

**AGENDA
TAVARES CITY COUNCIL**

**July 2, 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 agenda 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

Carlos Colon, Chaplain, Tavares Fire Department

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, June 18, 2014

V. PROCLAMATIONS/PRESENTATIONS

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

VII. READING OF ALL ORDINANCES/RESOLUTIONS

VIII. CONSENT AGENDA

**Tab 2) Request to Accept Donation of Surplus FDOT Property
Located on St. Clair Abrams Street**

Brad Hayes

**Tab 3) Renewal of Agreement with Lake County to House
Livestock on Frankie's Road Property**

Jacques Skutt

IX. ORDINANCES/RESOLUTIONS

FIRST READING

Tab 4) Ordinance #2014-06 – Text Amendments to Land Development Regulations - Chapter 8 Zoning Regulations Jacques Skutt

SECOND READING

RESOLUTIONS

Tab 5) Resolution #2014-14 – Lake County School Board Special Use Permit for Property at 615 & 621 N. New Hampshire Jacques Skutt

Tab 6) Resolution #2014-15 - Partial Vacate of Unopened Right of Way at 1101 Lakeshore Blvd. Jacques Skutt

X. ADOPTION HEARING FOR COMPREHENSIVE PLAN AMENDMENT

Tab 7) Ordinance #2014-04 — Large Scale Future Land Use Map Amendment – 15.5 Acres - West Side of SR 19 at CR 561 – Tavares Village Shops Adoption Hearing Jacques Skutt

XI. GENERAL GOVERNMENT

Tab 8) Intergovernmental Agreement with School Board of Lake County for Facilities Use Tammy Rogers

XII. FISCAL YEAR 2015 BUDGET WORKSHOP

Tab 9) Presentation of Proposed Fiscal Year 2015 General Fund Budget John Drury

XIII. OLD BUSINESS

XIV NEW BUSINESS

XV. AUDIENCE TO BE HEARD

XVI. 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
JULY 2, 2014
CITY COUNCIL CHAMBERS
4:00 p.m.**

COUNCILMEMBERS PRESENT

ABSENT

Lori Pfister, Vice Mayor
Norman Hope, Councilmember
Kirby Smith, Councilmember
Robert Speaks, Councilmember

Robert Wolfe, Mayor

STAFF PRESENT

John Drury, City Administrator
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
Lori Tucker, Human Resources Director
Tammey Rogers, Community Services Director
Richard Keith, Fire Department

I. CALL TO ORDER

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

II. INVOCATION AND PLEDGE OF ALLEGIANCE

Carlos Colon, Chaplain, Fire Department, gave the invocation and those present recited the pledge of allegiance.

III. APPROVAL OF AGENDA

Mr. Drury stated he would like to add Tab 8A – Issue of Emergency Generator for Wooton Park Lift Station & Pavilion.

MOTION

Kirby Smith moved to approve the agenda with this addition, seconded by Robert Speaks. The motion carried unanimously 4-0.

IV. APPROVAL OF MINUTES

Tab 1) Approval of City Council Meeting Minutes – June 18, 2014

1
2 **MOTION**

3
4 **Robert Speaks moved for approval of the minutes of June 18, 2014, seconded by Norman**
5 **Hope. The motion carried unanimously 4-0.**

6
7 **V. PROCLAMATIONS/PRESENTATIONS**

8
9 None

10
11 **VI. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX PARTE CONTACTS**

12
13 Mr. Williams invited those who wished to speak on the following quasi-judicial matters to be
14 sworn in: Tabs 5 – Resolution #2014-14 Lake County School Board Special Use Permit at 615 &
15 621 N. New Hampshire; Tab 6 – Resolution #2014-15 – Partial Vacate of Unopened Right of Way
16 at 1101 Lakeshore Blvd; and Tab 7) Ordinance #2014-04 – Large Scale Future Land Use Map
17 Amendment, 15.5 Acres for the Tavares Village Shops. He sworn in those in the audience who
18 indicated they wished to speak. He then asked Council if any members had any ex-parte
19 communications to report. There were none.

