



**TAVARES CITY COUNCIL
MEETING MINUTES
MAY 17, 2023 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Walter Price, Mayor
Sandy Gamble, Vice Mayor
Bob Grenier, Council Member
Lori Pfister, Council Member
Troy Singer, Council Member**

STAFF PRESENT

**John Drury, City Administrator
Lindsay Holt, City Attorney
Susie Novack, City Clerk
Mike Fitzgerald, Community Development Director
Scott Aldrich, Community Services Director
Bob Tweedie, Economic Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Crissy Bublitz, Human Resources Director
James Dillon, Public Works Director
Mark O'Keefe, Public Communications Director
Sarah Coursey, Police Chief
Phil Clark, Utilities Director**

I. CALL TO ORDER

Mayor Price called the meeting to order at 4:00 p.m. He asked those who wished to speak on an agenda item to complete and submit a Request to Speak form.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Phil Clark, Utilities Director

Phil Clark, Utilities Director, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Price asked for changes to the Agenda. Mr. Drury said the staff would like to move Tab 12 to be heard first under Proclamations and Presentations. He noted Commissioner Smith, in the audience, wished to comment before leaving due to a scheduling conflict.

MOTION

Lori Pfister moved to approve the Agenda with changes, seconded by Bob Grenier. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

Mayor Price invited Lake County Commissioner Kirby Smith to the podium. Commissioner Smith said Lake County, the YMCA, and the City of Tavares had a great public/private partnership. He thanked the Council for their support and continued efforts to move the Golden Triangle Regional Park forward. He stated his support for the East Campus Facility Management and Operation Agreement.

Tab 12. Golden Triangle Regional Park – East Campus Facility Management and Operation Agreement

Mr. Aldrich made the following presentation:

On March 29, 2022, the City Council approved and entered into a Memorandum of Understanding (MOU) - (attached) with Lake County and the Central Florida YMCA to explore a public/private partnership opportunity for the development of a central regional park for Lake County to be located on the current Golden Triangle YMCA property in Tavares. At the December 7, 2022 meeting, City Council voted unanimously to accept a grant of \$4.8 million from Lake County to purchase the YMCA property, execute a purchase and sales agreement, and negotiate an "Operational Agreement" with the Central Florida YMCA for management of the property.

Before Council is the negotiated Operations Agreement (Facility Management and Operation Agreement) between the City of Tavares and the Central Florida YMCA for management of the new Golden Triangle Regional Park – East Campus. Some highlights of the agreement include:

- *The City shall own all land, improvements, and buildings (existing and constructed in the future) and there will be three distinct designated areas as follows:*
 - *City Designated Areas (CDA)*
 - *YMCA Designated Areas (YDA)*
 - *Joint Use Designated Areas (JDA)*
- *The YMCA will continue to operate just as the YMCA has been operating for 35 years with health and wellness activities, programming for all ages, and aquatics.*
- *The YMCA will be responsible for paying their own operating costs, utilities, insurance, and all maintenance costs not exceeding \$5,000 within the YDA. Maintenance items above \$5,000 will be reviewed and evaluated by the City for repair options. Any maintenance items above \$5,000 will be reviewed and evaluated by the City for the repair options.*
- *The Aquatic Center (pools, equipment, heater pumps, filtration systems, decking, etc.) will be the sole responsibility of the YMCA to include maintenance, repair, operating costs, etc. (Regardless of cost). The City will have no responsibility for the Aquatic Center.*
- *The agreement is for a 3-year term with renewable options.*

Lake County will be responsible for the long term large capital construction program of the Regional Park. The City's smaller capital and operating costs associated with managing the Golden Triangle Regional Park – East Campus will be included in the FY '24 City budget. It is anticipated that the Community Services current budget will be sufficient to cover the management costs for the remainder of this fiscal year.

Staff recommends Council approve Option 1 and authorize the execution of the Facility Management and Operation Agreement.

Mr. Aldrich said closing on the property was scheduled for May 19, 2023, and there would be four (4) months that costs such as operating, maintenance, and landscaping would be absorbed into the current budget.

Mayor Price asked for comments from the Council.

