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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MAY 21, 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

Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
Brad Hayes, Utility Director
Lori Houghton, Finance Director/Acting City Administrator
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
Chief Stoney Lubins, Police Department

I. CALL TO ORDER

Mayor Wolfe called the meeting to order at 4:00 p.m.

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Greg Watts, Liberty Baptist Church of Tavares, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Mayor Wolfe noted that Councilmember Speaks would not be in attendance as he is visiting his new grandchild.

MOTION

Norman Hope moved to approve the agenda, seconded by Kirby Smith. The motion carried unanimously 4-0.

1 **IV. APPROVAL OF MINUTES**

2
3 **Tab 1) Approval of City Council Regular Minutes – May 7, 2014**

4
5 **MOTION**

6
7 **Kirby Smith moved for approval of the minutes of May 7, 2014, seconded by Norman Hope.**
8 **The motion carried unanimously 4-0.**

9
10 **V. PROCLAMATIONS/PRESENTATIONS**

11
12 **Tab 2) Presentation to Burney Vaughn**

13
14 Mayor Wolfe read a proclamation honoring Burney Vaughn, Water Supervisor, who would be
15 retiring at the end of the month after 40 years. Mayor Wolfe thanked Mr. Vaughn for his many
16 years of service. He noted there would be a reception for Mr. Vaughn on Friday May 30th.

17
18 The following audience members spoke:

19
20 Burney Vaughn – Thanked the City, his wife Lillie Vaughn, and Yvonne Campbell for their
21 support.

22
23 Thelma Benn – Mr. Vaughn’s sister who spoke of Mr. Vaughn’s faith and character

24
25 **Tab 3) – Presentation on US 441 Corridor Study**

26
27 Mr. Neron introduced Lawrence Lewis with the firm of BHB. He noted for the last several months
28 the firm of BHB has been doing an analysis of the area from Tavares all along the US 441
29 corridor into Orlando, regarding potential rail, bus, and other transportation alternatives.

30
31 Mr. Lewis stated Joe Santiago was also present with FDOT. Mr. Lewis stated the study looks at
32 transit connections between downtown Orlando and the cities of Tavares, Mt. Dora, and Eustis.
33 He said now that Sunrail is in operation there has been increased interest in transportation
34 alternatives. He noted FDOT is the main funding partner along with the City of Tavares and the
35 other cities and counties, along the corridor and the two MPO’s (Lake Sumter and Metro Plan).
36 He said a project advisory group meets monthly.

37
38 The study started in March 2013 and will be wrapping up at the end of 2014. Currently there are
39 three alternatives for which data continues to be collected along with more public outreach
40 meetings being planned on the three proposals. He said the goal of the study is to have a single
41 recommended alternative. The alternatives are commuter rail, express bus and a combination of
42 the two. Access needs, cost estimates, and models of ridership are being evaluated.

43
44 The first alternative is a combination of rail and bus in order to implement commuter rail in
45 phases. The second alternative is looking at commuter rail the entire length of the corridor. The
46 suggestions for the commuter rail station are either at the current Tavares rail station downtown
47 or at Florida Hospital Waterman. The third alternative is express bus with no rail. He said the

1 difference between this route and the local buses is that it would use the expressway to go
2 around downtown Apopka. He also discussed some of the issues for rail in terms of connection to
3 the Linx bus system in Orlando.

4
5 Mr. Lewis said the engineering and construction are not currently funded but the PD&E would be
6 the next phase after the study.

7
8 Mayor Wolfe thanked Mr. Lewis for his update. He said he preferred the rail alternative and
9 having the station in the downtown of Tavares.

10
11 T.J. Fish, Executive Director of the MPO

12
13 Mr. Fish said Sunrail was 50% federally funded, 25% state and 25% locally funded shared among
14 several cities. He said a similar formula funded this study and Tavares has been a financial
15 partner. He said the money is in the FDOT and MPO five year program to do the project
16 development study starting next July and at some point soon the MPO will be approaching the
17 cities formally about the local match requirements. He noted express bus will transport people but
18 commuter rail will transform the downtown.

