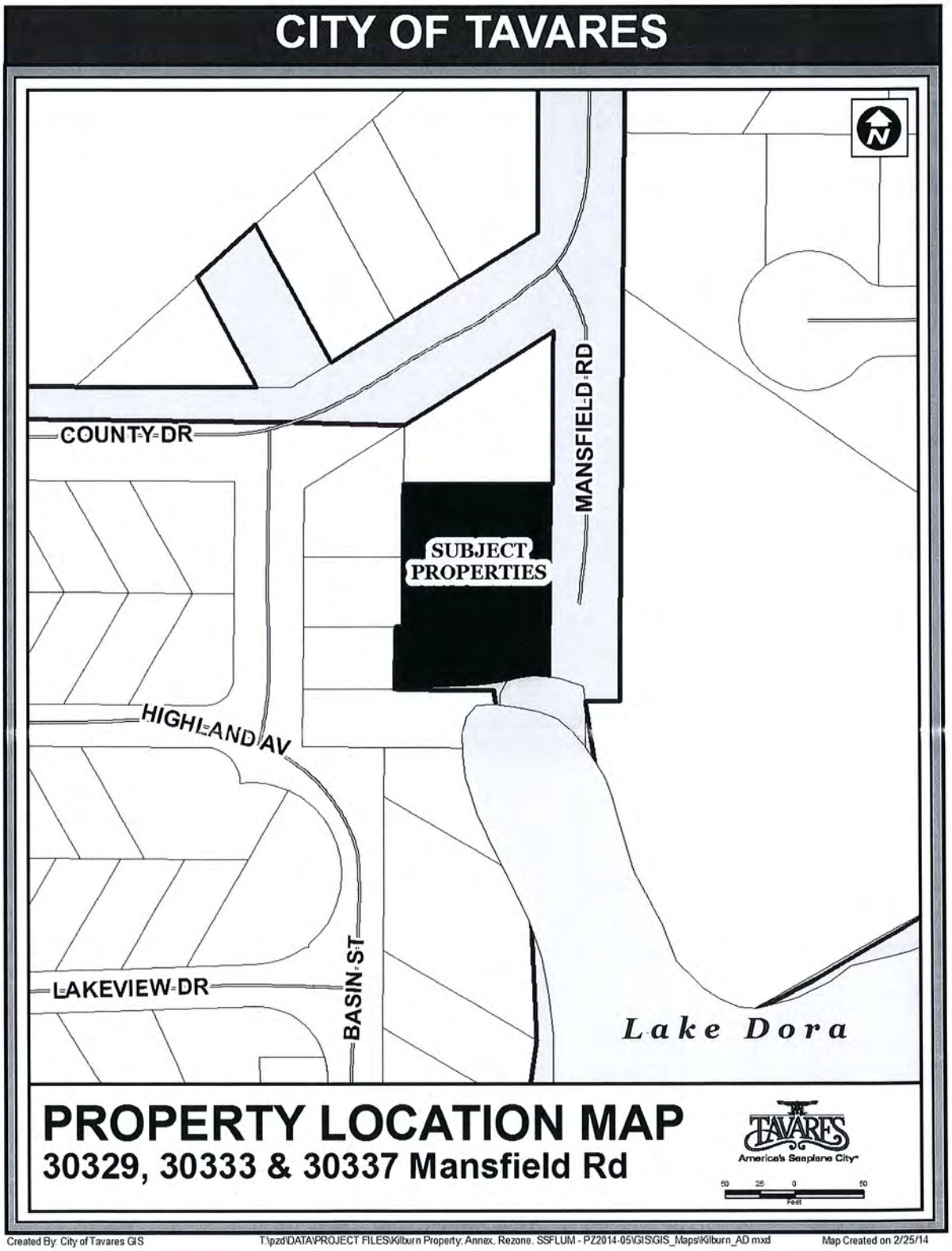
and

Begin 159.4 feet South of the most Northerly corner of Lot 1 of West Shore, according to the plat thereof, as recorded in Plat Book 13, Pages 69, Public Records of Lake County, Florida, run thence West 104.87 feet thence North 50 feet, thence East to the East line of said Lot 1, thence South to Point of Beginning.

Exhibit A

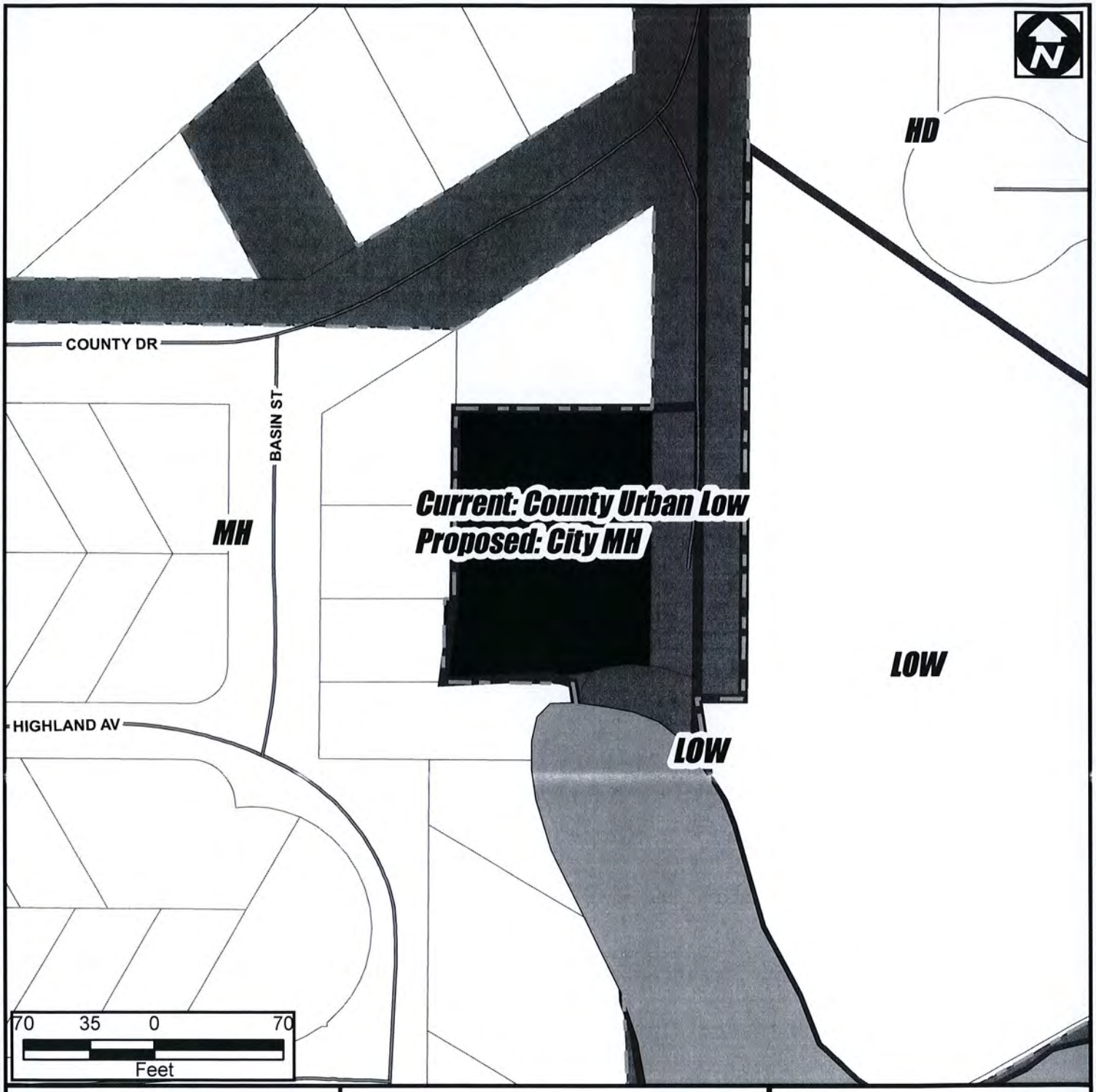
WEST SHORE FROM SW COR OF LOT 2 RUN N ALONG W LINE OF SD LOT 2 A DIST OF 41 FT, E 65 FT FOR POB, RUN N 49 FT, E 5 FT, N 50 FT, E 50 FT TO A PT 54.87 FT W OF E LINE OF LOT 1, S 02-50-0 E A DIST OF 91.61 FT TO A PT THAT IS 82-49-10 E OF

1
2
3


CITY OF TAVARES
COUNTY DR
MANSFIELD RD
SUBJECT PROPERTIES
HIGHLAND AV
BASIN ST
LAKEVIEW DR
Lake Dora
PROPERTY LOCATION MAP
30329, 30333 & 30337 Mansfield Rd
TAVARES
America's Seaplane City
50 25 0 50
Feet
Created By: City of Tavares GIS
T:\pzd\DATA\PROJECT FILES\Kilburn Property: Annex, Rezone, SSFLUM - PZ2014-05\GIS\GIS_Maps\Kilburn_AD.mxd
Map Created on 2/25/14

4

CITY OF TAVARES ORDINANCE # 2014-02



SUB	Suburban	3.0 DU/Acre
SUB EX	Suburban Expansion	4.0 DU/Acre
LOW	Low Density	5.6 DU/Acre
MOD	Moderate Density	10 DU/Acre
MED	Medium Density	12 DU/Acre
HD	High Density	12-25 DU/Acre
MH	Mobile Home	8.7 DU/Acre
MUN	Mixed Use Neighborhood	12 DU/Acre
MUC	Mixed Use Commercial	25 DU/Acre
COM	Comercial	
CD	Commercial Downtown	25 DU/Acre
IND	Industrial	
PUB	Public Facility/Institutional	
CONS	Westlands & Conservation	

TAVARES America's Sculpture City

FUTURE LAND USE MAP

ORDINANCE # 2014-02

30329, 30333 & 30337 Mansfield Rd.

Current FLU:
County Urban Low
Proposed FLU: City MH
0.33 ± Acres

Legend

- CITY BOUNDARY
- FLU
- SUBJECT PROPERTY
- UNINCORPORATED
- MAJOR ROADS
- STREETS
- CONS/WETLANDS
- PARCELS

DRAFTED BY: CITY OF TAVARES GIS T:\pzd\DATA\PROJECT FILES\Kilburn Property; Annex, Rezone, SSFLUM - PZ2014-05\GIS\GIS_Maps\Kilburn_FLU_PT.mxd MAP CREATED ON 3/4/14

Jacques Skutt stated that the City of Tavares tries to ensure that HOA approval is obtained prior to a building permit being issued as a courtesy to active HOAs.

Alma Seaburg confirmed that a letter of approval was sent to Mr. Reineck.

MOTION

Morris Osborn moved to recommend approval of Resolution 2014-07. The motion was seconded by Howard Haynes. The motion carried 5-0.