Vice Mayor Gamble asked if the YMCA would incur any costs over \$5,000 for the aquatics center. Attorney Holt said the aquatics center is the sole responsibility of the YMCA.

Vice Mayor Gamble inquired about liability for the YMCA. Attorney Holt said there was mutual indemnification and hold harmless provisions in the agreement.

MOTION

Lori Pfister moved to approve Option 1 to authorize the execution of the Facility Management and Operation Agreement, seconded by Bob Grenier.

Mayor Price asked if any audience members wished to comment. There was none.

Mayor Price asked if a building inspection was completed. Mr. Drury said an environment review had been completed. He said the building was the YMCA's responsibility. Mr. Aldrich said the City's Building Official provided a report on the property.

The motion carried unanimously 5-0.

Tab 2. Proclamation – National Boating Safety Week

Mayor Price made the following presentation:

Joy Taylor, United States Coast Guard Auxiliary, Lake County Flotilla 43, requested the Council declare a Proclamation in support of National Safe Boating Week from May 20, 2023, through May 26, 2023; and, designate Friday, May 19, 2023, as "Wear Your Life Jacket to Work Day" to promote boating safety; and, support the Flotilla's selfie contest called "Wear It Well."

- *To participate in the "Wear it Well" contest, share your selfies on Twitter or Facebook before the end of National Safe Boating Week using the hashtags #WearItWell and #Flotilla43.*
- *To schedule a vessel examination for Saturday, May 20, 2023, at Wooton Park email APinkerton@outlook.com.*

Boating Statistics:

- *Lake County has 200 miles of water and over a thousand bodies of water.*
- *Florida has 1 million registered boats, more than any other state, and is the boating capital of the world.*
- *Florida leads the United States in boating accidents, boating deaths, and boating property damage.*
- *Of all the drownings from boating accidents in Florida, not one person was wearing a life jacket.*
- *Boating accidents usually occur in calm water with good visibility.*
- *The biggest factor in boating accidents is operator inattention.*
- *Of all boating accidents in the United States, only 2% had taken a Boating Safety Course through the United States Coast Guard Auxiliary.*

Mayor Price read the Proclamation in its entirety.

MOTION

Troy Singer moved to approve [the Proclamation], seconded by Sandy Gamble. The motion carried unanimously 5-0.

Mayor Price presented the Proclamation to the Flotilla members in attendance. Council Member Grenier thanked the members for their service. Vice Mayor Gamble encouraged all teens to go through the United States Coast Guard axillary boating training and noted the number one reason for drownings is failure to wear a life vest.

Tab 3. Tavares Chamber of Commerce Update

Mr. Drury stated he received an email from the Chamber President/CEO who indicated they had a scheduling conflict and were unable to attend the meeting.

V. SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EXPARTE COMMUNICATIONS

Attorney Holt said there were four (4) quasi-judicial matters before the Council: Tabs 8 through 11. [Tab 8. Ordinance 2023-19; Tab 9. Ordinance 2023-10; Tab 10. Ordinance 2023-01; and Tab 11. Ordinance 2023-02] She swore in those who wished to provide testimony.

Attorney Holt asked the Council to disclose any exparte communications.

Attorney Holt noted a letter dated May 17, 2023, addressed to the Tavares City Council from Scotts Roofing and signed by Thomas Scott, in favor of the approval of tab Tabs 10 and 11 was provided for Council's review in their dais folders.

The following exparte communications were disclosed:

Vice Mayor Gamble

- Spoke with the applicant, Thomas Scott, and met with City Staff on Tabs 10 and 11.

Council Member Singer

- Phone conversation with a local community HOA President on Tab 8 regarding their concerns.
- Spoke with residents and business owners in favor of Tab 10.
- Spoke with City staff on Tab 10.

Council Member Pfister

- Spoke with residents on Tabs 10 and 11.

Council Member Grenier

- Spoke with a business owner on Tabs 10 and 11.
- Received Scotts Roofing letter.