20
21 **VII. READING OF ALL ORDINANCES/RESOLUTIONS**

22
23 Ms. Barnett read the following ordinances/resolutions by title only:

24
25 **ORDINANCE 2014-06**

26
27 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE**
28 **FOLLOWING SECTIONS OF THE CITY LAND DEVELOPMENT**
29 **REGULATIONS; SECTION 8-11 (A)(7), DESCRIPTION OF C-2 COMMERCIAL**
30 **DISTRICT, DELETION OF REFERENCE TO U.S. 441 CORRIDOR; SECTION 8-**
31 **11(D)(2), ACCESSORY USES AND STRUCTURES IN NON-RESIDENTIAL**
32 **DISTRICTS, PERMITTING ACCESSORY BUILDINGS IN REAR AND SIDE**
33 **YARDS; TABLE 8-2, PERMITTED USES AND SPECIAL USES, PERMITTING**
34 **ANIMAL HOSPITALS, VETERINARY CLINICS OR ANIMAL BOARDING**
35 **WITHIN A MIXED USE ZONING AS A SPECIAL USE; SECTION 20-3 (D), LIMIT**
36 **ON ADDITIONAL PARKING SPACES, ALLOWING ADDITIONAL PARKING**
37 **SPACES IF SUPPORTED BY ENGINEERING STUDY; SUBJECT TO THE**
38 **RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF**
39 **TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

40
41 **RESOLUTION 2014-14**

42
43 **A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, APPROVING A**
44 **SPECIAL USE PERMIT FOR FUTURE SCHOOL EXPANSION ON**
45 **APROXIMATELY .7 ACRES OF PROPERTY LOCATED ON THE WEST SIDE**
46 **OF NEW HAMPSHIRE AVENUE AND ADDRESSED AS 615 AND 621 N. NEW**
47 **HAMPSHIRE AVENUE; SUBJECT TO THE RULES, REGULATIONS AND**

1
2 Kelly Randall, Senior Planner with the School Board, stated that the School Board has not
3 approached the other land owner at this time due to budget constraints. She said the seller of the
4 properties covered by the resolution, had approached the School Board.

5
6 Discussion followed on the possible interest of the School Board on the third property at a future
7 point.

8
9 **MOTION**

10
11 **Kirby Smith moved to approve Resolution #2014-14, seconded by Norman Hope. The**
12 **motion carried 4-0.**

13
14 **Tab 6) Resolution #2014-15 – Partial Vacate of Unopened Right-of-Way at 1101 Lakeshore**
15 **Blvd.**

16
17 Mr. Skutt said this is a request to vacate unopened right of way of Lakeshore Blvd. The owner of
18 the property at 1101 Lakeshore Blvd. is selling the property and the new owner wishes to
19 construct a boathouse. The right of way is actually submerged land that runs behind the rear of
20 his home. The vacate does not impose on the lift station located south of the right of way. It will
21 remove the public interest in this submerged land. The Planning & Zoning Board voted to
22 recommend approval unanimously on June 19th and staff recommends approval.

23
24 Councilmember Hope asked if this would have any adverse effect on the City. Mr. Skutt said he
25 did not think there was any impact and the Utility Director is in agreement.

26
27 **MOTION**

28
29 **Bob Speaks moved for approval of Resolution #2014-15, seconded by Kirby Smith. The**
30 **motion carried unanimously 4-0.**

31
32 **X. ADOPTION HEARING FOR COMPREHENSIVE PLAN AMENDMENT**

33
34 **Tab 7) Ordinance #2014-04 – Large Scale Future Land Use Map Amendment – 15.5 Acres –**
35 **West Side of SR 19 at CR 461 – Tavares Village Shops**

36
37 Mr. Skutt stated this is the final reading and adoption hearing for a Large Scale Future Land Use
38 Amendment for the Tavares Villages Shops to be located on the west side of SR 19 at the
39 intersection of CR 561. The transmittal was approved in May. The Department of Economic
40 Opportunity identified no cause to comment on the proposed changes but noted that other state
41 agencies retained the right to make comments which could result in a legal challenge of the
42 amendment. The Florida Department of Transportation did express concern about traffic
43 congestion and made two recommendations. They asked that the city incorporate into the
44 adoption ordinance language which would reference and support that the highest priority of the
45 MPO is the FDOT's future SR 19 widening project and that language has been included in the
46 ordinance. They have also asked that the City amend its Capital Improvement Element to include

1 a reference to the SR 19 widening project. Staff will update the Capital Improvement Element
2 when the budget is adopted in September.