2) Kilburn Family Property – Annexation & Rezoning (Ordinance 2014-01)

Jacques Skutt, Community Development Director provided the following staff report;

The subject property is located at the south end of Mansfield Road. The property is approximately 0.36 acres in size and is comprised of three existing mobile home lots and homes. These three lots form a County enclave within the boundaries of the City of Tavares. All adjacent properties are zoned Mobile Home Subdivision. These homes are on septic tanks and the owners desire to connect to the city's sanitary sewer that is currently being extended to the end of Mansfield Road.

Morris Osborn requested that Jacques Skutt revise the legal descriptions as they appeared to be incomplete.

MOTION

Morris Osborn moved to recommend approval of Ordinance 2014-01. The motion was seconded by Norb Thomas. The motion carried 5-0.

3) Kilburn Family Property – LSFLUM (Ordinance 2014-02)

Jacques Skutt, Community Development Director provided the following staff report;

Ordinance 2014-02 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Numbers 1769698, 2809116 and 1497698) is 0.36 acres in size and located at the south end of Mansfield Road. An application to annex and rezone this property to a RMH-S (Residential Manufactured Home Subdivision) zoning is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Lake County Urban Low Density to City Mobile Home.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban Low. A City Mobile Home designation is most compatible with surrounding property.

Compatibility

Properties adjacent to this property are residential in nature occupied by mobile and manufactured homes.

Site Conditions

The property is comprised of three existing mobile home lots and homes. The applicants have no development or modification desires.

Impact on City Services

The City of Tavares has municipal water and sewer services available to the subject parcel and the owners are currently a water service customer. They desire to connect to the city sanitary sewer that is being extended to their properties.

FINDINGS

This amendment request is considered to be in compliance with the Comprehensive Plan Goals, Objectives and Policies with the following findings:

1. A Mobile Home Residential Future Land Use designation is consistent with the subject property's existing conditions and would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 7A)

Morris Osborn asked that staff check that the FLU map is accurate regarding the included property.

MOTION

Richard Root moved to recommend approval of Ordinance 2014-02. The motion was seconded by Norb Thomas. The motion carried 5-0.

Jacques Skutt stated that the City of Tavares is working with the East Central Florida Regional Planning Council to do an economic development study for property south of Lake Dora. He stated that a Stakeholder meeting regarding the study will be scheduled on April 17, 2014 at 2:00 p.m. in City Council Chambers, and that all Planning & Zoning Board members are welcome to attend.

There was no further business and the meeting adjourned at approximately 3:26 p.m.

Respectfully submitted,

_____

Michael Fitzgerald
Development Coordinator

Orlando Sentinel
Publication Date: 03/10/2014
This E-Sheet(R) is provided as conclusive evidence that the ad appeared in The Orlando Sentinel on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content.

Ad Number:	2206309-1	Client Name:	
Insertion Number:		Advertiser:	City of Tavares
Size:	3 x 10.5	Section/Page/Zone:	Lake Zone/E003/LAK
Color Type:	B&W	Description:	advertising Ord 14-01 & 14-02

THE ARTS IN LAKE

'South Pacific' aims to enchant in Clermont

By Debbie Manis
Staff Writer

Rodgers and Hammerstein's classic "South Pacific" will be presented by the Moonlight Players, which opens Friday at the Warehouse Theatre, 732-B W. Montrose St. in Clermont.

The musical, based on James A. Michener's Pulitzer Prize winning novel "Tales of the South Pacific," is set in the paradise of the tropics during World War II.

"South Pacific" features parallel love stories, both dealing with racial prejudice. Navy nurse Nellie Forbush's love for sophisticated French planter Emile de Becque and Princeton-educated Lt. Joseph Cable's relationship with a young Tonkinese woman, Liat.

Memorable songs include "Some Enchanted Evening," "There is Nothing Like a Dame," "Younger Than Springtime" and "Bali Ha'i."

The show will be presented for four consecutive weekends. Performances are set for 8 p.m. Fridays and Saturdays and 2 p.m. Sundays.

Tickets are $15 for adults and $12 for students.

Details or reservations: 352-319-1116.

Dance and competition

Humanities and Fine Arts Charter School in Leesburg, which serves children in kindergarten through fourth grade interested in the fine arts, including music, drama, dance and oration, will present "The Green and White Couples Dance and Competition."

The event will be held from 7:30 to 11:30 p.m. Saturday in the school's cafetorium, 213 N. Lee St.

Prizes will be awarded to best choreography, best costume and most creative dance. Cost is $10 per couple to participate.

Tickets to the dance are $20 and include drinks and hors d'oeuvres.

The event is open to the public and adults.

To register for the competition and tickets, call the office at 352-315-4322.

Artsy events

■ Janet Crane and Suzan Buckwalter are March's artists of the month at Artisans on Fifth, an artists' cooperative-gallery shop in Mount Dora. A reception will kick off their exhibit from 6 to 8 p.m. Friday at the gallery shop, 134 E. Fifth Ave.

Crane is known for her woven, knitted and wire-wrapped jewelry. Buckwalter, who is known for her vibrant watercolor paintings, has been experimenting with collage and mixed media.

The free event is open to the public. Refreshments will be served.

Details: artisansonfifth.com.

■ The next Second Friday Art Stroll is 6 to 8 p.m. Friday.

Visitors can take a walking tour of downtown Mount Dora and view art while listening to music. Artists will be selling their works at designated venues.

Details: 352-383-0880

Art league meeting

The Eustis Art League will meet from 2 to 4 p.m. Saturdayat the Lake Eustis Museum of Art, 1 W. Orange Ave., Eustis.

Krysta Smith will speak about abstract painting and demonstratesome of her techniques for creating unique textures.Details: eustisartleague.com.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com.

YOUR COMMUNITY IN BRIEF

Luncheon to aid charity group

Members of Chapter ID, a local Philanthropic Educational Organization, will have its sixth Spring Fling fundraising luncheon from 11 a.m. to 2 p.m. Saturday at Lake Receptions, 4425 N. County Road 19A, Mount Dora.

Area women are invited.

The Rev. John Harrington, senior pastor of Morrison United Methodist Church in Leesburg, will be the featured storyteller. He will present "A Strange Thing Happened Early Easter Eve."

There also will be a silent auction. Baked goods and plants will be sold.

Proceeds will be used for international PEO projects and local scholarships and grants.

Tickets are $25 each and are available by calling Eleanor Boulier, 352-365-2909.

Walk-a-thon

Chapter 169 of the Korean War Veterans Association of Lake County will host a walk-a-thon beginning at 8 a.m. Saturday at the football field at Leesburg High School, 1401 Yellow Jacket Way.

Walkers will seek pledge donations from sponsors with proceeds going to Project SOS (Support our Soldiers), The Villages Honor Flight and Chapter 169 of the KWVA.

There is no registration fee.

For more information or to download a pledge or sponsorship form, visit cid169kwva.org and click on "activities."

Details: Art Iversen, 352-753-0139.

Meetings

■ The Lake County Parkinson's Support Group will meet from 1 to 3 p.m. Tuesday in the Family Life Center at Lake Square Presbyterian Church, 10200 Morningside Drive, Leesburg. Social time and light refreshments will be from 1 to 1:20 p.m. Jennifer Braun, a speech and language pathologist, will speak about the Lee Silverman voice treatment, which is one of the most widely practiced treatment for speech disorders associated with Parkinson's disease.

Details: Pat or Dave Tribbey, 352-343-0376, or Marion or Jim Papson, 352-315-9359.

■ Pastfinders Genealogical Society's meeting is 4:30 to 7 p.m. Thursday in Room 108 at Cooper Memorial Library, 2525 Oakley Seaver Drive, Clermont.

Mary L. Jackson Fears, a storyteller and Civil War reenactor, will present "The Service of People of Color in the Civil War." Fears, a retired Volusia school media specialist, will tell stories based on historic documents and explain unique displays of her memorabilia throughout the presentation.

The free event is open to the public. Donations will be accepted.

Low-calorie desserts

Leesburg Center for the Arts, 429 W. Magnolia St., will have the next class in its culinary arts series, "Fancy Low Calorie Desserts," from 6 to 9 p.m. Thursday.

Participants will learn how to make fancy looking and tasty desserts, by using low-fat and low-calorie ingredients, fresh fruits and nuts.

Cost is $40. To register or to download a schedule, visit leesburgcenter4arts.com and click on "course guide."

Details: 352-365-0232.

Reunion

The 32nd annual Minnesota reunion potluck picnic is 9 a.m. to 2 p.m. Tuesday at Hickory Point Recreation Facility, 27341 State Road 19, Tavares by the Howey-in-the-Hills bridge. Lunch is at 11:30 a.m. Bring a covered dish to serve and personal table service. Coffee, iced tea and lemonade will be provided. No alcohol is permitted.

Details: Gary or Bonnie Neuman, 407-808-3385, or Arthur or Elaine Kolle, 352-771-0151.

Health programs

Florida Hospital Waterman will host the following free educational program:

■ Dr. Vrej Manoogian, an orthopedic surgeon, will present "Bone and Ligament Spring Total Knee Replacement" from 1 to 2 p.m. Thursday at Leesburg Community Building, 109 E. Dixie Ave.

Mardi Gras

Cagan Crossings Farmer's Market, 600 Cagan Park Ave. in Clermont, will host Mardi Gras from 4 to 8 p.m. Friday. Activities will include a bead toss every hour, Mardi Gras mask contest, Mutti-Gras pet parade and costume contest, along with the usual weekly vendors that offer produce, homemade jellies, fudge and bread, beef, chicken, handmade soaps, art objects, jewelry and more.

Details: facebook.com/caganfarmersmarket.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com.

THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Resolution 2014-07 titled as follows:

RESOLUTION 2014-07

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS, MINIMUM REAR YARD SETBACK FOR A RESIDENTIAL MANUFACTURED HOME SUBDIVISION (RMH-S) ZONING FOR PROPERTY LOCATED AT 2408 VINDALE AVENUE, TAVARES, FL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Proposed Resolution 2014-07 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on March 20, 2014, at 3 p.m.; and
2. Tavares City Council meeting on April 2, 2014, at 4 p.m.

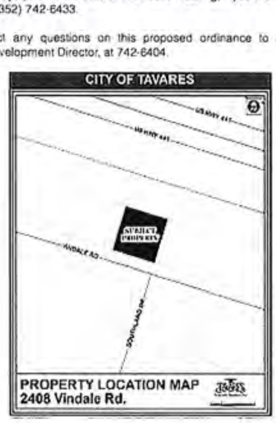
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2014-07 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and be heard with respect to the proposed resolution. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.



THE CITY OF TAVARES
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinances 2014-01 & 2014-02 titled as follows.