Mayor Price

- Received Scotts Roofing's letter and spoke with Thomas Scott on the phone.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following Ordinances at 2nd reading by title only:

ORDINANCE 2023-01

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 01.05 ACRES OF PROPERTY LOCATED SOUTH OF MADISON STREET, WEST OF ORANGE AVENUE, FROM RESIDENTIAL SINGLE FAMILY (RSF-1) TO HIGHWAY COMMERCIAL (C-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2023-02

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 01.05 ACRES OF PROPERTY FROM LOW DENSITY (LOW) TO COMMERCIAL (COM) FOR PROPERTY LOCATED SOUTH OF MADISON STREET, WEST OF ORANGE AVENUE; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2023-09

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 0.44 ACRES OF LAND LOCATED AT 15226 OLD US HWY 441 AND 15236 OLD US HWY 441, REZONING SAID PROPERTY FROM LAKE COUNTY LIGHT INDUSTRIAL DISTRICT (LM) TO CITY OF TAVARES HIGHWAY COMMERCIAL (C-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2023-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.44 ACRES OF PROPERTY FROM LAKE COUNTY URBAN HIGH DENSITY TO CITY COMMERCIAL (COM) FOR PROPERTY LOCATED AT 15226 OLD US HWY 441 AND

15236 OLD US HWY 441; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Price asked if anyone wished to pull an item from the Consent Agenda for discussion. There were none.

MOTION

Troy Singer moved to approve the Consent Agenda [Tab 4. Approval of the May 3, 2023, City Council Meeting Minutes; Tab 5. Estates at Lake Saunders – Minor Plat; Tab 6. Abby's Water Sports LLC, Commercial Marina Lease Agreement; and Tab 7. Adventure Boating Club LLC First Amendment to Commercial Lease Agreement], seconded by Sandy Gamble. The motion carried unanimously 5-0.

Tab 4. Approval of the May 3, 2023, City Council Meeting Minutes

Approved on the Consent Agenda.

Tab 5. Estates at Lake Saunders – Minor Plat

Approved on the Consent Agenda.

Tab 6. Abby's Water Sports LLC, Commercial Marina Lease Agreement

Approved on the Consent Agenda.

Tab 7. Adventure Boating Club LLC, First Amendment to Commercial Marina Lease Agreement

Approved on the Consent Agenda.

VIII. RESOLUTIONS

IX. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

Tab 8. Ordinance 2023-09 – S&S Holdings of Florida LLC/SHREE SAI 9 Inc. – Annexation and Rezoning of Approximately .44 Acres Located at 15226 and 15236 Old US HWY 441

Mr. Fitzgerald made the following presentation:

The subject property is approximately 0.44 acres located at 15226 & 15236 Old US Hwy 441, south of Old US Hwy 441, east of David Walker Drive. Both parcels of property are presently zoned as Lake County Light Industrial District (LM). The applicant is proposing that the property be annexed and rezoned to City Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the surrounding zoning and accommodates pre-existing use of the property. The property is adjacent to parcels designated as industrial and is in close proximity to residential zoning. Both parcels are developed, and each parcel contains an existing commercial building that has operated as an auto repair shop and a convenience store.

The annexation of this property has been reviewed per the City's Annexation Policy. It has been determined by City staff that the property may be properly serviced by the City without undue hardship or significant negative fiscal impact on the City. City water and sewer service is available to the property, and the property owner has applied to connect to City utilities.

The City is concurrently processing a future land use map amendment to re-designate the property from Lake County Urban High Density to City of Tavares Commercial (COM) on the Future Land Use Map 2040.

At their April 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2023-09.

Staff recommends that City Council moves to approve Option 1, Ordinance 2023-09 annexation and rezoning to Highway Commercial (C-2) approximately 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Mayor Price asked for comments from the Council.

Council Member Singer stated he spoke with an area HOA President who expressed concern about a new business and rezoning at the subject property, which may result in more traffic. Council Member Singer advised the location was an existing business, and the applicant applied for the annexation to receive City utilities. He said the annexation and rezoning would not create more traffic concerns, and the applicant would be held to a higher standard of code enforcement in the City.

