



AGENDA
TAVARES CITY COUNCIL
May 15, 2024
4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 E MAIN STREET, TAVARES

(Members of the public wishing to speak on an item that is on the agenda must fill out a Request to Speak form 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 snovack@tavares.org)

I. CALL TO ORDER

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1 Pastor Tom Cavanaugh, Retired

III. APPROVAL OF AGENDA

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2 Update on Live Local Act and Approved Developments (Community Development)

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

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO RECORD

VII. CONSENT AGENDA

Tab 3 Approval of the May 1, 2024, City Council Meeting Minutes (City Clerk)

VIII. RESOLUTIONS

Tab 4 Resolution 2024-08 - Amending Chapter 21, Electronic Game Rooms (City Attorney)

IX. ORDINANCES - PUBLIC HEARING

First Reading

Second Reading

X. GENERAL GOVERNMENT

- Tab 5 Friends of the Tavares Library Horizon Team Update (Community Services)**
- Tab 6 Tavares Fourth of July Parade Discussion (Community Services)**
- Tab 7 Annual Council Goals For City Administrator to implement (City Administrtator)**
- Tab 8 Charging Station Update (Public Works)**
- Tab 9 Request for Code Enforcement Fine & Lien Forgiveness for 107 Ruby Street**

XI. NEW BUSINESS

XII. OLD BUSINESS

- Tab 10 Employee Holiday Addition (Council Member Lori Pfister)**

XIII. AUDIENCE TO BE HEARD

XIV. REPORTS

- Tab 11 City Administrator Report**
- Tab 12 City Council Member Reports**

XV. ADJOURNMENT

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) 742-6209.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 1

SUBJECT TITLE: Pastor Tom Cavanaugh, Retired

OBJECTIVE:

Pastor Tom Cavanaugh will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Pastor Tom Cavanaugh will provide the invocation and lead those present in the Pledge of Allegiance.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 2

SUBJECT TITLE: Update on Live Local Act and Approved Developments (Community Development)

OBJECTIVE:

PowerPoint Presentation on the Live Local Act - SB102 and how it applies to Tavares. And an update on the Approved Development Projects in Tavares.

SUMMARY:

PowerPoint Presentation on the Live Local Act - SB102 and how it applies to Tavares. And an update on the Approved Residential & Commercial/Industrial Development Projects in Tavares.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

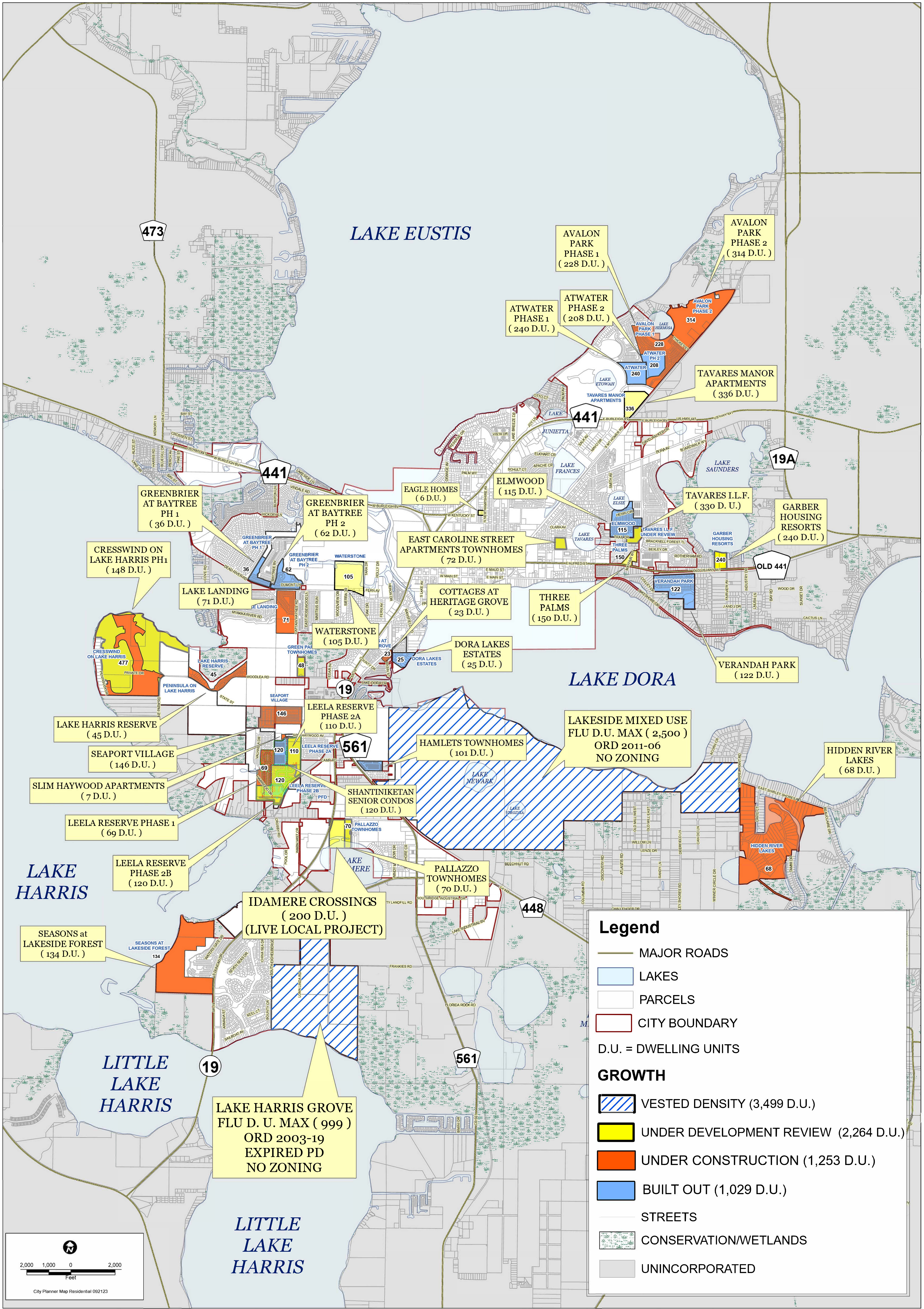
LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Residential Growth Map_Community Development
2. COM-IND Growth Map_Community Development

Attachments not provided are available to the public upon request to the City Clerk.