ORDINANCE 2014-01

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.36 ACRES OF LAND CONSISTING OF THREE MOBILE HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF MANSFIELD ROAD, REZONING THE PROPERTY FROM COUNTY RM (MIXED HOME RESIDENTIAL) TO CITY RMH-S (RESIDENTIAL MANUFACTURED HOME SUBDIVISION); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY .36 ACRES OF LAND CONSISTING OF THREE MOBILE HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF MANSFIELD ROAD FROM LAKE COUNTY URBAN LOW TO CITY MOBILE HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinances 2014-01 & 2014-02 will be considered at the following public meetings

1. Tavares Planning & Zoning Board meeting on March 20, 2014, at 3 p.m., and
2. Tavares City Council meeting on April 2, 2014, at 4 p.m. (Introduction and First Reading by Title Only), and
3. Tavares City Council meeting on April 16, 2014, at 4 p.m. (Second Reading)

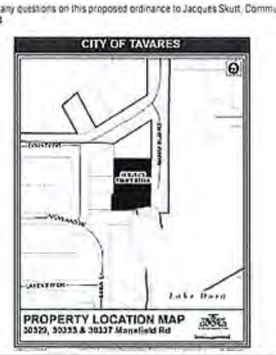
All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida

Proposed Ordinances 2014-01 & 2014-02 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself that a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing. If you are hearing or voice impaired, call (352) 742-6433

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404



AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO. 4 **TABLED FROM APRIL 2, 2014**

SUBJECT TITLE: **Resolution 2014-07-Variance-Reduced Rear Yard Setback 2408 Vindale Road, Tavares, FL**

OBJECTIVE:

To consider a variance for reduced rear yard setbacks for 2408 Vindale Avenue.

SUMMARY:

This is a variance application from Gary Reineck for a reduction of the required minimum rear yard setback of 10 feet for property located at 2408 Vindale Road. The owner of the property has constructed an 8' X 12' shed attached to his mobile home. The City's Code Enforcement Officer has issued a Notice of Violation requiring the owner to pull a Building Permit. The mobile home appears to already project into the required rear yard and the shed extends to the rear property line.

The majority of homes on this section of Vindale Road appear to project into the required 10' rear yard setback. Several may be over the property line. These lots back onto the Tav-Lee Trail that is buffered by a 10'+ high masonry wall. Since these encroachments into the rear yards are not visible from the rear or front and since existing conditions are consistent with limited or no rear setback, staff is recommending approval of this variance. There are no recorded utility easements in the rear yard of the properties.

A building permit application has not as yet been received by the City's Building Department for this structure. If electrical work is to be done, an electrical permit will also be required by the city. The masonry wall is owned by FDOT. As part our normal variance notification process, FDOT was advised of the proposed variance. No response has been received from FDOT. There are no recorded setbacks or FDOT easements related to this wall. The homes existing on this segment of Vindale Road where placed in the 1970's. It is unknown what the required setbacks were at that time and it is very possible that the no setbacks were enforced and that the existing setbacks of these homes could be legally non-conforming (grandfathered-in).

OPTIONS:

1. That City Council moves to approve of Resolution 2014-07.
2. That City Council moves to deny the proposed variance.

STAFF RECOMMENDATION:

Staff recommends that City Council moves to recommend approval of Resolution 2014-07.

PLANNING & ZONING BOARD RECOMMENDATION:

At its March 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Resolution 2014-07

FISCAL IMPACT: N/A.

LEGAL SUFFICIENCY:

This resolution has been reviewed by the City Attorney and approved for legal sufficiency.

IMPERIAL TERRACE EAST (ITEHA)

FEBRUARY 1. 2014

TO: GARY AND SUSAN REINECK

FROM: COVENANT DIRECTORS OF ITEHA.

This letter is to inform you that we feel you have met your obligation with the board, with your add on to your shed in the back of the house,

This letter is being sent incase you may need it for any purpose the city may have.

Sincerely Alma Seaburg
DIRECTOR OF COVENANTS

RESOLUTION 2014-07

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS, MINIMUM REAR YARD SETBACK FOR A RESIDENTIAL MANUFACTURED HOME SUBDIVISION (RMH-S) ZONING FOR PROPERTY LOCATED AT 2408 VINDALE ROAD, TAVARES, FL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Gary and Sue Reineck are the owners of property addressed 2408 Vindale Road and legally defined as:

TAVARES, IMPERIAL MOBILE TERRACE ADD 4-A
LOT 122 PB 18 PG 54
ORB 4105 PG 2148

and,

WHEREAS, the subject property is located in Imperial Mobile Terrace and is zoned Residential Manufactured Home Subdivision (RMH-S); and,

WHEREAS, the minimum rear yard setback for a shed attached to a mobile home dwelling in Imperial Mobile Home Terrace is ten (10) feet; and,

WHEREAS, the property owner desires to build a 96 square foot shed attached to the rear of the mobile home on said property with a proposed rear yard setback of 0 feet from the north rear property line; and,

WHEREAS, the north rear lot line of the subject property backs onto a walled segment of the Tav-Lee Trail; and

WHEREAS, the City Council finds the requested variance to be in harmony with existing site conditions and will not be detrimental to the surrounding neighborhood; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA AS FOLLOWS:

The applicant is hereby granted a variance to allow for the following specified development standards:

1. The required rear yard setback from the north lot line of this property for a 96 square foot shed attached to the mobile home is reduced to 0 feet provided the applicant obtains a building permit and complies with applicable Building Code regulations.

THIS RESOLUTION will become effective upon approval by the Tavares City Council.

PASSED AND RESOLVED this ____day of _____ 2014 by the Tavares City Council.

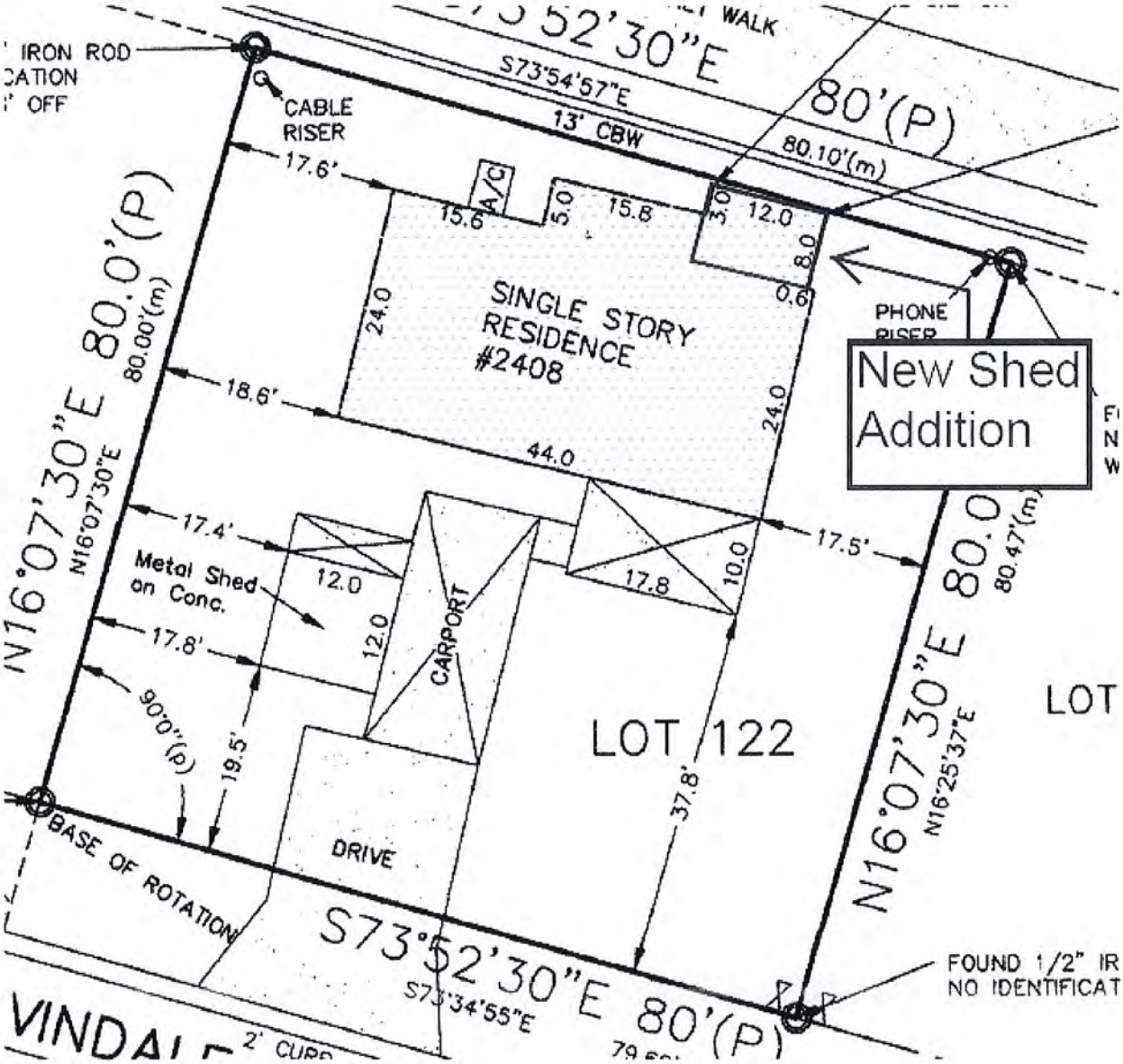
_____
Robert Wolfe, Mayor
Tavares City Council