Vice Mayor Gamble noted the property would go from Lake County Light Industrial to City Highway Commercial, and the building structure could be changed with industrial zoning if it remains in the county. Mr. Fitzgerald said the request could be categorized as a downzoning with less intense uses allowed.

Mayor Price said he would like to ensure no game room or simulated gambling establishment would be allowed at the site. Attorney Holt noted the City is at the

maximum permitted for game room establishments. Council Member Singer said the property owner would be more able to allow those establishments in the County rather than the City. Attorney Holt said game room establishments would have to be compliant if annexing into the City.

MOTION

Troy Singer moved to approve, seconded by Lori Pfister. The motion carried unanimously 5-0.

Tab 9. Ordinance 2023-10– S&S Holdings of Florida LLC/SHREE SAI 9 Inc. – SSFLUM Amendment of Approximately .44 Acres Located at 15226 and 15236 Old US HWY 441

Mr. Fitzgerald made the following presentation:

The subject property is located at 15226 & 15236 Old US Hwy 441, south of Old 441, east of David Walker Dr., and is approximately 0.44 acres in size. Each parcel of property has one (1) building and has a land use designation of Lake County Urban High Density. The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Lake County Urban High Density to City Commercial (COM).

Ordinance 2023-10 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Lake County Urban High Density to City Commercial (COM).

The subject property is adjacent to a mixture of industrial, commercial, and residential uses. An application to annex and rezone this property to a Highway Commercial (C-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Lake County Urban High Density. A Commercial (COM) designation is compatible with surrounding property and County Future Land Use.

The land surrounding this property is residential, commercial, and industrial in nature.

The property currently contains one (1) building on each parcel.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of

service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

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

- 1. A Commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2. Impacts of any proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

At their April 20th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2023-10.

Staff recommends that City Council moves to approve Option 1, Ordinance 2023-10, a Future Land Use Map amendment from Lake County Urban High Density to City Commercial (COM) for 0.44 acres of property located at 15226 & 15236 Old US Hwy 441.

Mayor Price asked for comments from the Council. There were none.

Mayor Price asked for comments from the audience. There were none.

MOTION

Troy Singer moved to approve [Option 1], seconded by Sandy Gamble. The motion carried unanimously 5-0.

Tab 10. Ordinance 2023-01 – TPO-FL, LLC – Rezoning of Approximately 1.05 Acres Located South of Madison Street, West of Orange Avenue

Mr. Fitzgerald made the following presentation:

The subject property consists of approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue. The property is currently zoned as Residential Single Family (RSF-1), and the applicant is proposing that the property be rezoned to Highway Commercial (C-2).

The proposed zoning of Highway Commercial (C-2) is compatible with the commercial zoning that currently abuts the subject property and US Hwy 441. The applicant at this time envisions the demolition of existing structures, and the construction of a new convenience store with fuel pumps. The proposed use is allowable under the Highway Commercial (C-2) zoning. The site will be designed

with access points on US Hwy 441 and Orange Avenue. Effective access to the site will include the addition of a right turn lane on US-441, modifications to existing turn lanes on US-441 and Orange Avenue, traffic signal timing adjustments, and new signage. In an effort to preserve the character of the residential neighborhood that currently abuts Highway Commercial (C-2) zoning, no direct access onto Madison Street will be permitted. Where the site abuts Madison Street and the residential use, a landscape buffer including a six foot (6') decorative wall will be installed per the City's Land Development Regulations. The total site construction area is 01.99 acres, which includes property abutting US Hwy 441 already zoned as Highway Commercial (C-2) and the 01.05 acres of property under consideration for rezoning. The proposal is consistent with the City's Economic Development Strategy and Comprehensive Plan which supports Highway Commercial development along the US-441 corridor.

The environmental assessment submitted by ECS Florida, LLC indicates no adverse conditions or environmental concerns with the property. Prior to any development, the property owner must comply with all Florida Fish and Wildlife Conservation Commission provisions as they pertain to threatened species.

The traffic analysis submitted by Stonefield Engineering & Design, LLC does not indicate an adverse impact on the level of service for surrounding roadways. The report states that the site-generated trips of the proposed development would consist largely of "pass-by" trips as opposed to new vehicles on the roadway. The report includes a recommendation for certain roadway improvements, including modifications to the turn lanes on US Hwy 441 and Orange Avenue, signal timing adjustments, and signage.