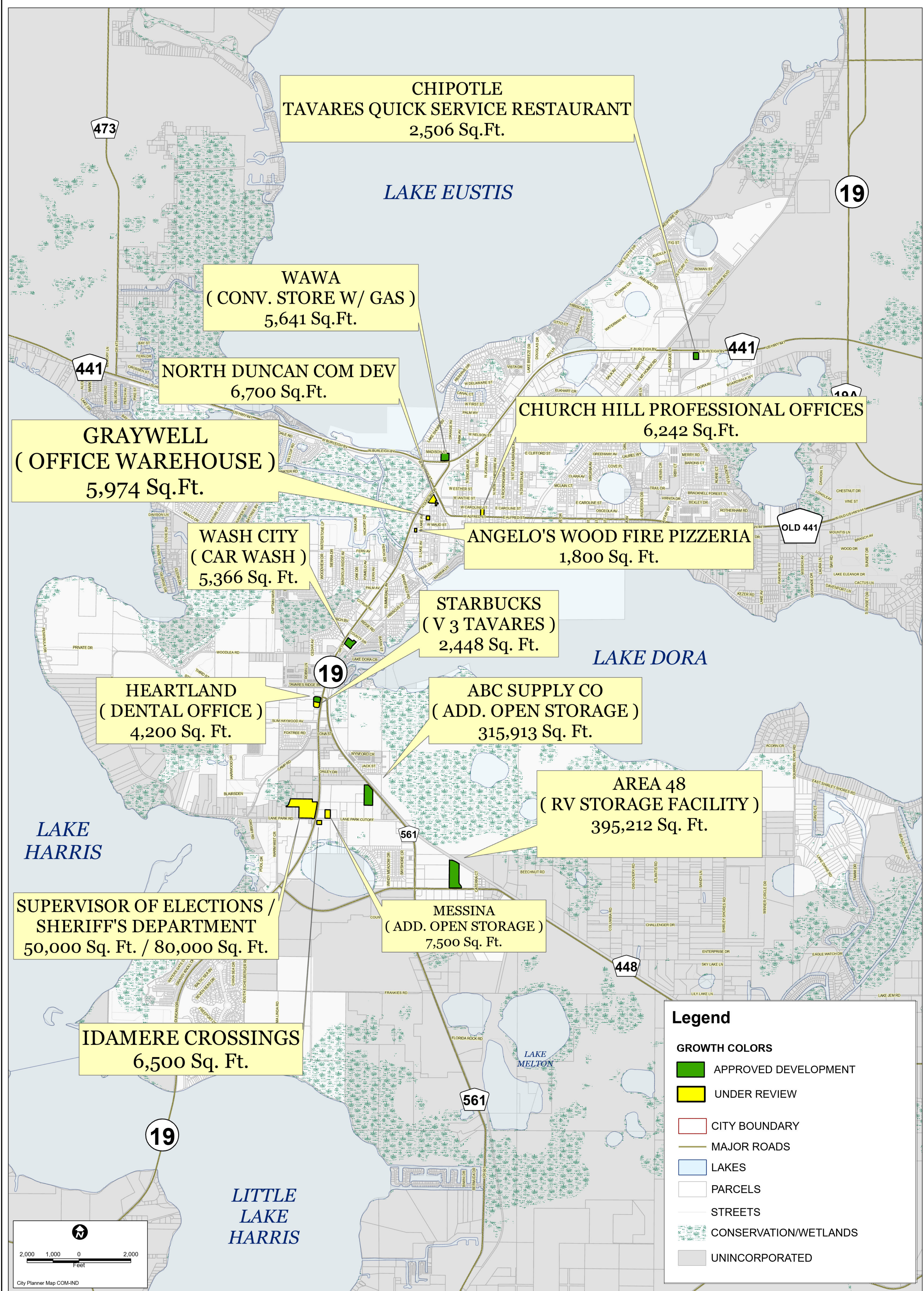


TOTAL NUMBER OF PROJECTED DWELLING UNITS: 3,517*

CITY OF TAVARES - PLANNING MAP



* (MINUS BUILT OUT and MINUS VESTED)



NON-RESIDENTIAL TOTAL SQUARE FOOTAGE: 896,002



CITY OF TAVARES - GROWTH MAP

05/08/2024

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 3

SUBJECT TITLE: Approval of the May 1, 2024, City Council Meeting Minutes (City Clerk)

OBJECTIVE:

To consider approval of the May 1, 2024, City Council meeting minutes.

SUMMARY:

Attached are the May 1, 2024, City Council meeting minutes as submitted by the City Clerk.

OPTIONS:

1. Move to approve the City Council meeting minutes under the Consent Agenda.
2. Move to approve the City Council meeting minutes with changes.

STAFF RECOMMENDATION:

For the Council's consideration.

FISCAL IMPACT:

None.

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. 05-01-2024 CC Minutes

Attachments not provided are available to the public upon request to the City Clerk.



**TAVARES CITY COUNCIL
MEETING MINUTES
MAY 1, 2024 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

**John Drury, City Administrator
Lindsay Holt, City Attorney
Susie Novack, City Clerk
Antonio Fabre, Interim 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 Grenier 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. Pastor Dewey Smith, First Baptist Church of Mt. Dora

Pastor Dewey Smith, First Baptist Church of Mt. Dora, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Grenier asked if there were any changes to the Agenda. Mr. Drury said staff had no changes.