ATTEST

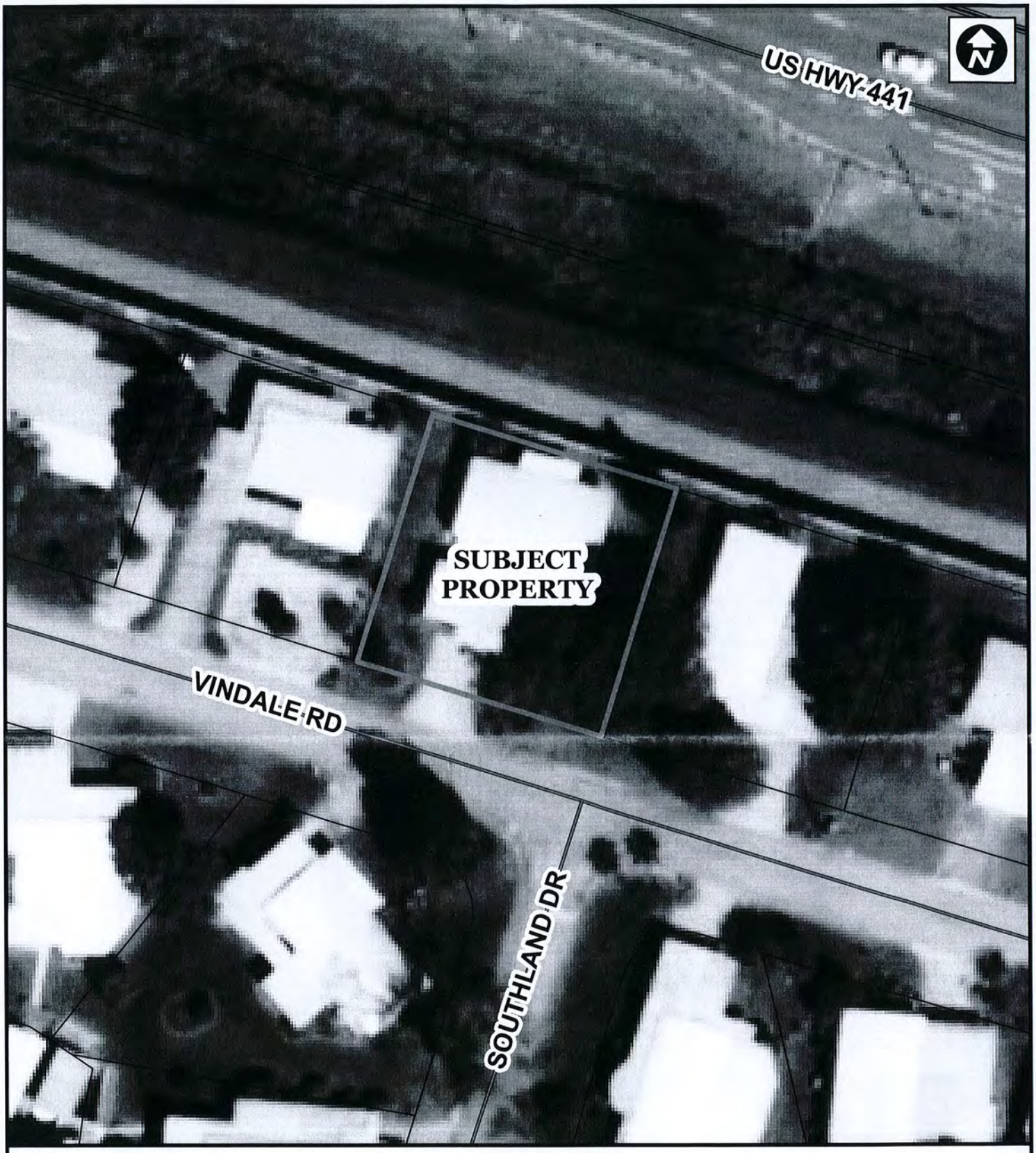
_____
Nancy A. Barnett, City Clerk

Approved as to form and legality:

_____
Robert Q. Williams, City Attorney


IRON ROD
CATION
OFF
CABLE
RISER
S73°54'57"E
13' CBW
80'(P)
80.10'(m)
17.6'
A/C
15.6
5.0
15.8
3.0
12.0
8.0
0.6
SINGLE STORY
RESIDENCE
#2408
24.0
18.6'
44.0
24.0
PHONE
RISER
New Shed
Addition
N16°07'30"E 80.0'(P)
80.00'(m)
N16°07'30"E
17.4'
Metal Shed
on Conc.
12.0
12.0
CARPORT
17.8
10.0
17.5'
17.8'
90°0"(p)
19.5'
LOT 122
37.8'
DRIVE
BASE OF ROTATION
S73°52'30"E 80'(P)
S73°34'55"E
N16°07'30"E
N16°25'37"E
LOT
FOUND 1/2" IR
NO IDENTIFICAT
VINDAL
2' CURB

CITY OF TAVARES



PROPERTY LOCATION MAP
2408 Vindale Rd.

TAVARES
America's Seaplane City

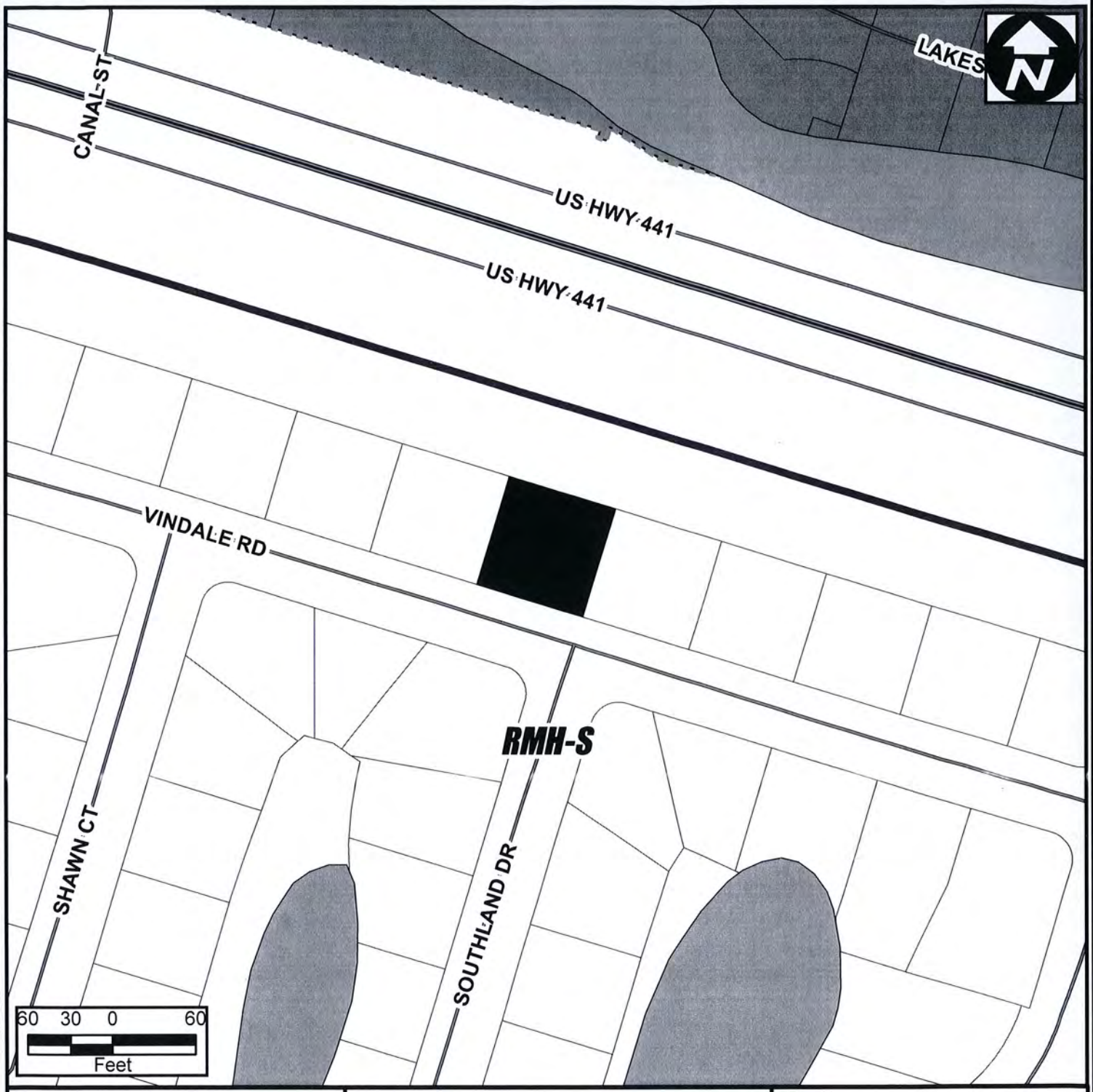
30 15 0 30
Feet

Created By: City of Tavares GIS

T:\pzd\DATA\PROJECT FILES\Reineck Property; Variance - PZ2014-06\GIS\GIS_Maps\Reineck_AD.mxd

Map Created on 2/25/14

CITY OF TAVARES RESOLUTION # 2014-07



RSF-A Residential Single Family
RSF-1 Residential Single Family
RMF-2 Residential Multi-Family
RMF-3 Residential Multi-Family
RMH-S Residential Manufactured Home Sub.
RMH-P Residential Manufactured Home Park
PD Planned Development District
MU Mixed Use District
C-1 General Commercial
C-2 Highway Commercial
CD Commercial Downtown District
I Industrial District
PFD Public Facilities District

TAVARES
America's Seaplane City

ZONING MAP

RESOLUTION # 2014-07

2408 Vindale Rd.

Current Zoning: RMH-S

0.15 ± Acres

Legend

CITY BOUNDARY
ZONING
SUBJECT PROPERTY
UNINCORPORATED
MAJOR ROADS
STREETS
PARCELS
CONS/WETLANDS

DRAFTED BY: CITY OF TAVARES GIS PATH MAP CREATED ON

Orlando Sentinel
Publication Date: 03/10/2014
This E-Sheet(R) is provided as conclusive evidence that the ad appeared in The Orlando Sentinel on the date and page indicated. You may not create derivative works, or in any way exploit or repurpose any content.

Ad Number: 2206292-1
Insertion Number:
Size: 3 x 10.5
Color Type: B&W

Client Name:
Advertiser: City of Tavares
Section/Page/Zone: Lake Zone/E003/LAK
Description: Resolutions 2014-07

THE ARTS IN LAKE

'South Pacific' aims to enchant in Clermont

By Debbie Manis
Staff Writer

Rodgers and Hammerstein's classic "South Pacific" will be presented by the Moonlight Players, which opens Friday at the Warehouse Theatre, 732-B W. Montrose St. in Clermont.

The musical, based on James A. Michener's Pulitzer Prize winning novel "Tales of the South Pacific," is set in the paradise of the tropics during World War II.

"South Pacific" features parallel love stories, both dealing with racial prejudice. Navy nurse Nellie Forbush's love for sophisticated French planter Emile de Becque and Princeton-educated Lt. Joseph Cable's relationship with a young Tonkinese woman, Liat.

Memorable songs include "Some Enchanted Evening," "There is Nothing Like a Dame," "Younger Than Springtime" and "Bali Ha'i."

The show will be presented for four consecutive weekends. Performances are set for 8 p.m. Fridays and Saturdays and 2 p.m. Sundays.

Tickets are $15 for adults and $12 for students.

Details or reservations: 352-319-1116.

Dance and competition

Humanities and Fine Arts Charter School in Leesburg, which serves children in kindergarten through fourth grade interested in the fine arts, including music, drama, dance and oration, will present "The Green and White Couples Dance and Competition."

The event will be held from 7:30 to 11:30 p.m. Saturday in the school's cafetorium, 213 N. Lee St.

Prizes will be awarded to best choreography, best costume and most creative dance. Cost is $10 per couple to participate.

Tickets to the dance are $20 and include drinks and hors d'oeuvres.

The event is open to the public and adults.

To register for the competition and tickets, call the office at 352-315-4322.

Artsy events

■ Janet Crane and Suzan Buckwalter are March's artists of the month at Artisans on Fifth, an artists' cooperative-gallery shop in Mount Dora. A reception will kick off their exhibit from 6 to 8 p.m. Friday at the gallery shop, 134 E. Fifth Ave.