19
20 Mr. Drury noted the city has worked hard to bring \$18 million to the table working with FDOT to
21 update the “spine” of Lake County which was 15 years old and needed to be updated. He said
22 after Tavares took that role, the BCC joined and Mr. Fish provided leadership, in obtaining
23 support from the other cities and surrounding counties. He commended Mr. Fish on this
24 accomplishment which included redoing the bridge over the Dora Canal, and updating the tracks
25 through partnering with Florida Central Rail and CSX.

26
27 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS**

28
29 Attorney Williams stated there was one quasi-judicial item—the annexation and rezoning for the
30 15.5 acres for Tavares Village Shops (Tab 5). He invited those who wished to give testimony to
31 stand and be sworn in.

32
33 Council indicated there had been no ex-parte communications on this matter.

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

36
37 Ms. Barnett read the following ordinances and resolutions by title only:

38
39
40 **ORDINANCE 2014-05**

41
42 **AN ORDINANCE CREATING SECTION 11-6 ET SEQ. OF THE CITY OF**
43 **TAVARES CODE OF ORDINANCES PERTAINING TO THE DISTRIBUTION OF**
44 **FREE PUBLICATIONS; CREATING DEFINITIONS; PROVIDING A**
45 **PROCEDURE FOR PROPERTY OWNERS TO REQUEST CESSATION OF**
46 **DELIVERIES OF FREE PUBLICATIONS; PROVIDING FOR NOTICE AND**
47 **EXEMPTIONS; PROVIDING AN EFFECTIVE DATE**

1
2 **ORDINANCE 2014-03**
3

4 **AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES**
5 **OF THE CITY BY ANNEXING APPROXIMATELY 15.15 ACRES LOCATED ON**
6 **THE WEST SIDE OF S.R. 19 AT THE INTERSECTION OF C.R. 561; REZONING**
7 **SAID PROPERTY FROM LAKE COUNTY AGRICULTURAL AND PLANNED**
8 **INDUSTRIAL TO CITY OF TAVARES HIGHWAY COMMERCIAL (C-2);**
9 **SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED**
10 **BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY;**
11 **PROVIDING FOR AN EFFECTIVE DATE.**
12

13
14 **RESOLUTION 2014-17**
15

16 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, EXTENDING THE**
17 **TIMING FOR FINAL PLAN APPROVAL FOR WOODS AT LAKE HARRIS, A**
18 **PLANNED DEVELOPMENT GOVERNED BY ORDINANCE 2008-07,**
19 **APPROVED ON APRIL 13, 2008 AND SUBJECT TO REVOCATION ON APRIL**
20 **23, 2014; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS**
21 **ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN**
22 **EFFECTIVE DATE.**
23

24 **VIII. CONSENT AGENDA**

25 None
26

27 **IX. ORDINANCES/RESOLUTIONS**
28

29 **Tab 5) Ordinance #2014-03 – Annexation & Rezoning – 15.5 Acres West Side of SR 19 and**
30 **CR 561 – Tavares Village Shops**
31

32 Mr. Skutt said this will annex and rezone to highway commercial approximately 15.5 acres of land
33 located on the west side of SR 19 at the intersection of CR 561. The property is vacant except for
34 a small light manufacturing business and building that fronts on SR 19. The applicant is proposing
35 to demolish this building and develop a retail shopping center with four outparcels. The properties
36 along this segment of SR 19 are being developed and zoned commercial uses as they are
37 annexing into the city. The proposed widening of SR 19 will support increased traffic and staff
38 anticipates that SR 19 will evolve as a primary north-south commercial corridor for Tavares.
39

40 If approved the city will require a site plan demonstrating compliance with all city regulations and
41 applicable state and federal laws. The Planning & Zoning Board recommended unanimously for
42 approval. Staff has also received a letter from Paul Bryan who owns a nine acre parcel that abuts
43 this land, indicating his support. It is staff's opinion that a highway commercial C-2 zoning is
44 appropriate for this property and recommends approval.
45

1 Mayor Wolfe asked if the applicant wished to speak.

2
3 Dwayne Booth of BESH said he was present to answer any questions. He said Tim Green and
4 the owner were also present.