MOTION

Lori Pfister moved to approve the Agenda, seconded by Sandy Gamble. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Recognition of the Tavares Babe Ruth Booster Club

Pete Sherrard, Deputy Director of Recreation, made the following presentation:

The Tavares Babe Ruth Booster Club has raised over \$23,000 since August of last year to go towards our baseball and softball league. The volunteer club, made up of mostly parents from our participants, is led by a board of directors as follows:

- *President – Vanessa Mahai*
- *Vice President – Amber Lanier*
- *Secretary – Keisha Bloom*

Booster Club members volunteer their time to raise money to fill the void that City funds cannot cover, such as All-Star custom uniforms, bags, and helmets. Additionally, the Club recently installed a new water bottle filling station at the Woodlea Sports Complex that provides fresh, cold water for the players and spectators.

The Booster Club provides financial assistance to those players who cannot afford to participate and works with local professionals to offer specialized pitching and catching training sessions for the league. They have donated equipment and field supplies and sponsored the Billings Baseball Academy Summer Camp program participants over the past few years.

Staff recognized the Tavares Babe Ruth Booster Club board and all the volunteers who make this organization successful.

Mayor Grenier and Mr. Sherrard presented Vanessa Mahai with a plaque.

Vice Mayor Gamble said he appreciated the cooperation between the Tavares Babe Ruth Booster Club and City of Tavares.

Tab 3. Proclamation – National Public Works Week

Mayor Grenier sought Council approval to read a Proclamation on behalf of the City Council in recognition of National Public Works Week.

MOTION

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

Mayor Grenier read a proclamation in its entirety recognizing National Public Works Week held May 19 through 24, 2024.

Parks Operations Manager Traci Anderson said it was an honor and privilege to commemorate National Public Works Week, which recognized the significant contribution of the dedicated professionals who design, construct, operate, and maintain the critical infrastructure and services essential to the functioning of the City. She thanked the Council for their support.

Mayor Grenier presented Ms. Anderson with the Proclamation.

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

Attorney Holt stated there were no quasi-judicial matters before the Council for consideration.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following resolution by title only:

RESOLUTION 2024-07

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA, AUTHORIZING THE ACCEPTANCE OF A JUSTICE ASSISTANCE GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE TO PURCHASE A MARINE UNIT PATROL BOAT

VII. CONSENT AGENDA

Mayor Grenier asked if anyone wished to pull an item from the Consent Agenda for discussion.

MOTION

Walter Price moved to approve the Consent Agenda [Tab 4. Approval of the April 17, 2024, Tavares City Council Meeting Minutes], seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 4. Approval of the April 17, 2024, Tavares City Council Meeting Minutes

Approved on the Consent Agenda.

VIII. RESOLUTIONS

Tab 5. Resolution 2024-07 – Acceptance of United States Department of Justice Edward Byrne Memorial Justice Assistance Grant

Ms. Houghton made the following presentation:

The City of Tavares Police Department was awarded a United States Department of Justice (US DOJ) Edward Byrne Memorial Justice Assistance Grant (JAG) to purchase a marine unit patrol boat.

Details of the grant include the following:

- *Agreement Number: 8C273.*
- *Pass-through Entity: Florida Department of Law Enforcement.*
- *Subrecipient: City of Tavares.*
- *Grant Award: \$70,000.*
- *No grant match required.*
- *Award Period: 1/1/2024 – 9/30/2024.*

The grant is subject to all applicable rules, regulations, and conditions, as contained in the Department of Justice Grants Financial Guide, and the Office of Management and Budget Uniform Grant Requirements (2 C.F.R. Part 200).

Staff recommended Option 1, for the Council move to approve resolution 2024-07 authorizing the Chief of Police and Mayor to execute the marine unit patrol boat JAG grant.

Mayor Grenier asked for comments from the Council.

Vice Mayor Gamble asked if the grant would cover the cost of a boat. Chief Coursey confirmed.

MOTION

Sandy Gamble moved to approve Resolution 2024-07, seconded by Lori Pfister.

Council Member Price asked if the City could meet the terms and requirements of the grant. Ms. Houghton confirmed. She said the grant requirements were standard for all

federal grants and related to project and financial reporting requirements, including an end-of-the-year audit.

Council Member Price asked if the boat would require any additional staff. Chief Coursey said no and noted the boat would replace a marine unit past its useful life.

Council Member Singer said the Council appreciated staff seeking grants.

Vice Mayor Gamble asked who secured the grant. Ms. Houghton said Chief Coursey and her team. She noted Budget Analyst Brett Jones supported their application efforts.

The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

X. GENERAL GOVERNMENT

Tab 6. 2024 Cemetery Fee Study

Ms. Anderson made the following presentation:

During this fiscal year, City staff conducted an internal study to evaluate the cemetery fee structure charged for burial lots and supporting services such as opening and closing graves in the neighboring cities of Clermont, Mt. Dora, Eustis, and Umatilla. The study indicated that Tavares's current fee structure is significantly lower than those of the other cities. As per our records, the last revision to the cemetery fee schedule was in 2006.

The enclosed study presents a comparison of cemetery fees between Tavares and other municipal cemeteries. As indicated in the chart, the assessment shows that Tavares charges lower fees to residents and non-residents than other municipal cemeteries. However, it is essential to note that not all local municipalities offer full body spaces and cremation burial spaces to non-residents, whereas Tavares provides both. Although Tavares offers significantly lower non-residential lot rates, it may result in an increase in non-resident purchases, which could potentially reduce space availability for future generations of Tavares residents. The same applies to cremation burial spaces for resident and non-resident customers. According to the National Funeral Directors Association, the percentage of cremation burials is expected to increase from 60.5% in 2023 to 81.4% by 2045.