Crane is known for her woven, knitted and wire-wrapped jewelry. Buckwalter, who is known for her vibrant watercolor paintings, has been experimenting with collage and mixed media.

The free event is open to the public. Refreshments will be served.

Details: artisansonfifth.com.

■ The next Second Friday Art Stroll is 6 to 8 p.m. Friday.

Visitors can take a walking tour of downtown Mount Dora and view art while listening to music. Artists will be selling their works at designated venues.

Details: 352-383-0880.

Art league meeting

The Eustis Art League will meet from 2 to 4 p.m. Saturdayat the Lake Eustis Museum of Art, 1 W. Orange Ave., Eustis.

Krysta Smith will speak about abstract painting and demonstratesome of her techniques for creating unique textures.Details: eustisartleague.com.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com.

YOUR COMMUNITY IN BRIEF

Luncheon to aid charity group

Members of Chapter ID, a local Philanthropic Educational Organization, will have its sixth Spring Fling fund-raising luncheon from 11 a.m. to 2 p.m. Saturday at Lake Receptions, 4425 N. County Road 19A, Mount Dora.

Area women are invited.

The Rev. John Harrington, senior pastor of Morrison United Methodist Church in Leesburg, will be the featured storyteller. He will present "A Strange Thing Happened Early Easter Eve."

There also will be a silent auction. Baked goods and plants will be sold.

Proceeds will be used for international PEO projects and local scholarships and grants.

Tickets are $25 each and are available by calling Eleanor Boulier, 352-365-2909.

Walk-a-thon

Chapter 169 of the Korean War Veterans Association of Lake County will host a walk-a-thon beginning at 8 a.m. Saturday at the football field at Leesburg High School, 1401 Yellow Jacket Way.

Walkers will seek pledge donations from sponsors with proceeds going to Project SOS (Support our Soldiers), The Villages Honor Flight and Chapter 169 of the KWVA.

There is no registration fee.

For more information or to download a pledge or sponsorship form, visit cid169kwva.org and click on "activities."

Details: Art Iversen, 352-753-0139.

Meetings

■ The Lake County Parkinson's Support Group will meet from 1 to 3 p.m. Tuesday in the Family Life Center at Lake Square Presbyterian Church, 10200 Morningside Drive, Leesburg. Social time and light refreshments will be from 1 to 1:20 p.m. Jennifer Braun, a speech and language pathologist, will speak about the Lee Silverman voice treatment, which is one of the most widely practiced treatment for speech disorders associated with Parkinson's disease.

Details: Pat or Dave Tribbey, 352-343-0376, or Marion or Jim Papson, 352-315-9359.

■ Pastfinders Genealogical Society's meeting is 4:30 to 7 p.m. Thursday in Room 108 at Cooper Memorial Library, 2525 Oakley Seaver Drive, Clermont.

Mary L. Jackson Fears, a storyteller and Civil War re-enactor, will present "The Service of People of Color in the Civil War." Fears, a retired Volusia school media specialist, will tell stories based on historic documents and explain unique displays of her memorabilia throughout the presentation.

The free event is open to the public. Donations will be accepted.

Low-calorie desserts

Leesburg Center for the Arts, 429 W. Magnolia St., will have the next class in its culinary arts series, "Fancy Low Calorie Desserts," from 6 to 9 p.m. Thursday.

Participants will learn how to make fancy looking and tasty desserts, by using low-fat and low-calorie ingredients, fresh fruits and nuts.

Cost is $40. To register or to download a schedule, visit leesburgcenter4arts.com and click on "course guide."

Details: 352-365-0232.

Reunion

The 32nd annual Minnesota reunion potluck picnic is 9 a.m. to 2 p.m. Tuesday at Hickory Point Recreation Facility, 27341 State Road 19, Tavares by the Howey-in-the-Hills bridge. Lunch is at 11:30 a.m. Bring a covered dish to serve and personal table service. Coffee, iced tea and lemonade will be provided. No alcohol is permitted.

Details: Gary or Bonnie Neuman, 407-808-3385, or Arthur or Elaine Kolle, 352-771-0151.

Health programs

Florida Hospital Waterman will host the following free educational program:

■ Dr. Vrej Manoogian, an orthopedic surgeon, will present "Bone and Ligament Spring Total Knee Replacement" from 1 to 2 p.m. Thursday at Leesburg Community Building, 109 E. Dixie Ave.

Mardi Gras

Cagan Crossings Farmer's Market, 600 Cagan Park Ave. in Clermont, will host Mardi Gras from 4 to 8 p.m. Friday. Activities will include a bead toss every hour, Mardi Gras mask contest, Mutti-Gras pet parade and costume contest, along with the usual weekly vendors that offer produce, homemade jellies, fudge and bread, beef, chicken, handmade soaps, art objects, jewelry and more.

Details: facebook.com/caganfarmersmarket.

Orlando Sentinel, 1898 E. Burleigh Blvd., Tavares, FL 32778, 352-742-5932 or dmanis@tribune.com.

THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Resolution 2014-07 titled as follows:

RESOLUTION 2014-07

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, GRANTING A VARIANCE TO THE CITY OF TAVARES LAND DEVELOPMENT REGULATIONS, MINIMUM REAR YARD SETBACK FOR A RESIDENTIAL MANUFACTURED HOME SUBDIVISION (RMH-S) ZONING FOR PROPERTY LOCATED AT 2408 VINDALE AVENUE, TAVARES, FL; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

Proposed Resolution 2014-07 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on March 20, 2014, at 3 p.m.; and
2. Tavares City Council meeting on April 2, 2014, at 4 p.m.

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Resolution 2014-07 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and be heard with respect to the proposed resolution. Any persons wishing to appeal a decision of the public body should ensure himself a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone: (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.

THE CITY OF TAVARES NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Tavares will consider at the public hearings set forth below enactment of proposed Ordinances 2014-01 & 2014-02 titled as follows:

ORDINANCE 2014-01

AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF TAVARES BY ANNEXING APPROXIMATELY 0.36 ACRES OF LAND CONSISTING OF THREE MOBILE HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF MANSFIELD ROAD, REZONING THE PROPERTY FROM COUNTY RM (MIXED HOME RESIDENTIAL) TO CITY RMH-S (RESIDENTIAL MANUFACTURED HOME SUBDIVISION); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2014-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY .36 ACRES OF LAND CONSISTING OF THREE MOBILE HOME LOTS GENERALLY LOCATED ON THE SOUTHWEST END OF MANSFIELD ROAD FROM LAKE COUNTY URBAN LOW TO CITY MOBILE HOME; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

Proposed Ordinances 2014-01 & 2014-02 will be considered at the following public meetings:

1. Tavares Planning & Zoning Board meeting on March 20, 2014, at 3 p.m.; and
2. Tavares City Council meeting on April 2, 2014, at 4 p.m. (Introduction and First Reading by Title Only), and
3. Tavares City Council meeting on April 16, 2014, at 4 p.m. (Second Reading)

All meetings will be conducted in the Tavares City Council Chambers in City Hall at 201 East Main St., Tavares, Florida.

Proposed Ordinances 2014-01 & 2014-02 may be inspected by the public between the hours of 7:30 a.m. and 5:00 p.m. Monday through Friday of each week at City Hall.

Interested parties may appear at the meetings and, at the Planning & Zoning Board meeting and City Council Second Reading, be heard with respect to the proposed ordinances. It is City Council policy to limit public discussion of proposed ordinances to the Planning & Zoning Board meeting and City Council Second Reading. Any persons wishing to appeal a decision of the public body should ensure himself that a verbatim record of the proceedings is made.

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the City Planning Department: City of Tavares, 201 East Main Street, Tavares, Florida 32778, Telephone (352) 742-6408, at least 2 (two) working days prior to the date of the Public Hearing; if you are hearing or voice impaired, call (352) 742-6433.

Please direct any questions on this proposed ordinance to Jacques Skutt, Community Development Director, at 742-6404.

CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
March 20, 2014

BOARD MEMBERS PRESENT

John Adams, Chairman - Absent
Gary Santoro, Vice Chairman
Morris Osborn
Howard Haynes
Richard Root
Norb Thomas

LAKE COUNTY SCHOOL BOARD

Debbie Stivender, Boardmember - Absent
Dawn McDonald, Senior Planner - Absent

STAFF MEMBERS PRESENT

Jacques Skutt, Community Development Director
Mike Fitzgerald, Development Coordinator
Alisha Maraviglia, Senior Planner - Absent

CALL TO ORDER

Vice Chairman, Gary Santoro, called the meeting to order at 3:00 p.m. and the Pledge of Allegiance was recited.

APPROVAL OF MINUTES OF February 20, 2014

The minutes were approved as read.

OLD BUSINESS

None.

SWEARING IN OF THOSE GIVING TESTIMONY

Mike Fitzgerald, Notary Public, gave the oath to staff and audience.

CASES TO BE HEARD

1) Reineck Property – Variance (Resolution 2014-07)

Jacques Skutt, Community Development Director provided the following staff report;

This is a variance application from Gary Reineck for a reduction of the required minimum rear yard setback of 10 feet for property located at 2408 Vindale Road. The owner of the property has constructed an 8' X 12' shed attached to his mobile home. The City's Code Enforcement

Officer has issued a Notice of Violation requiring the owner to pull a Building Permit. The mobile home appears to already project into the required rear yard and the shed extends to the rear property line.

The majority of homes on this section of Vindale Avenue appear to project into the required 10' rear yard setback. Several may be over the property line. These lots back onto the Tav-Lee Trail that is buffered by a 10'+ high masonry wall. Since these encroachments into the rear yards are not visible from the rear or front and since existing conditions are consistent with limited or no rear setback, staff is recommending approval of this variance. There are no recorded utility easements in the rear yard of the properties.

Mr. Gary Reineck, owner of the property located at 2408 Vindale Road, introduced himself to the board. He stated that the structure is not visible from the front of his home, and that there is no electrical or plumbing run to the structure.

Richard Root asked if the structure was attached to the home.

Mr. Reineck said yes that the structure is attached. He stated that he has a contractor that will submit plans showing the construction specifications.

Morris Osborn asked if there was a utility easement in the rear of the property.

Mr. Reineck was not aware of an easement.

Gary Santoro asked Jacques if there is an easement is the rear of the property.

Jacques Skutt stated that the survey presented to staff does not show an easement.

Howard Haynes asked how Fire Code is affected.

Jacques Skutt stated that the required building permit would be reviewed by the City of Tavares Building Official for compliance with Building Code and Fire Code.

Alma Seaburg, HOA Covenants Director for Imperial Terrace, stated that the addition on Mr. Reineck's home has already been completed, and asked if a permit would still be required.

Jacques Skutt stated that a permit would still be required in addition to the variance approval.

Ken Weil, Imperial Terrace resident, stated that the building was already constructed prior to being presented to the Imperial Terrace Board. He stated that there was some confusion as to whether or not the structure was going to be torn down or permitted.