Development of the property will be in accordance with the City's Land Development Regulations. Prior to the issuance of any Building Permits for this property, compliance with all applicable regulations will be required.

The City is concurrently processing a future land use map amendment to re-designate the property from Residential Low Density (LOW) to Commercial (COM) on the Future Land Use Map 2040.

At their April 20th meeting, the Planning & Zoning Board voted unanimously to recommend denial of Ordinance 2023-01.

Staff recommends that City Council moves to approve Option 1, Ordinance 2023-01 rezoning approximately 01.05 acres of property located south of Madison Street, west of Orange Avenue from Residential Single Family (RSF-1) to Highway Commercial (C-2).

Patrick O'Leary, Blue Peninsula, LLC, Developer, provided a PowerPoint Presentation on the proposed Wawa development with the following highlights:

- Current Conditions
- Heavy Truck Storage & Travel for 30 Years
- Potential Uses Due to Property Size Constraints
- Quality Retailers & Quality Development
- Site Plan
- Market Void
- The history of Wawa
- Customer Connection
- Services
- Employee Benefits and Shared Ownership
- Focus Areas and Local Support
- Economic Impact

The following audience members spoke in support of the project:

- Jim Jordan, 901 Lake Shore Boulevard, Tavares, Fish Camp on Lake Eustis Restaurant
- Sandra Stevenson, 268 Reserve Drive, Tavares
- Leslie Mathews, 801 Madison Avenue, Tavares
- Dianne Freeze, 503 N. St Clair Abrams, Tavares
- Belynda Rinck, 216 Fern Avenue, Tavares

The following audience members spoke in concern or against the project:

- Jamie Reid, 720 Madison Street, Tavares
- Samuel Armentrout, 920 Orange Avenue, Tavares
- Christian Landou, 701 Madison Street, Tavares
- Patrice Graves, 714 Madison Street, Tavares

Mayor Price asked for a follow-up on expressed concerns from the audience.

Mr. Corak said Wawa captures traffic on the existing roadway network. He said Wawa is in the business of selling convenience rather than a destination to go out of your way, especially during peak busy periods. Automobiles on the roadway may divert their path of travel to enter and exit the site and otherwise do not contribute to traffic growth on the surrounding roadway network. He said the left turn lane along US441 will be extended to accommodate traffic diversion. Orange Avenue would be reconfigured to provide additional left turn storage and a second left turn lane to access US441. He said a dedicated right turn lane into the site at the primary drive along US441 also captures right-in and right-out traffic. The roadway improvements help facilitate turning movements, eliminate traffic impacts on surrounding roadway networks, and the proposed development aligns with the transportation mobility element of the Comprehensive Plan.

Mayor Price asked the Council for comments.

Vice Mayor Gamble asked Mr. Fitzgerald asked for the height of the surrounding fence. Mr. Fitzgerald said six (6) feet.

Vice Mayor Gamble said he was advised by the Developer that any shrubbery would be replaced if needed and well maintained.

Vice Mayor Gamble asked Chief Coursey for more police visibility in the area. Chief Coursey confirmed extra patrols would be implemented and noted one citizen call regarding speeding and one traffic stop in the area within the past year.

Vice Mayor Gamble asked if a no-parking Ordinance should be created on Madison Street for truck traffic. Mr. Drury said there is an existing sign stating no truck traffic on one side of the street, and an additional sign could be added. Vice Mayor Gamble noted Mr. Smallwood would drive through Wawa to maneuver his crane truck, eliminating his need to operate on Madison Street.

Council Member Singer asked if a sign barring delivery trucks could be placed on Orange Avenue. He said speed bumps can create more issues than it solves. Mr. Drury said the City provides enforcement before speed bumps. He said the Chief would add additional law enforcement for speeding cars. Council Member Singer noted safety is a concern for the Council and asked those present to report violations if seen. He said Wawa is a great family-friendly community partner and asked if the lighting would affect residents in the area. Mr. Fitzgerald said the site plan demonstrated that the lighting effect on neighboring properties would be minimal per the City's Land Development Regulations.