The fee study also revealed the associated open and close service fees charged by Tavares are modest compared to local municipalities, which typically increase

the fees above the contracted price from the vendor. Tavares passes the exact fees the vendor charges directly to the customer without an increase. During these processes, the Cemetery Sexton also manages the scheduling of the service through coordination with the funeral home or family and the contracted vendor. The sexton also measures and marks the grave to ensure the correct location prior to the vendor opening the grave and is present during the opening and at most services. In the event of a cremation burial opened by the city, the sexton also performs those services.

Taking into consideration the record keeping, management, level of service, and amenities that the cemetery provides to the residents of Tavares and customers compared to neighboring cities, we suggest a modest increase in fees for lot purchases and opening and closing services. This aligns with local and industry norms and ensures that Tavares can continue to provide quality services to its residents. City staff believe that these modest adjustments will help buffer elevated growth from non-resident purchases that could impact future availability for residents.

Staff recommended Option 1, for the Council to approve the proposed rate adjustment for full-body and cremation burial lots, as well as open and close services, as shown in the study.

Mayor Grenier asked for comments from the Council.

Council Member Singer said he appreciated Ms. Anderson pointing out that the City of Tavares offers a higher level of service than other municipalities. He said the study was within industry standards and noted his support.

Council Member Pfister asked when the rate change would go into effect. Ms. Anderson said upon approval.

Mr. Drury said it would be appropriate to provide the residents with notice and assign an effective date, such as July 1, 2024, or October 1, 2024, to be reflected in a motion.

MOTION

Lori Pfister moved to approve, seconded by Troy Singer.

Council Member Price asked what services other cities provide that Tavares did not. Ms. Anderson said the City of Eustis opened their graves and had been seeking to contract out that service. She said most services, such as opening graves, chairs and carpets, and setups, were provided by vault companies.

Council Member Price asked if the increase was to fund cemetery operations. Ms. Anderson said the vault company costs were passed directly to the customer. She noted the lot fees remained less than counterpart cities.

Vice Mayor Gamble discussed the increase in lot fees. He noted a concern that some residents could not afford the services.

Council Member Price discussed the increased costs. Mr. Drury said the suggested increases were consistent with market conditions. Mayor Grenier noted the prices had remained the same since 2006.

AMENDED MOTION

Lori Pfister amended the motion to approve to include an effective date of October 1, 2024.

Council Member Price asked how the rate increases would be utilized. Mr. Drury said there was a cost to mow, maintain, and improve the cemetery that the taxpayers were funding, and the offsetting revenue would lower those costs.

Mayor Grenier noted that many cemeteries were gated for security and that Tavares needed to do so, which would be costly.

The motion carried unanimously 5-0.

Tab 7. Option of Licensing Gaming Business in Tavares

Attorney Holt said the Council asked her to report back with the current conditions of game rooms in Tavares. She said the City passed an ordinance regulating electronic game rooms to limit and regulate game room establishments and have an enforcement mechanism to be codified in the Code of Ordinances. The ordinance did not allow illegal game rooms. Per the City's code, a maximum of three game rooms was allowed, with a fourth being grandfathered. The most the City had at one time was six, and the City currently had two game rooms.

Attorney Holt said the City code enforced some establishments; most recently, a permit was revoked. There was a recent code enforcement hearing with a decision by the Special Magistrate to have that revoked permit stand with imposed fines. That establishment had since vacated, reducing the number of game rooms to two.

Attorney Holt said the Lake County Commission recently discussed their game room ordinance. The Lake County Commissioners considered adding an amendment to clarify they were not blessing illegal game rooms, an outright ban on game rooms, and lifting the ordinance. During the meeting, the Florida Gaming Commission (Gaming Commission), a new agency in the state, made a presentation. The presentation stated that almost every electronic game in the establishments was illegal, according to Florida law. Attorney Holt noted the Gaming Commission planned to add more agents.

Attorney Holt said the local State Attorney and Sheriff's Office also attended the County Commission meeting and stated they believed the County ordinance created a problem

with enforcement. There was a concern by the State Attorney's office that litigation could be problematic to a jury if an establishment defense were they had the belief they were operating legally because a permit had been issued. The County Commission decided to pass a resolution putting the public on notice that pending legislation may be coming with a change to the County codes, with an ordinance to follow proposing to lift their regulations or deregulate the County ordinance and let the Florida statutes guide the establishments.

Attorney Holts said the City's Code Enforcement Department does a good job. She believed the establishments facilitated additional Tavares Police Department calls and resources. Attorney Holt provided options to the Council, including continuing with the current ordinance and monitoring and enforcing, deregulations or lifting the ordinance, or categorically banning game room establishments. She noted Groveland banned game rooms, and Astatula banned game rooms with a clause allowing existing establishments that were licensed at the time. Attorney Holt asked for direction from the Council.

Chief Coursey said it would be hard for the Police Department to quantify the number of calls generated by the establishments, noting the Police Department was also getting calls from businesses in the surrounding areas due to the game room clientele.

Council Member Singer said it was his understanding that the City allowed three establishments, with one grandfathered. Attorney Holt confirmed and said the City currently had two.

Vice Mayor Gamble asked if the Council could freeze the issuance of any further licenses until the matter was settled. Attorney Holt suggested coming back with an agenda item Resolution establishing a moratorium on issuing new permits while the Council considers a potential change to the Code of Ordinances.

Vice Mayor Gamble said he wished to avoid any additional licenses being issued. Attorney Holt noted many processes in the license application process and said there would be time to consider a resolution at the following meeting.

Council Member Pfister inquired about an immediate moratorium. Mr. Drury recommended agenda item a resolution and discussion to provide notice to the public and business owners so they could comment. He said the Council would not authorize or renew any additional licenses of game room establishments. Existing licenses would expire in a year.