Mr. Reineck stated that he received a letter of approval from the HOA, but if he could not get the variance approval that the building would have to be torn down. Mr. Reineck presented the HOA approval letter to the Planning & Zoning Board.

Gary Santoro reminded those present that the Planning & Zoning Board does not enforce HOA regulations.

Jacques Skutt stated that the City of Tavares tries to ensure that HOA approval is obtained prior to a building permit being issued as a courtesy to active HOAs.

Alma Seaburg confirmed that a letter of approval was sent to Mr. Reineck.

MOTION

Morris Osborn moved to recommend approval of Resolution 2014-07. The motion was seconded by Howard Haynes. The motion carried 5-0.

2) Kilburn Family Property – Annexation & Rezoning (Ordinance 2014-01)

Jacques Skutt, Community Development Director provided the following staff report;

The subject property is located at the south end of Mansfield Road. The property is approximately 0.36 acres in size and is comprised of three existing mobile home lots and homes. These three lots form a County enclave within the boundaries of the City of Tavares. All adjacent properties are zoned Mobile Home Subdivision. These homes are on septic tanks and the owners desire to connect to the city's sanitary sewer that is currently being extended to the end of Mansfield Road.

Morris Osborn requested that Jacques Skutt revise the legal descriptions as they appeared to be incomplete.

MOTION

Morris Osborn moved to recommend approval of Ordinance 2014-01. The motion was seconded by Norb Thomas. The motion carried 5-0.

3) Kilburn Family Property – LSFLUM (Ordinance 2014-02)

Jacques Skutt, Community Development Director provided the following staff report;

Ordinance 2014-02 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan.

The subject property (Parcel Alternate Key Numbers 1769698, 2809116 and 1497698) is 0.36 acres in size and located at the south end of Mansfield Road. An application to annex and rezone this property to a RMH-S (Residential Manufactured Home Subdivision) zoning is concurrently under consideration. This ordinance would amend the current Future Land Use Designation from Lake County Urban Low Density to City Mobile Home.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban Low. A City Mobile Home designation is most compatible with surrounding property.

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO. 5

SUBJECT TITLE: Request Council Approval for Resolution No. 2014-12 authorizing a Credit Limit increase for the City's Corporate Credit Card Account

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OBJECTIVE:
To adopt Resolution No. 2014-14, approving an increase in the City Corporate Credit Card Account from $30,000 to $65,000.

SUMMARY:

The City currently utilizes a Corporate Credit Card Account with SunTrust Bank, and although the account provides for ten (10) individual corporate credit cards so that departments may utilize cards for purchases needing a credit card, the total credit limit is an umbrella amount meaning all cards share the current $30,000 credit limit.

The current credit limit has not been changed in more than ten (10) years, and thus the growing needs of our growing City has encountered situations whereas the available credit has been used by other cards leaving no available credit for a needed emergency purchase.

As the City prepares for the upcoming hurricane season, it is important that the City have enough available credit at any time on its overall City Credit Card Account for emergency purchase needs as well as operational needs. Many smaller (less expensive) items to be purchased as well as memberships, subscriptions, etc., now require online registration and/ on-line purchase.

The attached resolution provides for Council Authorization to increase the current City overall Corporate Credit Card limit from $30,000 to $65,000, an increase of $25,000.

OPTIONS:

1. Approve Resolution No. 2014-12 authorizing an increase of $25,000 to the City's Corporate Credit Card Account with SunTrust Bank.

2. Do not approve.

STAFF RECOMMENDATION:

Move to Approve Option 1, approving Resolution No. 2014-12 which authorizes an increase of $25,000 to the City's Corporate Credit Card Account with SunTrust Bank.

FISCAL IMPACT: All purchases for a City Credit Card are authorized through the requisition process which provides budget oversight for all credit card purchases.

Funding Source: N/A

LEGAL SUFFICIENCY: Legally sufficient

RESOLUTION NO. 2014-12

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING AN INCREASE TO THE CITY OF TAVARES OVERALL CORPORATE CREDIT CARD CREDIT LIMIT WITH SUNTRUST BANK.

WHEREAS, the City of Tavares currently utilizes Commercial Credit Card Services with SunTrust Bank.

WHEREAS, the City of Tavares currently utilizes one corporate account for credit card purchases,

WHEREAS, the corporate account includes ten individual credit cards for use by City Departments,

WHEREAS, the current credit limit provides for an overall credit limit of $30,000 to be shared amongst all ten individual cards,

WHEREAS, the current credit limit has not been increased in more than 10 years, although purchases requiring credit card use has increased,

WHEREAS, SunTrust Bank provides that the City may request an increase in the overall credit limit of $25,000,

WHEREAS, an increase of $25,000 in the Corporate Credit Card limit will better serve Purchasing needs by City Departments,

BE IT RESOLVED that an increase of $25,000 in the SunTrust Corporate Credit Card Limit will better serve the purchasing needs of the various City Departments,

BE IT FURTHER RESOLVED that the City Administrator and the Finance Director are hereby authorized and directed to execute any and all documents and do any and all acts that may be necessary to affect a Credit Card increase in the amount of $25,000 for the City's Corporate Credit Card Account with SunTrust Bank.

THIS RESOLUTION will become effective upon approval by the Tavares City Council.

PASSED AND RESOLVED this 16th day of April 2014, by the Tavares City Council.

_____
Robert Wolfe, Mayor
Tavares City Council

ATTEST:

_____
Nancy Barnett, City Clerk

_____
Approved as to form and legality:
City Attorney

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO. 6

SUBJECT TITLE: Request from Firefighter Pension Board Trustees

OBJECTIVE:

To consider the request from the Firefighter Pension Board Trustees to refer a firefighter disability claim to the Lake County Sheriff's Office and/or State Attorney's Office for possible criminal investigation.

SUMMARY:

The Firefighter Pension Board has submitted a letter regarding a medical disability claim recently approved by the Board. The Board has requested that the City participate with the Pension Board in making a possible criminal referral to the Lake County Sheriff's Office and/or State Attorney's Office.

The City Attorney will provide more information at the City Council meeting regarding this request.

OPTIONS:

1) Authorize the City Attorney to represent the Council in all matters related to joining the Pension Board on a referral to the Lake County Sheriff's Office and/or State Attorney's office for a possible criminal investigation regarding a fire fighter's disability claim.
2) Discuss and do not join the Pension Board on the criminal investigation regarding a fire fighter disability claim.

STAFF RECOMMENDATION:

Move to authorize the City Attorney to represent the Council in all matters related to joining the Pension Board on a referral to the Lake County Sheriff's Office and/or State Attorney's office for a possible criminal investigation regarding a firefighter disability claim.

FISCAL IMPACT: The City Attorney's time spent on making and responding to the referral process is de minimus.

LEGAL SUFFICIENCY: Legally sufficient

MEMORANDUM

TO: Mayor and City Council Members, City of Tavares, Florida
City Administrator, City of Tavares, Florida

DATE: March 24, 2014

FROM: Robert Q. Williams

SUBJECT: Request from City of Tavares Firefighter's Pension Board – Landon Lee Gayheart

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Attached to this Memorandum is a letter from the City of Tavares Firefighter's Pension Board requesting the City's joinder in making a possible criminal referral to the State Attorney's Office regarding the disability claim of former Tavares Firefighter Landon Lee Gayheart. The facts and circumstances surrounding this matter are set forth in Chief Keith's letter. The disability award to Mr. Gayheart negatively impacts the City of Tavares Firefighter's Pension Fund, which is under the control and jurisdiction of the Firefighter's Pension Board. However, the alleged misrepresentations and omissions made by Mr. Gayheart regarding his medical condition and fitness for duty were made when he was employed as a firefight for the City of Tavares. Accordingly, both the Firefighter's Pension Board and the City of Tavares are "victims" in this matter, and the Board has requested the City to join in its referral for that reason.

Please feel free to contact me if you have any questions. Following discussion of this matter at an upcoming Council meeting, the staff will be asking the Council to approve joining in the referral of this matter to the State Attorney's Office.

City of Tavares Firefighter's Pension Trust Fund
424 E. Alfred Street
Tavares, Florida 32778

March 21, 2014

Tavares City Council
Hon. Robert Wolfe, Mayor
201 E. Main Street
Tavares, Florida 32778

Ref: Medical Disability Pension Inquiry – Landon Lee Gayheart / Executive Summary

Dear Mayor Wolfe and City Council Members:

Landon Lee Gayheart, a member of the City of Tavares Fire Department, and also a member of the City of Tavares Firefighter's Pension Trust Fund, recently obtained a medical disability retirement. The Trust Fund Board met and discussed this particular disability retirement claim. After lengthy discussion and debate, the Board eventually, and grudgingly, approved the disability pension with a split vote.

While the Board members did not dispute the fact that there was medical evidence to prove that Landon Gayheart met criteria for a medical disability pension, there was concern that Gayheart may have intentionally withheld crucial medical information about himself, from his employer (the City of Tavares), until after he had passed the ten-year vesting requirement of that particular pension plan.

In any case, Gayheart's true medical condition was kept by him as a secret, even though he had annual opportunities to disclose his condition at his medical physical examinations which were and are provided by the City's Fire Department through a contracted medical provider. Collectively, the members of the Board for the Pension Trust Fund felt that Gayheart's withholding of information was tantamount to some type of fraudulent, or at least improper, manipulation of the Pension Trust Fund's operating rules to ensure his continued access to his employment and the pension funds.

The members of the Board for the City of Tavares Firefighter's Pension Trust Fund are requesting an independent legal review of this case to determine if a criminal act was committed. The Board has every intention of following through with the appropriate level of prosecution if a fraudulent and/or criminal action is identified.

Included with this letter is a file that contains the exhibit history of the Landon Lee Gayheart pension medical disability claim. This file was collected by the Pension Board's attorney, Scott Christiansen. This file contains sensitive and protected information.

A brief timeline of this pension claim is this:

April 7, 2003 – Gayheart hired by City of Tavares Fire Department.

August 30, 2004 – Gayheart undergoes typical annual firefighter physical with Florida Occupational Medicine Services, medical service provider for Tavares Fire Department.

February 28, 2006 – Gayheart undergoes typical annual firefighter physical with Florida Occupational Medicine Services, medical service provider for Tavares Fire Department.

July 25, 2008 – Gayheart states (in the disability pension claim application – received June 13, 2013) that he injured himself lifting weights at Lake Technical Center (Bragg Center) which resulted in lower back pain. (Note: This injury went unreported to the employer.)

August 6, 2008 – Gayheart reports (in the disability pension claim application) that he began medical treatment for the injury, and that he began using the medications (Percocet, Roxycotin + Oxycotin, and Roxycotin + Opana) as prescribed by a pain management specialist (Nathan Hanflink, D.O.). (Note: it appears that Gayheart probably failed to disclose to Dr. Hanflink that he was employed as a firefighter.)