5
6 **MOTION**

7
8 **Kirby Smith moved to approve Ordinance #2014-03, seconded by Norman Hope. The**
9 **motion carried unanimously 4-0.**

10
11 **Tab 6) Resolution #2014-17 – Extension of Deadline in Ordinance #2008-07 for Planned**
12 **Development of Woods at Lake Harris Subdivision**

13
14 Mr. Skutt stated this resolution will grant a two year time extension for the Woods at Lake Harris.
15 This is a proposed mixed use planned development on SR 19 that backs onto Lake Harris. The
16 wording in the ordinance allows City Council to revoke the ordinance if no development plans are
17 submitted within two years. The owner of this property still wishes to move forward with the
18 project and is requesting a two year extension. Staff believes this project still remains appropriate
19 and in harmony with surrounding uses and recommends approval.

20
21 **MOTION**

22
23 **Norman Hope moved to approve Resolution #2014-17, seconded by Kirby Smith. The**
24 **motion carried unanimously 4-0.**

25
26 **X. GENERAL GOVERNMENT**

27
28 **Tab 7) Agreement with FDOT for Traffic Signal Maintenance and Compensation Agreement**

29
30 Mr. Thompson said the agreement is in the amount of \$15,988.00. The city is reimbursed by an
31 agreement with FDOT on SR roads within the city limits. Annually the city has received \$15,533
32 from the state. The current agreement was entered into in 2002. FDOT has revised the
33 agreement which includes a modest increase in compensation and some additional maintenance
34 in reporting requirements. The city has an interlocal agreement with Lake County for the traffic
35 light maintenance and has reviewed the agreement and it is noted that all requirements are
36 currently performed in the current contract. The FDOT may make changes in the future in this
37 agreement. The formula and pay table has been included in the agenda packet. The agreement
38 will increase the compensation to the city from \$15,533 to \$15,988.

39
40 **MOTION**

41
42 **Kirby Smith moved to approve the agreement with FDOT for Traffic Signal Maintenance**
43 **and Compensation, seconded by Norman Hope.**

44
45 Mr. Hope asked if the funds were sufficient to maintain the traffic signals. Mr. Thompson said the
46 interlocal agreement with the county includes other lights that are not state roads and the formula
47 changes if there is an intersection that is only a local road. The amount that the city is paying is

1 about \$2,245 for each signal. It will not pay the whole amount; but it will help to defray the costs.
2 He noted the two extra signals that are part of the Alfred Street project will increase the city's
3 costs.

4
5 **The motion carried unanimously 4-0.**

6
7 **Tab 8) Discussion on Wind Signs**

8
9 Mr. Drury noted staff had added an update to the agenda summary to change the
10 recommendation from “two per business” to “two per parcel.”

11
12 Mr. Skutt said at the last meeting, Council directed staff to review the wind sign issue and bring
13 back some recommendations. Mr. Skutt said the sign industry calls these signs “feather” signs
14 and many cities are wrestling with this issue. He said the main two options are to continue to
15 prohibit them or to pass a regulating ordinance. Staff is recommending Option 4 which is to allow
16 feather signs provided they are permitted by the city and provided they comply with new
17 proposed regulations concerning the location, number, height, length of time allowed and general
18 condition of sign. Mr. Skutt reviewed some proposed regulations and noted he had provided a
19 draft ordinance in the packet.

20
21 Vice Mayor Pfister asked who would make the determination which business would be able to put
22 up the two signs. Mayor Wolfe said that would be up to the owner of the parcel. Vice Mayor
23 Pfister asked who would be enforcing the ordinance noting the Code Enforcement Officer has a
24 full plate. Mayor Wolfe stated the permit procedure will control the process.

25
26 Councilmember Hope asked Mr. Skutt if he felt this system would better regulate the signs. Mr.
27 Skutt said he believes it is a better process. Mr. Drury said with only one Code Enforcement
28 officer the enforcement has to be complaint driven. He noted the appearance of the sign will
29 involve a judgment call.

30
31 **MOTION**

32
33 **Norman Hope moved to have staff develop an ordinance as noted in Option #4 and bring
34 back to Council for first reading, seconded by Kirby Smith. The motion carried
35 unanimously 4-0.**

36
37 **Lou Buigas, 206 W. Main Street**

38
39 Ms. Buigas asked if the property owner has to pull the permit or the business. Attorney Williams
40 said the property owner will have to sign off on the permit as well as the person putting up the
41 sign. Ms. Buigas said on Main Street there are a number of buildings so in a block there could be
42 six or eight flags.