MOTION

Lori Pfister moved to agenda item, establishing that no more game room establishment licenses would be authorized or renewed, seconded by Sandy Gamble.

Council Member Singer noted a concern that the City may open itself to litigation. Attorney Holt said a resolution that would come back to the Council for consideration on the next agenda and put the public on notice that pending changes were being contemplated. Mr. Drury said staff would bring back legislation so that no more licenses would be issued or renewed in the future. He said litigation could occur.

Council Member Price asked who had the jurisdiction to shut down illegal gaming facilities. Mr. Drury said it appeared the Gaming Commission was the expert in determining whether a particular game was illegal or legal. He said there would be a joint effort with the Gaming Commission and local Police who would enforce.

Chief Coursey and Attorney Holt discussed enforcement issues due to legislation that changed the ability to attain search warrants.

Mr. Drury said approving a ban or not regulating game rooms would remove the defense that the establishments thought they were operating legally because the City issued them a permit, a concern of the Prosecutor. He said the Gaming Commission was expanding and working in the area and with the Tavares Police Department, which would assist with enforcement issues.

The motion carried unanimously 5-0.

XI. NEW BUSINESS

XII. OLD BUSINESS

Council Member Pfister asked if the Council wished to agendize a discussion on charging stations. She discussed the cost of charging electric vehicles and noted many cities charge for the service. Mr. Drury said staff would agendize and bring back information on the history of charging stations, who loans the stations, and how the stations work.

XIII. AUDIENCE TO BE HEARD

Don Kehr, 16833 Deer Island Road, Lake County, recommended the Council hold a workshop or agendize discussion on growth and the Live Local Act.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, discussed a variety of maintenance needs at the Tavares Nature Park.

XIV. REPORTS

Tab 8. City Administrator Report

Chief Coursey stated Lieutenant John Clark retired after over 29 years and would be missed.

Mr. Tweedie said the Phantom Airborne Brigade would hold a parachute jump over Lake Dora on Saturday, May 4, 2024, from 9:00 a.m. to 1:00 p.m.

Mr. Clark said Water Day was held on Saturday, May 4, 2024, with a great turnout. He noted the City water tank was recently cleaned, and a new paint job was scheduled for 2026.

Mayor Grenier noted John Rumble recently retired and wished him a happy retirement. Ms. Houghton said Mr. Rumble had been with the City for over 20 years, and it was wonderful to have worked with him. She stated that Alex Patton had worked with Mr. Rumble for the past few months and would do an excellent job picking up the procurement duties.

Mr. Aldrich thanked the Council for attending the recent groundbreaking of the Golden Triangle Regional Park East Campus.

Tab 9. City Council Member Reports

Council Member Pfister said the Golden Triangle Regional Park East Campus groundbreaking was a special event. She commended Mr. Aldrich on his efforts. Council Member Pfister thanked Mr. Drury and said it was amazing that a project of that scope was completed in three years. She stated Mr. Drury was a great leader and motivator, and the park would be fantastic for the community.

Council Member Price said he enjoyed attending the Regional Park groundbreaking and Water Day events.

Council Member Singer said he attended the Regional Park groundbreaking, Water Day, and Parachute drop events. He commended those who worked hard on the projects and events.

Council Member Singer thanked Mr. Fabre for his efforts at the Planning and Zoning Board Workshop. He said the Council and residents should be aware of the Live Local Act enacted by the State legislature.

Council Member Singer congratulated John Rumble and John Clark on their retirements and wished them both well.

Vice Mayor Gamble said he enjoyed the Regional Park groundbreaking event. He said a lot of good things were moving forward in Tavares.

Mayor Grenier said he enjoyed the Regional Park groundbreaking event and commended Council Member Pfister's efforts on the project.

XV. ADJOURNMENT

There was no further business and Mayor Grenier adjourned the meeting at 5:04 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 4

SUBJECT TITLE: Resolution 2024-08 - Amending Chapter 21, Electronic Game Rooms (City Attorney)

OBJECTIVE:

For the Council to consider approval of Resolution 2024-08, Amending Chapter 21 of the Tavares Code of Ordinance regarding Electronic Game Rooms.

SUMMARY:

Chapter 21 of the City of Tavares Code, entitled "Electronic Game Rooms," was created in response to a trend that electronic game rooms created problematic issues for local law enforcement authorities that were complicated by limitations of resources and difficulty with enforcement of state law. These types of facilities can have a detrimental impact on the public health, safety, and general welfare of the residents and visitors of the City of Tavares, Florida. In response to this concern, on September 21, 2022, the Council adopted Ordinance No. 2022-12, which created Chapter 21, City of Tavares Code, entitled *Electronic Game Rooms*. Based upon the Council's direction, staff is now seeking further discussion and direction regarding Chapter 21, Electronic Game Rooms. The proposed ordinance is to be considered by the City Council within six (6) months of adoption of the Resolution. By adopting the Resolution, the City Council is implementing the Pending Legislation Doctrine, which places property owners, business owners, operators, and permittees of Electronic Game Rooms on notice that changes will be forthcoming and that they should not rely on existing local laws when making development or purchase decisions. The Resolution directs that no applications for Electronic Game Rooms, including renewal applications, should be accepted at this time.

OPTIONS:

1. Approval and adoption of Resolution 2024-08 implementing the "Pending Legislation Doctrine" while amendments to Chapter 21, City of Tavares Code, entitled Electronic Game Rooms are considered.
2. Discussion and direction regarding Electronic Game Room Facilities.

STAFF RECOMMENDATION:

Option 1. Approval and adoption of Resolution 2024-08 implementing the "Pending Legislation Doctrine" while amendments to Chapter 21, City of Tavares Code, entitled Electronic Game Rooms, are considered.