September 11, 2008 – Gayheart undergoes typical annual firefighter physical with Florida Occupational Medicine Services, medical service provider for

Tavares Fire Department. Gayheart does not disclose prescription therapy associated with the back pain to Dr. Tindall at F.O.M.S.

July 30, 2009 – Gayheart undergoes typical annual firefighter physical with Florida Occupational Medicine Services, medical service provider for Tavares Fire Department. Gayheart does not disclose prescription therapy associated with the back pain to Dr. Tindall at F.O.M.S.

November 29, 2011 – Gayheart undergoes typical annual firefighter physical with U.S. Health Works (T.F.D. changed providers), medical service provider for Tavares Fire Department. Gayheart does not disclose back pain or prescription therapy associated with the back pain to Dr. Wortman at U.S. Health Works.

November 26, 2012 – Gayheart undergoes typical annual firefighter physical with U.S. Health Works, medical service provider for Tavares Fire Department. Gayheart does not disclose back pain or prescription therapy associated with the back pain to Dr. Wortman at U.S. Health Works.

April, 2013 – Fire Chief Richard Keith of Tavares Fire Department received complaint from another employee that Gayheart was exhibiting aberrant behavior in the workplace that included excessive sleeping on duty and sleeping in the cab of the fire truck while responding to an emergency.

April 22, 2013 – Fire Chief Richard Keith filed a Firefighter's Bill of Rights letter to Gayheart to begin an investigation into the aberrant behavior that would start with a "fit-for-duty" medical examination of Gayheart. Gayheart was told that this medical examination would include a drug screen. Gayheart then disclosed to Keith, for the first time to the employer, that he was taking strong medications for a back injury, and that he would stop taking the medications just before beginning his work shift. (Note: This disclosure happened at 10 years and 15 days into Gayheart's employment with the City of Tavares. Gayheart became "vested" in the pension system at 10 years.) Gayheart goes on to say that he has been seen by specialists and has had MRI examinations, and there is no hope for medical improvement for his condition.

April 22, 2013 – Gayheart is transported to U.S. Health Works in Leesburg, Florida where he undergoes the medical examination.

April 29, 2013 – U.S. Health Works physician Ivan Wortman sends a letter to the City of Tavares with a determination that Gayheart is not fit for duty as a firefighter.

May 2, 2013 – Tavares City Administrator John Drury serves Gayheart with a "Pre-Termination Letter" detailing the intent of the City to terminated Gayheart's employment effective May 8, 2013. The pre-termination letter gives instructions for disputing the termination. Gayheart did not contact the Administrator or the City to dispute the termination.

May 8, 2013 – Gayheart's employment with the City of Tavares was terminated.

May 10, 2013 – Gayheart applied for "NOT-in-the-line-of-duty" disability pension from the City of Tavares Firefighter's Pension Trust Fund.

May 15, 2013 – Pension Board Attorney Scott Christiansen notified Gayheart that an investigation process was beginning. Attorney Christiansen began collecting medical records, interrogatories, and other exhibits.

September 4, 2013 – Gayheart was evaluated in an independent medical examination by Dr. Francis Brooks, as required by the Board. Dr. Brooks declared Gayheart does have a permanent disability.

September 20, 2013 – The Pension Board met and considered Gayheart's pension claim. The Pension Board approved the disability pension with a split vote.

October 8, 2013 – The Pension Order for Gayheart was signed by Board Chair Denise Laratta and Board Secretary Richard Keith.

February 10, 2014 – The Firefighters' Pension Board met in a special-called meeting at City Hall. At that meeting, it was determined that the Firefighters' Pension Trust Fund, as well as the City of Tavares, were both potentially victims in this matter. The Pension Board further determined that the Board would pursue whatever type of legal review could be made, specifically to determine if a fraudulent act had been committed with the intent to defraud the pension system and/or the City of Tavares.

The Pension Board is requesting that the City of Tavares, as a co-victim in this matter, please consider filing a criminal complaint in this matter for investigation and prosecution, The City of Tavares Firefighters' Pension Trust Fund Board of Trustees is requesting that the City make this criminal complaint on behalf of both the Pension Board and the City.

Your attention to this matter is appreciated.

Sincerely:

Richard D. Keith
(on behalf of the City of Tavares Firefighters' Pension Trust Fund Board)
Fire Chief / Board Secretary

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO: 7

SUBJECT TITLE: Golden Triangle Fire District Update

OBJECTIVE:

To discuss the current status of the Golden Triangle Fire District Initiative.

SUMMARY:

Previously the City Councils of Eustis, Mount Dora and Tavares voted at the October 22, 2012 Annual Summit meeting together, to pursue the creation of a Golden Triangle Fire District. Subsequent to this, Eustis changed its position and by consensus at its June 27, 2013 City Council meeting decided not to participate in the District. After Eustis withdrew, the City Attorneys for Tavares and Mount Dora met and recommended that should the two Cities desire to pursue the District, it could most easily be developed by an interlocal government agreement with the following salient points:

1. An interlocal governmental agreement would need to be voted upon by a majority of each City Council creating the Incorporated District. The interlocal agreement would call for the two municipalities to establish the District as a public corporation (similar to Lake EMS) that would be owned by Tavares and Mt. Dora.
2. The District could be made up of a five (5) member appointed board comprised of two (2) Tavares Council Members; two (2) Mount Dora City Council members and one member from the County EMS Board.
3. This District Board would hire a Fire Chief and approve an annual budget.
4. The annual budget would be funded by each City based on a 50/50 split after truing up the value of each Fire Department.

It should be noted that the District would not care what the source of funds are from each city, just that each city made its quarterly payments to the District as agreed. So, for example, Tavares will be using its Fire Assessment revenues as well as a portion of its general fund to contribute its share while Mount Dora, which does not have a fire assessment at the present time would use its general fund. In the future, should Mount Dora institute a Fire Assessment, then its source of funds could change as Mount Dora deems appropriate.

An option to include Eustis in the future would be made available with Eustis having two Council members on the board bringing the Board up from five (5)

members to seven (7) members after they trued up their contribution based on the value of their Fire Department. At that time, each city would contribute 33 & 1/3 percent towards the District's budget.

A transition plan would need to be developed that address pensions, union representations, budget and staffing among other transitional issues. Attached are draft Articles of Incorporation and By-Laws that are provided for discussion purposes.

Staff seeks approval to continue with the formation of a Golden Triangle District.

OPTIONS:

1. Discuss and Direct Staff to continue the formation of the District and bring back the transitional plan for approval.
2. Discontinue the formation of a District.

STAFF RECOMMENDATION:

That Council discusses and Direct Staff to continue the formation of the District and bring back the transitional plan for approval Council.

FISCAL IMPACT: The two Cities may want to hire in independent third party professional consultant to develop the transitional plan for each Council's approval.

LEGAL SUFFICIENCY: This item is legally sufficient.

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO: 8

SUBJECT TITLE: Water Authority Request not to pay a Fire Assessment Fee

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OBJECTIVE:

To discuss the Lake County Water Authority request nor to pay a Fire Assessment fee.

SUMMARY:

Previously the Water Authority requested that it be provided Fire Service Protection in the form of connecting to the City reclaimed lines to serve a fire hydrant necessary to protect their new Administrative building. The city approved the request on the condition of paying their fair share of the City Fire Assessment fee (see attached previous agenda summary for reference).

The Water Authority has requested that the Council not require that they pay the Fire Assessment fee for the reasons enumerated in the attached letter from the Water Authority.

At present the Water Authority pays an average of $3,287 per month for Hickory Point potable drinking water and sewer service to the city (two accounts). The Water Authority also issues grants to the city for storm water improvement programs that reduce pollutant run off into the great chain of lakes. The Water Authority does not want to annex into the city nor pay the estimate $275 monthly fire assessment fee.

OPTIONS:

1. Discuss the request.
2. Do not discuss the request.

STAFF RECOMMENDATION:

That Council discusses the request. .

FISCAL IMPACT: If request approved then the $275 monthly fee would not be realized.

LEGAL SUFFICIENCY: This item is legally sufficient.

Lake County
WATER AUTHORITY
Michael J. Perry, Executive Director • Neil Kelly, Secretary-Treasurer

107 North Lake Avenue • Tavares, Florida 32778-3119 • (352) 343-3777 • Fax (352) 343-4259 • E-mail: info@lcwa.org • www.lcwa.org

March 31, 2014

Mr. John Drury
City Administrator
City of Tavares
201 E. Main St.
Tavares, FL 32778

Re: City of Tavares Reclaimed Water

Dear ~~Mr.~~ John Drury:

At the February 2014 Lake County Water Authority meeting, staff briefed the Board on the status of the permitting of the new building. Staff stated that the required flow from the fire hydrant to meet the calculated fire flow for this size and type of building was determined to be 2,000 gal/min. Flow from the existing hydrant was only 1,291 gal/min therefore requiring an additional source of water. Staff noted the options and it was determined that connecting to the City of Tavares reclaimed water line would be the best option. City staff required that the request to connect into the reuse line to be made in writing to you. You responded that because Hickory Point is outside of the City limits, the request must go before the City Council.

On March 5th, Water Authority staff appeared before the Tavares City Council. City staff proposed 6 options for the Council to consider:

1. That City Council authorizes the Water Authority's request to connect to reclaimed water subject first to annexation.
2. That City Council authorizes the Water Authority's request to connect to reclaimed water subject first to annexation and agreeing to pay its proportionate share of the Fire Assessment fee upon request.
3. That City Council authorizes the Water Authority's request to connect to reclaimed water subject to annexation sometime in the future.
4. That City Council authorizes the Water Authority's request to connect to reclaimed water subject to annexation sometime in the future and agreeing to pay its proportionate share of the Fire Assessment fee upon request.
5. That City Council authorizes the Water Authority's request to connect to reclaimed water with no annexation required and no fire assessment fee.
6. That City Council deny the Water Authority's request to connect to reclaimed water.

The Council was supportive of the idea of allowing the connection into the reclaimed system and with the exception of one Councilman, did not want to require annexation. The final action was to authorize the Water Authority's request to connect to reclaimed water without annexation and to pay its proportionate share of the Fire Assessment fee upon request. Water Authority staff

BOARD OF TRUSTEES

District One	District Two	District Three	District Four	District Five	At-Large	At-Large
Peggy Cox	Kelly A. Pitcher	Carolyn M. Maimone	Larry M. Everly, Jr.	Charles C. Clark	Adam Dufresne	John N. Harris

stated that they would bring the City Council's action to the Water Authority Board for consideration.