Michael Pannel, Stonefield Engineer and Project Engineer said Wawa's security and the safety of staff and customers were essential. He said there would be a lot of lighting focused at the site utilizing fixtures with shielding, a wall, and landscaping to create no measurable lighting illuminating at the residential lines to the west or at the curb line on Madison Street. Mr. Fitzgerald stated the fence would be a decorative concrete wall.

Council Member Singer said he felt it was the best location for the type of business. He said Wawa is not a typical gas station but a restaurant with a long history of community values and a family-friendly environment. Council Member Singer said decisions are difficult for the Council and Planning and Zoning Board, with all opinions and concerns considered to make the best decision for the entire community. He noted his support for approval.

Council Member Pfister said she considered Wawa a Cadillac of gas stations. As an Economic Development Horizon Team member, she supported bringing reputable businesses to Tavares. Council Member Pfister noted the residential tax base was reduced from 90% to 60% since she began her service on the Council. She said Wawa would help make a fair and equitable distribution of taxes between business and residential.

Council Member Pfister noted citizen concerns regarding traffic and speeding drivers and felt she could not vote against the project because of bad drivers. She discussed the commercial corridor and said she hoped to see it filled with businesses to reduce the tax structure for residents. Council Member Pfister noted another business could be placed at the location that would not have to go before the Council for consideration. She stated her support for the project.

Council Member Grenier said Wawa was a high-quality organization and a good partnership for Tavares. He said Wawa and the City had addressed safety, traffic, and beautification issues.

Mayor Price said he considered Wawa a quality project for Tavares and echoed Council Member Pfister's sentiments regarding lowering the residential tax base. He said the City had been working hard for commercial growth, and the location on US441 is the only place to put a Wawa in the commercial corridor. The site was on a major road and signalized corner, and no traffic would come in or out of Madison Street. He said significant improvements would be made at Orange Avenue and US 441. He noted his support for the project and said Wawa would be a great addition to the City of Tavares and looks forward to a relationship with the Wawa company.

Vice Mayor Gamble said there were concerns regarding pedestrians at the location at all hours, radio noise, and selling illegal substances. He asked how Wawa would take care of that type of situation.

Angela Reynolds, Area Manager of Store Operations in the North Central Market, said Wawa had excellent communication protocol within the stores where a partnership with law enforcement included quick communication. She said signs might be utilized for loitering in communities with a problem and noted Wawa takes swift action. Vice Mayor Gamble asked if Wawa had ever issued a no-trespass, and Ms. Reynolds confirmed and said it was not a common issue. She said Wawa was a good community partner.

MOTION

Lori Pfister moved to approve Option 1, seconded by Troy Singer. The motion carried unanimously 5-0.

Council Member Singer welcomed Wawa to Tavares.

Tab 11. Ordinance 2023-02 – TPO-FL, LLC – SSFLUM of Approximately 1.05 Acres Located South of Madison Street, West of Orange Avenue

Mr. Fitzgerald made the following presentation:

The subject property is located south of Madison Street, west of Orange Avenue, and is approximately 01.05 acres in size. The land presently has one (1) building

and has a land use designation of Low Density (LOW). The property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2040 to change the designation of said property from Low Density (LOW) to Commercial (COM).

Ordinance 2023-02 proposes a small-scale amendment to the Future Land Use Map 2040 of the Comprehensive Plan from Low Density (LOW) to Commercial (COM).

The subject property is adjacent to a mixture of residential and commercial uses. An application to rezone this property to a Highway Commercial (C-2) designation is concurrently under consideration.

The city is required to place a future land use designation on annexed property. The subject property is currently designated Low Density (LOW). A Commercial (COM) designation is compatible with surrounding property and County future land use.

The land surrounding this property is residential and commercial in nature.

The property currently contains one (1) building.

The subject property is located in the City's Utility Service Boundary Area. The City of Tavares has municipal water and waste water utility service available for the subject parcel. The City's Concurrency Management System will ensure that Levels of Service (LOS) will not be degraded beyond the adopted levels of service for all regulated public facilities. Adverse impacts on Levels of Service are not implicated.