FISCAL IMPACT:

The initial permit fee for an electronic game room is \$25,000 (x1 vacancy = \$25,000) with annual renewals in the amount of \$5,000 (x2 current licenses = \$10,000) for a total amount of \$35,000.

LEGAL SUFFICIENCY:

Yes.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2024-08 - Electronic Game Rooms

Attachments not provided are available to the public upon request to the City Clerk.

RESOLUTION 2024-08

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA; PROVIDING NOTICE TO THE PUBLIC OF A PENDING ORDINANCE AND DIRECTING STAFF TO DEVELOP A PROCESS FOR ADOPTION OF AN ORDINANCE TO AMEND CHAPTER 21, CITY OF TAVARES CODE, ENTITLED *ELECTRONIC GAME ROOMS*; PROHIBITING THE ACCEPTANCE OF APPLICATIONS FOR ELECTRONIC GAME ROOM FACILITIES DURING THE DEVELOPMENT AND ADOPTION OF AN ORDINANCE AMENDING CHAPTER 21, CITY OF TAVARES CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in the last decade, electronic game rooms have created problematic issues for local law enforcement authorities, complicated by limitations of resources and difficulty of enforcement of state law; and

WHEREAS, the uncontrolled proliferation of electronic game rooms throughout incorporated Tavares will have a detrimental impact on the health, safety and welfare of its citizens and visitors, unless properly regulated; and

WHEREAS, the Tavares City Council (Council) has a duty to reduce potential detrimental impact of a proliferation of electronic game rooms; and

WHEREAS, confusion has existed for some years as to the interpretation and enforcement of state statutes regarding electronic games, which grant an exemption from the statutory framework prohibiting illegal gambling activities; and

WHEREAS, to avoid such activity transitioning to and becoming illegal gambling, strict compliance with the law must occur; and

WHEREAS, local law enforcement authorities have limited resources with which to police this industry, and a regulatory fee will better fund enforcement efforts and ensure compliance with the law; and

WHEREAS, the increased participation in electronic game rooms has the potential to mislead and confuse unwary citizens if not regulated, and therefore increases the need for regulation; and

WHEREAS, an ordinance to regulate the use of electronic games which display images associated with slot machines and gambling will protect the public welfare; and

WHEREAS, increased participation by residents and patrons in electronic game rooms increases the need for a security presence on the premises offering the activity, so as to prevent and/or deter criminal activity; and

WHEREAS, a likelihood of confusion exists of businesses using electronic games to conduct drawings by chance and game promotions or sweepstakes or other lawful uses, with businesses that may use electronic equipment to conduct gambling, as both legitimate and illegal operations often display images associated with traditional slot machines, and fraud and

misrepresentation may occur at these businesses due to this confusion unless properly regulated; and

WHEREAS, on September 21, 2022, the Council adopted Ordinance No. 2022-12, which created Chapter 21, City of Tavares Code, entitled *Electronic Game Rooms*; and

WHEREAS, the Council has determined the regulations require clarification and adjustment to more fully address the impacts these facilities have on the community and that such amendments are in the best interests of the health, safety, and welfare of the community.

WHEREAS, the staff is directed to prepare and process an ordinance to amend Chapter 21, City of Tavares Code; and

WHEREAS, the goal of the amendment is to have such pending ordinance considered and adopted within six (6) months from the effective date of this Resolution; and

WHEREAS, the Council wishes to place the public and all parties on notice that the Council is considering City Code amendments addressing the aforesaid matters; and

WHEREAS, pursuant to the pending legislation doctrine (or pending ordinance doctrine) set forth in *Smith v. City of Clearwater*, 383 So. 2d 681 (Fla. 2d DCA 1980), the City declares and implements the pending ordinance doctrine concerning the Electronic Game Rooms located within the incorporated limits; and

WHEREAS, property owners, business owners, operators and permittees of Electronic Game Room (EGR) Facilities should be aware that provisions of the pending ordinance not yet adopted by the Council may be applied to any EGR application, including renewal applications, until the adoption and effectiveness of such ordinance; thus, property owners, business owners, operators and permittees of EGR Facilities should not rely on existing City Code in making investment and development related decisions; and

WHEREAS, the City, in good faith, determines that this Resolution is in the best interest of the City and its residents and promotes the health, safety and welfare of the public.

NOW, THEREFORE, be it resolved by the City of Tavares City Council of Lake County, Florida, that:

Section 1. Legal Findings. The foregoing recitals are hereby adopted as legislative findings of the City Council and are ratified and confirmed as being true and correct and are hereby made a specific part of this Resolution upon adoption hereof.

Section 2. Staff Directive. The staff is directed to prepare and process an amendment to Chapter 21, City of Tavares Code, to clarify and modify as necessary regulations regarding Electronic Game Room facilities within incorporated Tavares. While an amendment is pending, the staff is further directed not to accept any EGR application, including renewal applications. The Council hereby implements the "pending legislation doctrine" in regard to such pending ordinance, and property owners, business owners, operators and permittees of Electronic Game Room facilities are hereby placed on notice of the same and of the recitals set forth in this Resolution.

Section 3. **Effective Date.** This Resolution shall take effect upon approval by the City of Tavares City Council.

PASSED AND ADOPTED this _____ day of _____, 2024.

CITY OF TAVARES CITY COUNCIL

ATTEST:

Bob Grenier, Mayor

This _____ day of _____, 2024.

Susie Novack, Clerk
City of Tavares
of Lake County, Florida

Approved as to form and legality:

Lindsay C. T. Holt, City Attorney

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 5

SUBJECT TITLE: Friends of the Tavares Library Horizon Team Update (Community Services)

OBJECTIVE:

To hear an update from the Friends of the Tavares Library MOU Horizon Team

SUMMARY:

At the March 20, 2024 regular City Council meeting, Mayor Bob Grenier joined the Friends of the Tavares Library MOU Horizon Team, to work with the City Administrator, Community Services Director and Library Director and the Friends executive board to develop a Memorandum of Understanding (MOU) which would give transparency, clarity and understanding of the relationship between the Tavares Library and the Friends of the Tavares Library not-for-profit charitable group.