3
4 The Planning and Zoning Board recommended approval unanimously of this ordinance and future
5 land use change and staff recommends approval with the addition of the language recommended
6 by FDOT.

7
8 **MOTION**

9
10 **Kirby Smith moved to approve Ordinance #2014-04 for final reading and adoption with the**
11 **addition of the language recommended by the Florida Department of Transportation.**
12 **seconded by Robert Speaks.**

13
14 Vice Mayor Pfister noted no request to speak had been received from the audience.

15
16 **The motion carried unanimously 4-0.**

17
18 **X. GENERAL GOVERNMENT**

19
20 **Tab 8) Intergovernmental Agreement with School Board of Lake County for Facilities Use**

21
22 Ms. Rogers stated the City has worked with the School Board over a number of years to
23 allow the ballfields to be used by the schools through an informal agreement. This formal
24 agreement will reinforce the partnership between the city and the School Board for
25 facilities use. She acknowledged the author of the agreement, Scott Aldrich and School
26 Board Member Debbie Stivender who was present.

27
28 Mr. Drury pointed out that there is a 30 day cancellation clause by either party that takes
29 effect at the end for the two year term. If that is not exercised it renews for two year
30 periods.

31
32 Councilmember Speaks said he had two additions. He said the agreement did not include
33 the School Board office on US 441 and the building on Ingraham. He said he would want
34 to clarify that the use of Wooton Park will only be for its outside use. Mr. Neron noted it
35 would only be if no other events are scheduled. Ms. Stivender agreed and said it would
36 need to be reciprocal for both sides. Mr. Drury said the contract will be amended with
37 Councilmember Speaks' proposed amendments and forwarded to the School Board.

38
39 Ms. Stivender said that Councilmember Hope had also requested an amendment
40 regarding having the city connect to an IP address at the Ingraham Park for security
41 purposes. She said Dr Wheeler will contact the City's IT staff member. Ms Stivender
42 thanked the city staff and Council for their work on the agreement.

43
44 **MOTION**

45
46 **Norman Hope moved to approve the interlocal agreement with the amendments,**
47 **seconded by Robert Speaks. The motion carried unanimously 4-0.**

1
2 **Tab 8A) Generator for Wooton Park**
3

4 Mr. Drury stated the Pavilion on the Lake is nearing completion and appears to be coming
5 in under budget due to some project savings that have occurred. The project should be
6 substantially complete by the end of July and the first wedding is scheduled for August
7 30th. The project savings so far come to \$77,750. Direct purchases by the owner have
8 contributed to the savings in addition to value engineering discussions. Originally the
9 project was designed for the Utility Department Wooton Station to have a small backup
10 generator for temporary power similar to other lift stations and the Pavilion would have a
11 connection plug in station for this portable generator. Mr. Drury said that through value
12 engineering efforts it has been determined that it would be in the best interest of the
13 project to only purchase one generator and that it be permanently installed. The
14 generator is estimated to cost \$176,000 delivered and installed at the site. The proposal
15 to cover the cost is as follows:

16
17 Utility Department share (in lieu of buying a separate portable generator) - \$47,250
18 Project Savings - \$77,000
19 Water Taxi revenues - \$51,000
20

21 Staff is requesting that the Board approve the use of \$51,000 from the water taxi
22 revenues (total was \$75,000) to be put towards the purchase of the generator. Mr. Drury
23 noted the water taxi revenues had been designated for the west end improvements at
24 Wooton Park; however that project continues to receive grants from various sources. He
25 stated if additional project savings occur less of the water taxi dollars will be utilized. Staff
26 will provide a close out report when the project is done.
27