43
44 **Tab 9) Request to Submit Grant Application for Phase I for Historic Train Depot
45 Rehabilitation**

46

1 Ms. Barnett noted the City had signed an agreement in 2013 with the Tavares Historic Society to
2 lease the historic train depot to the Historic Society once the Fire Department moves out. Staff
3 recently became aware of an opportunity to apply for a small matching historic preservation grant
4 from the State Division of Historical Resources of up to \$50,000. The grant would be for the
5 purpose of planning for the exterior restoration of the building which would include a survey and
6 preparation of architectural and engineering drawings. The grant application does not require a
7 time commitment for the restoration activities. If the grant is funded the planning documents
8 would have to be completed by September 2015. The grant requires a 50% match; half of the
9 match must be in cash and the remaining may be in in-kind donations. The Historic Society has
10 indicated a willingness to contribute up to \$12,500 in cash and discussions have been held with
11 GatorSketch architects who have indicated in interest in contributing a portion of in-kind services
12 and assistance with the application.

13
14 Staff is requesting to continue to work on the application and for the city to contribute \$12,500 in
15 next year's budget for the cash match. Mr. Drury noted the agreement for the \$12,500 will be
16 considered in the budgeting process.

17
18 Brenda Smith, President of the Tavares Historical Society

19 Ms. Smith stated that she hoped the city would support the request. She noted the Historical
20 Society has played a vital role in helping the city to replicate three buildings: the pavilion, the
21 Tavares Train Station, and the Woodlea House. She noted this would be an actual restoration.

22
23 Mayor Wolfe asked how much historical preservation would be involved. Ms. Smith said the plan
24 is to make the outside as historically accurate as possible with minimal work on the inside to
25 make it useful as a museum.

26
27 Councilmember Smith asked Attorney Williams if there was any conflict for him to comment or
28 vote on any of the items for the Historical Society. Attorney Williams asked Ms. Smith if she is
29 paid or a volunteer. Ms. Smith said she is a volunteer.

30
31 Councilmember Hope asked about the timeline noting it is contingent on #1, the upcoming budget
32 and #2, the time in which the fire department will move out.

33
34 Mayor Wolfe asked for clarification on the budget for the \$100,000. He questioned the amount
35 needed to develop plans. Mr. Drury said it could be up to \$100,000 (with the match) but will
36 probably be significantly lower. He said he thought the grant allows some restoration to meet
37 ADA issues. He said it is mostly related to developing a plan for the restoration. The plan will then
38 come back to Council for review. He said the issue is whether Council wants to have the building
39 come back to its original design.

40
41 **MOTION**

42
43 **Norman Hope moved to go ahead with the grant application provided the city's cash**
44 **match of \$12,500 would be reviewed during the budget workshops for final approval,**
45 **seconded by Kirby Smith. The motion carried unanimously 3-1 as follows:**

46
47 **Robert Wolfe**

No

1 **GatorSkitch contingent upon the grant agency approving the contract, seconded by**
2 **Lori Pfister. The motion carried 3-1 as follows:**

3		
4	Robert Wolfe	Yes
5	Kirby Smith	No
6	Lori Pfister	Yes
7	Norman Hope	Yes
8		

9 **Tab11) Final Approval of Architectural Renderings for the Proposed Public Safety**
10 **Complex**

11 Chief Keith noted that on December 4, 2013, Gatorskitch made a presentation of
12 conceptualls for the public safety building and there were questions on the appearance of
13 the building Mr. Drury noted there had been three options: traditional, contemporary and
14 modern. Council voted for the traditional look and asked that it be brought back for one
15 final review.

16
17 Mr. Latham presented a power point and animated model on the traditional exterior and
18 other details of the building were presented.