The Horizon Team met with representatives from the Friends executive board on April 29, 2024 and will provide an update on our discussion.

OPTIONS:

1. Hear the update and provide staff with direction.
2. Do not hear the update.

STAFF RECOMMENDATION:

Option 1: Hear the update and provide staff with direction.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 6

SUBJECT TITLE: Tavares Fourth of July Parade Discussion (Community Services)

OBJECTIVE:

For Council to discuss and provide directions on the timing of the Fourth of July Celebration parade along Main Street.

SUMMARY:

At the October 18, 2023 regular City Council meeting, Council discussed several options surrounding the Main Street parade during the Fourth of July Celebration. Based on these discussions, the Council asked staff to explore the option of moving the parade to later in the evening to flow into the fireworks and bring back our findings to a future meeting.

Community Services staff worked with the Tavares Police Department and several regular parade participants to explore the possibility of starting our parade along Main Street later in the evening, around 7:00 pm. Doing so would most notably create a public safety concern and challenge with the number of people maneuvering through downtown at the later time. History has shown us that between the hours of 7:00 pm – 8:00 pm, thousands of people converge on the downtown to make their way to the waterfront for fireworks viewing. Mixing that traffic with parade traffic, road closures and restricted access would be problematic.

Additionally, staff has spoken with several downtown businesses, and they are all in favor of keeping the parade at the 5:00 pm start time, ending around 6:00 pm. It also seems to work well for the flow of the event. Entertainment and traditional family-oriented / kids activities all start right after the parade ends at 6:00 pm and segways right into the fireworks show at dark.

OPTIONS:

1. Keep the Fourth of July Parade start time at 5:00 pm.
2. Move the Fourth of July Parade start time to 7:00 pm.
3. Provide staff with further directions.

STAFF RECOMMENDATION:

Option 1: Keep the Fourth of July Parade start time at 5:00 pm.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 7

SUBJECT TITLE: Annual Council Goals For City Administrator to Implement (City Administrator)

OBJECTIVE:

To review and adopt the annual City Council Goals For City Administrator to implement

SUMMARY:

Every year, as part of the performance evaluation process, the City Council members identify at least five goals for the City Administrator to implement over the ensuing year. Below is a listing of each Council member's proposed goals for the City Council to collectively weigh-in on and approve or remove. It is recommended that the City Administrator read each goal into the record and provide the Council with an opportunity to adopt them as presented or make changes.

Mayor Bobby Grenier:

- 1) Plan well the development of the new Tavares Frontier along highways 19, 561, and 448. Prevent sprawl, and be mindful of the needs and desires of our citizens in the development of residential, commercial, industrial, and conservation land.
- 2) Purchase the Major Alexander St. Clair-Abrams home. The most significant historical structure in Lake County and Tavares could be lost if the city does not acquire it and protect it.
- 3) Provide the resources the Police, Fire, and Public Works Departments need to maintain a superior level of services to our citizens and visitors.
- 4) Provide the Tavares Library the updated resources they need to serve our citizens and patrons and the Tavares History Museum to promote and protect the history and heritage of our city.
- 5) Continue to improve Streets, Alleyways and Infrastructure to meet the needs of the future.

Vice Mayor Sandy Gamble:

1. Deliver a balanced budget with pay raises for the employees.
2. Maintain the same or greater level of service.
3. Continue and finish capital projects.
4. Adopt New Impact Fees.
5. Sidewalk replacement or installed where necessary.
6. Continue to lower debt.
7. Do our best to keep or reduce the tax rate.

Council Member Lori Pfister:

Implement raising of impact fees.

Implement an enforceable, restrictive gaming ordinance.

Aggressive attitude toward economic development.

DETER RESIDENTIAL GROWTH. Our infrastructure cannot support what is already approved.

Work with county and/or additional partner to fund the rebuilding of Golden Triangle East Campus.
Begin planning stage of Senior Center and secure funding.
Put PONTOON PROMENADE on map with identity markers and plan future economic development on the promenade.
Present balanced budget, with competitive employee consideration, comparable city services, and all safety issues (lighting, etc..) addressed with funding.
Resuscitate the Mayor's Youth Council with Liberty Christian or another local educational facility.
Start discussion and planning for the east parking garage. With current economic development in the works, the garage will be needed sooner than later.

Council Member Walter Price:

- 1) Continue to support hometown rule as more and more local authority is being averted to Tallahassee every year.
- 2) Achieve a balance between lowering taxes and providing needed city services.
- 3) Have the city attract higher end/national retail growth into Tavares.
- 4) Have a traffic signal added to the intersection of County Road 561 and State Road 19 due to continual traffic backups as that intersection.
- 5) West Main Street gateway project

Council Member Troy Singer

- 1) Maintain our "tight community" quality of life as we continue growth smartly
- 2) Continue to keep our millage rate as low as possible
- 3) Stay involved and engaged with the community as a whole
- 4) Fairly compensate all the city employees
- 5) Continue investing in our infrastructure
- 6) Continue to provide a business friendly environment
- 7) Pursue grants to offset tax burden on city residents and businesses

OPTIONS:

- 1) Approve all goals as submitted
- 2) Change and approve goals

STAFF RECOMMENDATION:

Approve a set of City Council developed collective goals for City Administrator to implement over the ensuing year

FISCAL IMPACT:

All goals will be budgeted as needed in the ensuing years budget for Council to evaluate and vote upon.

LEGAL SUFFICIENCY:

yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 8

SUBJECT TITLE: Charging Station Update (Public Works)

OBJECTIVE:

To Provide a vehicle charging station update (Public Works)

SUMMARY:

Previously Council Member Lori Pfister requested an update on the status of the vehicle charging stations. Public Works will provide this information.