28 Councilmember Hope asked Mr. Neron if this will adversely affect the completion of the
29 Wooton Park project. Mr. Neron said he did not believe that it will affect the project. He
30 said there is a large FDOT grant that he is working on for the future. Councilmember
31 Hope asked Mr. Hayes the source of the utility department share. Staff responded that it
32 will either come out of impact fees or utility reserves.
33

34 Councilmember Smith asked where the generator will be located. Mr. Drury said it will be
35 next to the pump house that is providing the water for the air conditioner. It will be an
36 exterior generator and be landscaped.
37

38 **MOTION**
39

40 **Kirby Smith moved to approve the appropriations of funding to support the**
41 **generator project, seconded by Norman Hope.**
42

43 Vice Mayor Pfister stated that she is not in favor of purchasing the generator but should
44 have been in the original agreement if imperative. She suggested waiting until some
45 events have been held to generate revenues.

1 Councilmember Hope agreed however he said he wanted to be sure it would not
2 adversely affect the other projects. He said although he agreed the generator should
3 have been in the original budget he could support the request to purchase.
4

5 Councilmember Smith noted the generator will also assist the lift station. He said he
6 would not want to negatively affect the pavilion and spoke in support.
7

8 **The motion carried 3-1 as follows:**
9

10 Lori Pfister	No
11 Norman Hope	Yes
12 Kirby Smith	Yes
13 Robert Speaks	Yes

14
15 **Tab 12) Fiscal Year 2015 Budget Workshop**
16

17 Mr. Drury stated that Council had previously discussed its broad budget priorities for the
18 City Administrator to use as guiding principles in developing the budget. The City
19 Administrator has incorporated those discussions into the budget with the exception of
20 lowering the millage rate. The draft budget reflects a lowering of the millage rate for debt
21 service from .4540 to .4309, and a slight increase to the general fund millage rate of just
22 under a half a mil to accommodate the other priorities that were discussed (similar level of
23 service, employee raises, maintaining the existing infrastructure, increased utility and
24 other costs, and some unfunded state mandates).
25

26 Mr. Drury said at this budget workshop the General Fund will be presented. On July 16th,
27 the enterprise funds will be presented and on July 30th the tentative maximum millage rate
28 will be set.
29

30 Mr. Drury said the General Fund Budget for 2015 totals \$14,107,361 and is fully
31 balanced. It is 3.1% higher than the prior year and includes a similar level of service, an
32 increase in reserves from 10.5 to 10.6% (which has been separated into 90% for
33 emergencies and 10% for contingency); employee raises budgeted at 3%, and the
34 addition of four new positions—three partially funded by the General Fund and one fully
35 funded by Solid Waste. The Fire Assessment was kept the same. The debt service
36 millage rate goes down .0321 mills and the General Fund millage rate goes up .487 mills.
37 The taxes on a \$150,000 homesteaded house would increase by \$4.06 per month with
38 this budget, the debt service millage rate would go down by about 19 cents per month
39 and the total increase would therefore be \$3.88 per month for that valued house.
40

41 Ms. Houghton presented the budget details of both revenues and expenses for the
42 General Fund budget for the fiscal year 2015. She discussed the various services
43 provided to the residents and budget details for each department.
44

45 Mr. Drury thanked the department heads and the City Council for their work on the
46 budget. He noted it is posted on the city's web site.
47

1 Vice Mayor Pfister commended Ms. Houghton on her presentation. She asked if there
2 were questions from Council.
3

4 Councilmember Smith asked the following: 1) millage impact to non-homesteaded homes
5 and the impact to the businesses; 2) questioned why the millage rate did not drop in
6 earlier years; 3) noted the budget was drafted based on a 3.14 property assessment
7 however the property assessment came in higher at 5.15 so he had expected a drop in
8 millage. Mr. Drury stated staff does not set a millage rate and create a budget around that
9 figure; staff is asked to build a budget that they believe is necessary to maintain Council's
10 goals. He said he then makes cuts that are not in line with the goals or can be put off for
11 awhile longer. He said if there is an area that Council feels needs to be reduced it will end
12 up in a reduced millage rate.
13