19
20 **MOTION**

21
22 **Kirby Smith moved to approve the final architectural renderings for the proposed**
23 **City of Tavares Public Safety Facility, seconded by Norman Hope. The motion**
24 **carried unanimously 4-0.**

25
26 **Tab 12) Ribbon Cutting and Grand Opening Date for the Pavilion**

27 Ms. Rogers stated that staff is recommending to combine the grand opening event with
28 the ribbon cutting on the same date on October 11, 2014 in order to complete
29 agreements with everyone involved. She discussed the various activities being planned
30 for the grand opening and noted the first wedding is August 30th.

31
32 Mayor Wolfe asked if there was a plan on how to sell the tickets for the black tie event.
33 Ms. Rogers said the plan is to advertise that they will go on sale at a particular time as it
34 gets closer. Vice Mayor Pfister noted there will be no different fees for the public versus
35 officials or staff. Mayor Wolfe said he felt there should be a lottery. Vice Mayor Pfister said
36 a lottery could be considered.

37
38 **MOTION**

39
40 **Kirby Smith moved to allow staff to have the ribbon cutting on October 11th,**
41 **seconded by Lori Pfister. The motion carried unanimously 4-0.**

42
43 **XI. OLD BUSINESS**

44
45 **XII. NEW BUSINESS**

46
47 **XIII. AUDIENCE TO BE HEARD**

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

2
3 **Brenda Smith**

4 Ms. Smith said she had been asked by Betty Burleigh of the Historical Society to let Council know
5 that this week in 1976 the new Tavares City limit signs were installed. She distributed an article
6 that stated that Tavares had been designed as an official bicentennial city.

7
8 **XIV. REPORTS**

9
10 **Tab 14) City Administrator**

11
12 Mr. Drury said it is good to observe this Council and the city invest in its architecture, its beauty
13 and its history. He said Tavares is going to look beautiful in the future and he appreciated the
14 tough questions that the Council is asking. He said citizens for the next 100 years will appreciate
15 the work done by this Council.

16
17 **City Clerk**

18 Ms. Barnett thanked Council for its initial support of the grant application and noted staff will look
19 at how the grant application can be utilized optimally.

20
21 **Human Resources**

22
23 **Economic Development**

24
25 **Public Works**

26
27 Mr. Thompson stated in 2007 a discarded fuel tank was found on Captain Haynes Road and City
28 Council decided to take care of the problem. With Council's approval funds were spent in
29 monitoring and reporting to the FDEP. Recently the city received a final site rehabilitation site
30 order without conditions from FDEP.

31
32 **Public Communications**

33
34 **Utility Department**

35
36 **Police Department**

37
38 Chief Lubins stated a few months ago Officer Michael Woods was the recipient of the medal of
39 valor for his response to the disaster at the Blue Rhino Fire in which he helped an injured
40 individual receive medical care. Recently he was a nominee of the Tavares Police Department
41 and a panel of county and circuit judges who reviewed nominations from all over the county,
42 picked Officer Woods as the Officer of the Year for 2013. He said it is the first time the City of
43 Tavares has received this award for its Top Cop.

44
45 **Community Services**

46
47 **Fire Department**

1
2 Chief Keith congratulated the Police Department and Corporal Woods for this honor.

3
4 **Community Development**

5
6 **Finance Department**

7
8 **City Attorney**

9
10 **Tab 15) City Council**

11
12 **Vice Mayor Pfister**

13
14 Vice Mayor Pfister said she had enjoyed going to the Employee Picnic last Friday. She said the
15 departments and employees are what holds the city together and she was proud to be in
16 Tavares.

17
18 **Councilmember Hope**

19
20 Councilmember Hope noted he had attended the picnic and commended the employees.

21
22 **Councilmember Speaks**

23
24 **Councilmember Smith**

25
26 Councilmember Smith said on this day after 33 hours and 30 minutes Mr. Charles Lindbergh in
27 the Spirit of St. Louis landed in Paris for his first trans Atlantic flight.

28
29 **Mayor Wolfe**

30
31 Mayor Wolfe said he had also enjoyed the employee picnic. He noted he missed the last Council
32 meeting because he was visiting colleges in the Midwest with his son.

33
34 **Adjournment**

35
36 There was no further business and the meeting was adjourned at 5:59 p.m.

37
38 Respectfully submitted,

39
40
41 Nancy A. Barnett, C.M.C.
42 City Clerk