OPTIONS:

Receive the vehicle charging station update.

STAFF RECOMMENDATION:

Receive the vehicle charging station update

FISCAL IMPACT:

none

LEGAL SUFFICIENCY:

yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 9

SUBJECT TITLE: Request for Code Enforcement Fine & Lien Forgiveness for 107 Ruby Street

OBJECTIVE:

To consider a request received from current owner, Emad Shahid to reduce Code Enforcement Fines/Liens at 107 Ruby Street.

SUMMARY:

Chapter 2, Article 3, Section 2 of the City sets forth the Enforcement of Municipal Codes.

Ordinance 2011-12 established the provision for the creation, establishment and levy of a lien against properties which have unpaid utility charges by the owner.

Currently, there is one outstanding, unresolved, Code Enforcement Case with fines assessed on the property located at 107 Ruby Street, identified by the Lake County Property Appraiser records as Alt Key No. 3890032. The Code Enforcement Case with fine/lien amounts is listed below:

CODE ENFORCEMENT CASE NUMBER	Date Case Originally Entered	CODE ENFORCEM ENT FINE LIEN AMOUNT	Administrative Fees Fine (MAY NOT BE REDUCED)	TOTAL AMOUNT OF RECORDED CODE ENFORCEMENT LIEN	Notes
CET1810-0010	10/17/2018	\$28,900.00	\$82.04	\$28,982.04	Fine amount for recorded Case CET 1810-0010 Nuisances Prohibited, Storage Prohibited, General Off- Street Parking Criteria, Accumulation of Mosquito Breeding Places, Accumulation, Excessive Growth Prohibited, Certificate of Appropriateness Application Requirements.

Case CET1810-0010 listed above went before the City of Tavares Code Enforcement Special Magistrate on January 22, 2019. A re-inspection of the property was conducted on the day of the hearing and Sections 12-13, 12-23, 20-5, 12-16 of the LDR as well as Section 12-4 of the Code of Ordinances remained active.

The Special Magistrate found the property owner guilty and issued a corrective action deadline of February 28, 2019.

Fines began accruing at a rate of \$25.00 per day per violation (Sec. 12-13, 12-23, 20-5, 12-16) and \$75.00 per day for Sec.12-4. The fines continued to accrue for Sections 12-13, 20-5, 12-16 and 12-4 until July 9, 2019. The fine for Section 12-23 continued until September 14, 2021.

All violations were finally cured two (2) years and 332 days from the date the case was initiated. Fines totaled \$42,957.04.

Outstanding fines remained unpaid, and a code enforcement lien was recorded on March 27, 2020 of \$28,982.04. A copy of the recorded lien is attached for Council's review.

It should be noted that Code Enforcement Case, CET1810-0010, originated when the property was owned by the previous owner: Ivey T. Kirkland.

OPTIONS:

1. Council hears Emad Shahid, current property owner of 107 Ruby Street, and Council holds discussion for reduction of Code Enforcement Lien for Case CET1810-0010.
2. Council does not hold discussion on fine reduction or forgiveness.

STAFF RECOMMENDATION:

1. Council hears Emad Shahid, current property owner of 107 Ruby Street, and Council holds discussion for reduction of Code Enforcement Lien for Case CET1810-0010.

FISCAL IMPACT:

Code Enforcement Fine/Liens for discussion - \$28,900 (\$28,982.04 less \$82.04).
(\$82.04 for Administrative fees may not be reduced.)

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Attachment Request for Code Enforcement Fine Reduction 05152024
2. Attachment_Recorded Code Enf Fine Lien_107 Ruby Street_05152024
3. Attachment_Finding of Fact Code Enforcement Case_107 Ruby Street 05152024
4. Attachment_Property Record Card 107 Ruby Street_05152024

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 10

SUBJECT TITLE: Employee Holiday Addition (Council Member Lori Pfister)

OBJECTIVE:

To Discuss adding an employee holiday

SUMMARY:

Council member Lori Pfister previously introduced adding another holiday and would like to have a continued discussion with the Council on this.

OPTIONS:

Discuss adding an additional holiday.

STAFF RECOMMENDATION:

Discuss adding another holiday.

FISCAL IMPACT:

If one is implemented, there would be a fiscal impact in the following years' budget.

LEGAL SUFFICIENCY:

yes

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 11

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

The City Administrator will inform the City Council on city-related items.

SUMMARY:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS:

City Council Meetings	June 5, 2024, 4:00 p.m., Tavares City Council Chambers June 19, 2024, 4:00 p.m., Tavares City Council Chambers
Planning and Zoning Board Meeting	May 16, 2024, 3:00 p.m., Tavares City Council Chambers
Library Board Meeting	September 11, 2024, 4:00 p.m., Ingraham Center (<i>No meetings in June, July, and August</i>)
Code Enforcement Special Magistrate Hearing	June 25, 2024, 4:00 p.m., Tavares City Council Chambers

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities Meeting	June 14, 2024, 12:00 noon, Mount Dora Golf Course, 1100 South Highland Street, Mount Dora
Lake Sumter MPO Governing Board Meeting	June 19, 2024, 2:00 p.m., Suite 175, 1300 Citizens Boulevard, Leesburg
Tavares Chamber of Commerce Business Meeting	May 22, 2024, 11:30 a.m., Tavares Civic Center

CITY EVENTS:

The current 2024 City Event calendar is attached.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Tavares_2024 EventCalendar_5.2.2024

Attachments not provided are available to the public upon request to the City Clerk.

**AGENDA SUMMARY
TAVARES CITY COUNCIL
5/15/2024**

AGENDA TAB NO.: 12

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform the Council on city-related items.

SUMMARY:

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

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Attachments not provided are available to the public upon request to the City Clerk.