Being allowed to connect into the reclaimed water lines for fire protection while not requiring the annexation issue is positive; however there was no indication at the City Council meeting of how much a fire assessment fee would be. Water Authority staff met with the City Utilities Director to discuss the issue and was directed to the City's Finance Director to obtain the Fire Assessment Fee rate and the rate for use of reclaimed water. The City of Tavares Fire Assessment Fee rate is based on the type of property use and the square footage. Based on the following City of Tavares Fire Assessment Fee Rate table, the new building would be a Government Use in the 4,500 to 7,999 square foot range and have a Fire Assessment Rate of $3,306 per year or $275.50 per month that would be included on the monthly water bill. When asked why government buildings were the highest category, the response was that they are the buildings the City Fire Department respond to the most often.

FY 2012-13 Fire Assessment Rates

RESIDENTIAL PROPERTY USE CATEGORIES	Rate Per Dwelling Unit
Residential Dwelling Unit	$142
NON-RESIDENTIAL PROPERTY USE CATEGORIES	
Hotel/Motel/RV Park	$46

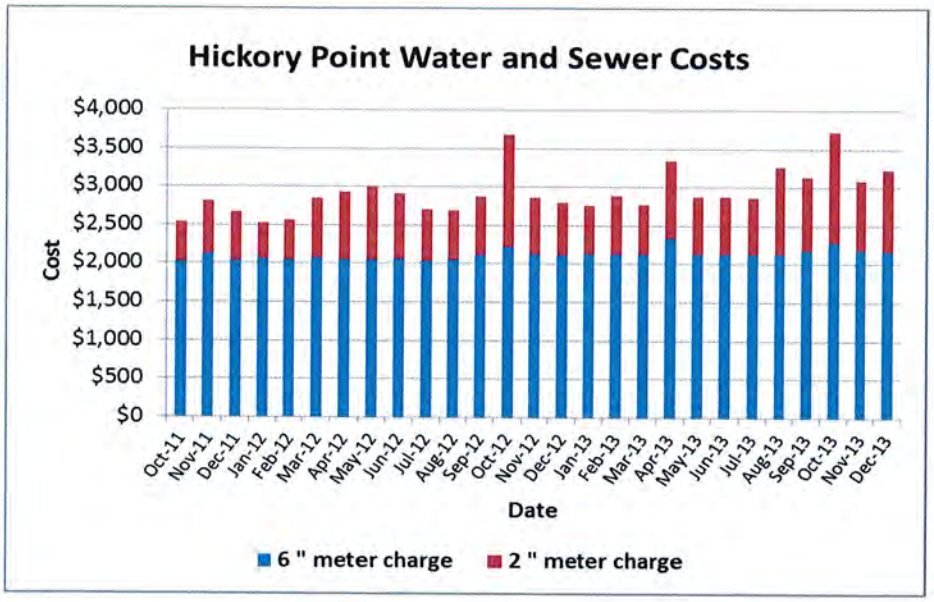
NON-RESIDENTIAL PROPERTY USE CATEGORIES	Building Classification (in square foot ranges)	Commercial	Industrial/ Warehouse	Government	Non-Gov Institutional
	100 - 1,999	$300	$69	$735	$558
	2,000 - 4,499	$600	$137	$1,470	$1,116
	4,500 - 7,999	$1,349	$307	$3,306	$2,511
	8,000 - 12,399	$2,398	$546	$5,877	$4,463
	12,400 - 17,799	$3,717	$845	$9,109	$6,917
	17,800 - 24,199	$5,335	$1,213	$13,075	$9,930
	24,200 - 31,699	$7,253	$1,649	$17,776	$13,500
	31,700 - 39,999	$9,501	$2,160	$23,285	$17,683
	40,000 - 49,399	$11,988	$2,726	$29,382	$22,313
	49,400 - 59,799	$14,806	$3,366	$36,286	$27,557
	> 59,799	$17,922	$4,075	$43,925	$33,358

The Water Authority Board discussed this topic at its March 26, 2014 meeting. The Water Authority Board was surprised at the cost of the Fire Assessment Fee. The Water Authority already pays a 25% premium as an out-of-City account for water and sewer service. There are two existing meters, a six (6) inch and a two (2) inch, servicing Hickory Point. The following table lists only the base rates for the two meters:

	Water	Sewer	Total
Six inch meter	$ 973.52	$ 1,190.57	$ 2,164.09
Two inch meter	$ 155.76	$ 190.50	$ 346.26
Total:	$ 1,129.28	$ 1,381.07	$ 2,510.35

The consumption during the month averages another $300-$400. The actual average utility payment to the City of Tavares for water and sewer from October 2011- December 2013 is $2,938.

The following graph representing the cost for water and sewer at Hickory Point from October 2011- December 2013:



The Water Authority has also maintained a cooperative relationship with the City of Tavares over the past decade by supporting requests for financial assistance in the amount of $360,345 and is considering another $100,000 stormwater grant for FY 2013-2014.

A review of the City's Fire Assessment Fee ordinances and resolutions reveals that "No Fire Services Assessment shall be imposed upon a parcel of Government property or upon a portion of a Building located on a parcel of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida Law; however Government Property that is owned by federal government mortgage entities such as the VA and HUD shall not be exempted from the Fire Services Assessment."

Since the Water Authority is already paying a substantial amount in utility services, has supported the City of Tavares with $360,345 in grants, and according to City of Tavares ordinances and resolutions, no Fire Services Assessment shall be imposed upon a parcel of Government property or upon a portion of a Building located on a parcel of Institutional Property whose Building use is wholly exempt from ad valorem taxation under Florida Law it is the Water Authority's opinion that the Fire Assessment Fee is an unreasonable additional cost.

I have been directed to request that this issue be placed on the April 16, 2014 City Council agenda to ask the City Council to reconsider the Fire Assessment Fee requirement as a condition for hooking into the City's Reclaimed Water System. Please contact me if you would like to discuss this further and to confirm this item will be on the April 16, 2014 City Council agenda.

Sincerely,

Mike

Michael J. Perry
Executive Director

AGENDA SUMMARY
TAVARES CITY COUNCIL
March 5, 2014

AGENDA TAB NO. 7

SUBJECT TITLE: Request to Utilize Reclaim Water by Lake County Water Authority at Hickory Point Park

OBJECTIVE:

To obtain authorization to allow Lake County Water Authority to connect to re-claim water at Hickory Point Park for fire protection at its new office building.

SUMMARY:

The city's reclaim water line runs down SR 19 and ends at the Hickory Point Facility. During the planning stages for reclaim water, this facility was incorporated into the plan as a potential customer.

The city has received a request from the Lake County Water Authority to tap into the city's reclaim waterline to meet fire flow requirements for a Lake County Water Authority office building to be built at this site (see attached letter). The existing potable water line is not of sufficient size to provide adequate fire flow needs for their new proposed administration building, however the reclaimed line is sufficiently sized as it has the capacity to constantly flow 1000 gpm at 62 psi.

This request could also open up other opportunities to provide reclaim at Hickory Point, such as watering the soccer fields which currently use the city potable water.

This reclaimed fed fire hydrant also opens up the relatively new and rare concept of using reclaimed for fire protection for the business community. This has only been done in about two (2) communities in the state of Florida. The hydrant is painted purple to inform both the fire fighters and the public that reclaim water is being utilized. The LCWA Hickory Park is presently outside the City limits. Since there are outside the limits they pay a premium price for the potable water or reclaim water.

The City's past practice has been to require annexation into the city for those properties who are served with city utility services. This property has not annexed into the city.

OPTIONS:

1) That City Council authorizes the Water Authority's request to connect to reclaimed water subject first to annexation.
2) That City Council authorizes the Water Authority's request to connect to reclaimed water subject first to annexation and agreeing to pay its proportionate share of the Fire Assessment fee upon request.
3) That City Council authorizes the Water Authority's request to connect to reclaimed water subject to annexation sometime in the future.

4) That City Council authorizes the Water Authority's request to connect to reclaimed water subject to annexation sometime in the future and agreeing to pay its proportionate share of the Fire Assessment fee upon request.

5) That City Council authorizes the Water Authority's request to connect to reclaimed water with no annexation required and no fire assessment fee.

6) That City Council deny the Water Authority's request to connect to reclaimed water.

STAFF RECOMMENDATION:

1) That City Council authorizes the Water Authority's request to connect to reclaimed water subject first to annexation and paying its proportionate share of Fire Assessment upon request.

FISCAL IMPACT:

The connection to reclaimed water for fire protection produces de-minimus revenues. In the future, connecting to the soccer field's irrigation system would generate monthly income. If the property annexes into the city, the city would be responsible for Fire Protection and Police Protection, that is estimated to be a de-minimus cost. Any fire assessment fee paid would be based on the square footage of the protected buildings.

Legal Sufficiency:

City Attorney has reviewed this for legal sufficiency.

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO. 9

SUBJECT TITLE: Approve the Fire and Police Union Collective Bargaining Management Negotiations Teams

OBJECTIVE:

To approve the Fire and Police Union Collective Bargaining Management Negotiations Teams

SUMMARY:

Previously the Fire Union Collective Bargaining Management Negotiations Team has comprised of the Mayor Wolfe, City Administrator and the Fire Chief; and, the Police Union Management Negotiations Team has comprised of Councilmember Hope, City Administrator and the Police Chief.

OPTIONS:

1) **Move to approve the Fire Union Collective Bargaining Management Team of Mayor Wolfe, City Administrator, and the Fire Chief; and, approve the Police Union Collective Bargaining Management Team of Councilmember Hope, City Administrator, and the Police Chief.**
2) **Do not approve the recommendation and/or make other recommendations.**

STAFF RECOMMENDATION:

Move to approve the Fire Union Collective Bargaining Management Team of Mayor Wolfe, City Administrator, and the Fire Chief; and, approve the Police Union Collective Bargaining Management Team of Councilmember Hope, City Administrator, and the Police Chief

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO. 10

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY: Will be presented at meeting

UPCOMING MEETINGS: (check with Susie Novack for any last minute changes)

- Planning & Zoning Board – April 17, 2014 – City Council Chambers – 3:00 p.m.
- Code Enforcement Special Magistrate Hearing – April 22, 2014 – 5:30 p.m.
- Lake County Community Service Awards Banquet – Lake Receptions – April 30, 2014 – 6:00 pm
- Lake County League of Cities Meeting – May 9, 2014; 12:00 p.m. Elks Lodge, Tavares
- Lake Sumter MPO Board – April 23, 2014 – 2:00 p.m. - MPO Board Room, Leesburg
- City Council Regular Meeting – May 7, 2014, 4:00 p.m.

OTHER EVENTS

April 12 and 13 – Planes, Trains & BBQ

April 26th – Seaplane Fly In and 100th Anniversary of Seaplanes in Tavares

Creed's Cause 5K – May 3

March of Dimes – May 10

Pro Hydro-X Jet Ski Competition May 31 and June 1

Boxing Event – May 31, 2014

4th of July Celebration

AGENDA SUMMARY
TAVARES CITY COUNCIL
APRIL 16, 2014

AGENDA TAB NO. 11

SUBJECT TITLE: City Councilmembers Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

Council will be offered an opportunity to provide a report at the meeting.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A