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

- 1. A Commercial (COM) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.*
- 2. Impacts of the proposed development of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

At their April 20th meeting, the Planning & Zoning Board voted unanimously to recommend denial of Ordinance 2023-02.

Staff recommends that City Council moves to approve Option 1, Ordinance 2023-02, a Future Land Use Map amendment from Low Density (LOW) to Commercial (COM) for 01.05 acres located south of Madison Street, west of Orange Avenue.

Mayor Price asked for comments from the Council. There were none.

MOTION

Lori Pfister moved to approve [Option 1], seconded by Bob Grenier. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 13. Park Square Homes Developer's Agreement for Capital Sewer Line Improvements

Mr. Fitzgerald made the following presentation:

Park Square Homes is proposing the construction of a residential development together with recreational amenities on vacant property located south of Slim Haywood Ave., north of Camp Rd., west of SR-19. The proposed Park Square Homes development includes 197 single family homes and 168 townhomes that, upon construction, will connect to City water and sewer service via existing infrastructure and new infrastructure installed by the developer. Per request of the City's Utility Department, Park Square Homes has agreed to incur the costs to upsize the required 6" sewer forcemain to a 10" forcemain to serve existing and future development in the area. Park Square Homes agrees to design, permit, construct, and inspect the installation of the new 10" sewer forcemain. Pursuant to the City's capital line extension policy, the developer shall be entitled to receive a credit against the transmission element of its utility capital charges for the actual cost of upsizing the capital utility line extensions. A Developer's Agreement regarding such infrastructure improvements has been presented for City Council consideration.

The developer shall be entitled to sewer connection fee transmission element credit of \$995.00 for each Equivalent Residential Unit (ERU) as building permits are issued. The total amount of transmission element credit shall be equal to the difference in actual cost of construction of the 6" forcemain vs. 10" forcemain that is certified by the developer's project engineer and verified by the City of Tavares Utility Department Director. The initial estimate of difference in actual cost of construction is \$103,398.00. Credit may apply as building permits are issued until the credit is exhausted.

Staff recommends that City Council Option 1, to approve the Park Square Homes Developer's Agreement for the construction of capital sewer line improvements upsizing a sewer force main from 6" to 10" north of Slim Haywood Ave.

Mayor Price asked for comments from the Council. There were none.

MOTION

Troy Singer moved to approve [Option 1], seconded by Sandy Gamble. The motion carried unanimously 5-0.

Tab 14. School Resource Officer Agreement with Lake County School Board

Chief Coursey made the following presentation:

The Lake County School Board (LCSB) provides funding for a police officer to be at Tavares Elementary for security and safety during the school year. This will be the sixth year in which the LCSB and City have entered into this agreement. During the times when there is no school, SRO will be available for duties within the department.

The LCSB will pay the City of Tavares \$71,514.00 for a police officer during the school year. This amount has been budgeted in the proposed FY23-24 budget. The cost of the currently assigned officer to the City is \$85,816.00, including benefits. The funding provided by the LCSB covers 10 months for the SRO. If any overtime is incurred as a result of being an SRO, the LCSB will reimburse for the overtime.

Staff recommends Option 1, for the Council to approve the agreement between the City of Tavares and LCSB to provide a police officer at Tavares Elementary School.

Mayor Price said the pay amount allocated for the position appears higher than usual. Chief Coursey said the amount includes benefits.

MOTION

Lori Pfister moved to approve Option 1, seconded by Bob Grenier.

Council Member Singer said the agreement was a great community partnership the City has held for six (6) years and benefited the school and City. Council Member Pfister said the agreement was important. Vice Mayor Gamble said it was a great partnership.

The motion carried unanimously 5-0

XI. NEW BUSINESS

XII. OLD BUSINESS

XIII. AUDIENCE TO BE HEARD

Dr. Ramesh Shah, 270 David Walker Drive, Tavares, said he resides in the Shantiniketan II retirement community. He noted a concern for traffic at the intersection

of Old US 441 and David Walker Drive and asked the Council to consider installing a traffic signal, stop signs, or reducing the speed to 35 miles per hour.