14 Councilmember Smith said he is concerned about one of the four positions and feels
15 there is still room in the budget to make cuts. He asked if \$300,000 cut from the budget
16 would be equal to zero millage increase. Mr. Drury said staff can provide the additional
17 cuts that would be necessary to get to a zero millage rate increase.
18

19 Councilmember Speaks said Council has always tried to keep the millage rate down but
20 also during the time when revenues were down, the City decided to continue doing
21 projects which should pay off in the future. However, he noted the city needed to
22 determine whether it wants to go backwards or continue to go forward.
23

24 **XI. OLD BUSINESS**

25
26 None
27

28 **XII. NEW BUSINESS**

29
30 Councilmember Smith commended staff on the flags on both east and west Main Street.
31

32 **XIII. AUDIENCE TO BE HEARD**

33
34 Vance Joachim, 12619 Milwaukee, Tavares
35

36 Mr. Joachim said in reference to the budget, that the city should compare economic indicators for
37 the general public versus government benefits. He said there is resentment by the general public
38 who are not getting increases but noted he had been a government employee at one time. In
39 addition he commented on corporate practices of setting aside a capital allocation and
40 maintenance costs fund and if these funds are not available, no further allocations are made. He
41 said he does not attend the Tavares meeting frequently as he thinks Tavares is well run.
42

43 **XIV. REPORTS**

44
45 **Tab 14) City Administrator**
46

1 Mr. Drury reminded those present of the upcoming budget workshops. He stated the city looks
2 forward to public participation and if there are any questions to please contact the Finance
3 Director or himself. He said he is proud of the City Council for making strategic decisions over the
4 past five years to grow the city.

5
6 **City Clerk**

7
8 Ms. Barnett stated at the next meeting the annual election proclamation will be presented.
9

10 **Communications Director**

11
12 Ms. Royce said two items were recently completed: the new Tavares sign on the front of City Hall
13 and the digital bulletin board.
14

15 **Community Services Director**

- 16
17
 - Thanked Council for supporting the girl's softball team who were edged out of the next
18 level by one run.
 - Noted the July 4th event is coming up and many events are being planned.
 - Thanked Council for supporting the Pavilion project. She said she is taking people on
19 tours on a rapid pace and there are already 23 paid bookings; 16 of the 23 are weddings.
20
21

22
23 Ms. Rogers also introduced Carrie Petroski, new Pavilion Manager.
24

25 **City Attorney**

26
27 **Tab 15) City Council**

28
29 **Vice Mayor Pfister**

30
31 Vice Mayor Pfister said she wanted to reiterate the important of the public attending the meetings
32 and providing input.
33

34 She said she hoped the anticipation and excitement of the pavilion is rising and asked that her
35 position on the generator purchase not been seen as a criticism of the pavilion, but a reflection of
36 her desire to find the funds elsewhere.
37

38 **Councilmember Hope**

39
40 Councilmember Hope said he would be emceeding the 4th of July parade.
41

42 **Councilmember Speaks**

43
44 Councilmember Speaks commended staff on their budget. He said he understands the challenge
45 of developing a budget, has reviewed the entire budget and will be reviewing again.
46

47 **Councilmember Smith**

1
2 Councilmember Smith thanked Ms. Rogers for the pavilion information. He noted he had received
3 the Splash Park report from Mr. Neron.
4

5 On Tavares history, he reported that on July 3, 1930, at the regular Council Meeting, there was
6 discussion regarding lawnmower repair of \$8.50. In addition, on July 4th in 1903 at the court
7 house square there was a huge barbeque attended by Governor Jenkins and Miss H.H. Duncan
8 made an American flag that was 12 feet by 16 feet. (He thanked Ms. Burleigh for providing that
9 information.)

10
11 He wished everyone a safe 4th of July.
12

13 **Adjournment**

14
15 There was no further business and the meeting was adjourned at 5:40 p.m.
16

17 Respectfully submitted,
18

19 
20 Nancy A. Barnett, C.M.C.
21 City Clerk