Mr. Drury stated the road was a County road under Lake County's jurisdiction. He suggested Mr. Shah contact the Lake County Board of County Commission regarding road improvements. Mr. Drury noted the City of Tavares had the same concerns and asked Lake County to review the road in the past. He said Lake County indicated traffic data did not show a need for a traffic light. He thanked Mr. Shah for bringing his concern to the City Council and said the City would reach out to Lake County in a year or two to review the road again.

XIV. REPORTS

Tab 11. City Administrator Report

City Administrator

Mr. Drury provided high-level updates on City projects and improvements, including Wootton Wonderland, Public Works Operation Center, City Hall, Fire Station 29, West Main Street, Civic Center, and the Tavares Splash Park.

Mr. Tweedie provided updates on the Seaplane Base Trail Reroute, Expanded marina parking, Tavares Square, and Alfred Street Station projects.

Mr. Clark provided an update on Woodlea Road and Lake Francis Estates projects and two stormwater grants.

Chief Coursey noted a community event would be held at Tavares Elementary School on Monday, May 22, 2023.

Mr. Fitzgerald noted O'Reillys Auto Parts opened Saturday, May 13, 2023.

Mr. Drury asked the Council to email their top five (5) goals for FY 2024 to review and vote at the June 7, 2023, City Council meeting. He noted the Community Services Awards would be held following the meeting in Leesburg.

Tab 12. City Council Member Reports

Council Member Pfister

Council Member Pfister noted her appreciation for the efforts of the Planning and Zoning Board. She thanked Chairman Santoro and the Board members.

Council Member Grenier

Council Member Grenier inquired about the Civic Center air conditioning project. Mr. Drury said the project would be complete by June 30, 2023.

Council Member Grenier commended the Tavares Youth Football 14 and under and 10 and under teams for winning their Central Florida Youth Football Championships. He said the 12 and under team made it to the Championship game. He noted the 14 and under team won 13-0 and were undefeated and not scored upon their entire season.

Council Member Grenier noted he recently assisted a cruise line with historical narration on the Dora Canal. He said the Dora Canal is beautiful and looks forward to traveling the canal again in the future.

Council Member Grenier said he had a scheduling conflict that did not allow him to attend a recent America in Bloom reception. He noted the judges visited him at the Historical Research Center and asked how the judging went in the City. Mr. Drury said the judges toured the City for two days and attended a reception at the Train Station.

Council Member Grenier said the Tavares Library summer reading program would begin June 1, 2023, with special events, programs, and entertainment. He said he would provide Library updates throughout the summer reading program.

Council Member Singer

Council Member Singer said he attended a recent America in Bloom farewell reception. He said it was nice to see the Mayor attend as well. He said the judges had nothing but great things to say about the City of Tavares.

Council Member Singer said he attended the Phantom Airborne Brigade Parachute Jump on May 6, 2023, with 140 veteran paratroopers jumping into Lake Dora. He spoke with the event coordinator, who commented positively on the City of Tavares, City staff, Lake County, and Lake County Sheriff's Department.

Vice Mayor Gamble

Vice Mayor Gamble said he received a plaque from the Phantom Airborne Brigade on behalf of the City.

Vice Mayor Gamble asked if the City could contact Lake County regarding a traffic light at David Walker sooner than a year out.

Vice Mayor Gamble said he could not attend a recent America in Bloom reception as he attended his grandchild's Tavares High School graduation at the University of Central Florida.

Vice Mayor Gamble inquired about water pressure in the new developments across from Royal Harbor. Mr. Clark said there would be no pressure issues.

Mayor Price

Mayor Price said he participated in the Back the Blue walk in Tavares on May 6, 2023. He challenged all City Council members to attend the following year.

Mayor Price stated he spoke with America in Bloom judges, who provided feedback on the positive changes made during the past five (5) years in the City of Tavares.

Mayor Price welcomed Wawa to the City of Tavares.

XV. ADJOURNMENT

There was no further business and Mayor Price adjourned the meeting at 5:53 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk