



AGENDA
TAVARES CITY COUNCIL
January 15, 2020
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 agendized item titled "Audience to be Heard" for matters not on the Agenda. For further information contact the City Clerk at (352) 742-6209 or snovack@tavares.org)

I. CALL TO ORDER

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1 Pastor Eric Filkin, Bridges Covenant Church

III. APPROVAL OF AGENDA

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2 Tavares Chamber of Commerce Update (Chamber)

Tab 3 2020 Arbor Day Proclamation (Mayor)

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

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO RECORD

VII. CONSENT AGENDA

Tab 4 Approval of the December 18, 2019 Regular City Council Meeting Minutes (City Clerk)

Tab 5 Air Boss Solutions Agreement for Planes, Trains Barbecue & Seaplane A Palooza (Economic Development)

VIII. RESOLUTIONS

Tab 6 Approval of Resolution 2020-01, FDEP Grant DW35097 (Finance)

Tab 7 Approval of Resolution 2020-02 for FEMA (sub-award) Hazard Mitigation Grant for Lift Station Generators - Grant H0335, Project DR4337-236-R (Finance)

IX. ORDINANCES - PUBLIC HEARING

First Reading

- Tab 8 Ordinance 2020-01 - Annexation & Rezoning of 1.50 Acres located at 12549 Lane Park Cutoff (Community Development)**
- Tab 9 Ordinance 2020-02 - SSFLUM of 1.50 Acres located at 12549 Lane Park Cutoff (Community Development)**

Second Reading

X. GENERAL GOVERNMENT

- Tab 10 Board Appointments - Planning & Zoning Board (Mayor)**
- Tab 11 Community Grant Awards (City Clerk)**
- Tab 12 Demolition Request for Building Listed on the Local Register of Historic Places Located at 102 W. Main Street (Community Development)**
- Tab 13 Amendment to Agreement: Fred Stover Complex (Community Services)**

XI. NEW BUSINESS

XII. OLD BUSINESS

XIII. HISTORICAL PERSPECTIVE

- Tab 14 Tavares Historical Society**

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

- Tab 15 City Administrator Report**
- Tab 16 City Council Member Reports**

XVI. 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
1/15/2020**

AGENDA TAB NO.: 1

SUBJECT TITLE: Pastor Eric Filkin, Bridges Covenant Church

OBJECTIVE:

Pastor Eric Filkin, Bridges Covenant Church, will provide the invocation and lead those present in the Pledge of Allegiance.

SUMMARY:

Pastor Eric Filkin, Bridges Covenant Church, 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:

N/A

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 2

SUBJECT TITLE: Tavares Chamber of Commerce Update (Chamber)

OBJECTIVE:

Receive an update on the Chamber from the Executive Director, J. Scott Berry.

SUMMARY:

Mr. Berry will provide an update on Chamber activities.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. January 2020 Tavares Chamber of Commerce Report to City Council

ATTACHMENTS:

Description	Type
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**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 3

SUBJECT TITLE: 2020 Arbor Day Proclamation (Mayor)

OBJECTIVE:

For the Mayor to read the proclamation declaring January 18, 2020 as City of Tavares Arbor Day.

SUMMARY:

Trees are assets to a community when properly planted and maintained. They provide a multitude of benefits from visual appeal and increased property values to health and wellness. In 2018 the City of Tavares achieved Tree City USA recognition by meeting the program's requirements as established by the Arbor Day Foundation, U.S. Forest Service and the National Association of State Foresters. We therefore declare January 18, 2020 as City of Tavares Arbor Day.

OPTIONS:

1. The Mayor will read a City of Tavares Arbor Day Proclamation.
2. The Mayor will not read a City of Tavares Arbor Day Proclamation.

STAFF RECOMMENDATION:

Option 1. The Mayor will read a City of Tavares Arbor Day Proclamation.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A

ATTACHMENTS:

Description

Arbor Day 2020 Proclamation

Type

Cover Memo



PROCLAMATION

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and

WHEREAS, Arbor Day is now observed throughout the nation and the world; and

WHEREAS, trees can reduce the erosion of our precious topsoil, cuts heating and cooling costs, moderates temperatures, cleans the air, produces life-giving oxygen, and provides a habitat for wildlife; and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW, THEREFORE, the City of Tavares does hereby proclaim January 18, 2020 as

CITY OF TAVARES ARBOR DAY

PASSED AND DULY ADOPTED by the Tavares City Council on this 18th day of January, 2020.

Amanda Boggus, Mayor

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 4

SUBJECT TITLE: Approval of the December 18, 2019 Regular City Council Meeting Minutes
(City Clerk)

OBJECTIVE:

To consider approval of the December 18, 2019 Regular City Council Meeting minutes.

SUMMARY:

Attached is the December 18, 2019 City Council meeting minutes as submitted by the City Clerk.

OPTIONS:

1. Move to approve the City Council Regular meeting minutes as submitted under the Consent Agenda.
2. Move to approve the City Council Regular meeting minutes with corrections.

STAFF RECOMMENDATION:

For Council approval.

FISCAL IMPACT:

None.

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A

ATTACHMENTS:

Description	Type
December 18, 2019 City Council Meeting Minutes	Cover Memo



**TAVARES CITY COUNCIL
MEETING MINUTES
DECEMBER 18, 2019 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

Amanda Boggus, Mayor
Lori Pfister, Vice Mayor
Lou Buigas, Council Member
Troy Singer, Council Member
Roy Stevenson, Council Member

STAFF PRESENT

John Drury, City Administrator
Bob Williams, City Attorney
Susie Novack, City Clerk
Mike Fitzgerald, Community Development Director
Bob Tweedie, Economic Development Director
Tamera Rogers, Community Services Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Stoney Lubins, Police Chief
James Dillon, Public Works Director
Phil Clark, Utilities Director
Crissy Bublitz, Human Resources Director
Mark O'Keefe, Public Communications Director

TAVARES HISTORICAL SOCIETY

Betty Burleigh, Librarian/Historian and Board Member

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Pastor Lillie Brown, St. Johns Free Methodist Church

Pastor Lillie Brown, St. Johns Free Methodist Church, provided an invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mr. Drury said he would like to add **Tab 8a, Release of Restrictions on Comfort Inn Vacant Lot 9 for Medical Office Development**, under General Government. He said Attorney Williams will present the item.

MOTION

Lori Pfister moved for approval of the Agenda with the addition of Tab 8a [Release of Restrictions on Comfort Inn Vacant Lot 9 for Medical Office Development], seconded by Roy Stevenson. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

None.

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

Attorney Williams stated there were two quasi-judicial matters before Council at second reading [Tab 3 – Ordinance 2019-19, Annexation and Rezoning, Triangle Industrial Park, Inc., .35 Acres Located at 15219 & 15221 Old US Hwy 441; and, Tab 4 – Ordinance 2019-20, SSFLUM, Triangle Industrial Park, Inc., .35 Acres Located at 15219 & 15221 Old US Hwy 441] He gave the oath to those who wished to provide testimony.

Attorney Williams asked Council if they had any exparte communications to disclose. The following disclosures were made:

- Mayor Boggus – None.
- Vice Mayor Pfister – None.
- Council Member Buigas – None.
- Council Member Singer – None.
- Council Member Stevenson – Spoke with either the owner or owner's son. He noted he was unsure of the exact relationship.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following ordinances at second reading by title only:

ORDINANCE 2019-19

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 0.35 ACRES OF LAND LOCATED AT 15219 & 15221 OLD US- HWY 441, REZONING SAID PROPERTY FROM LAKE COUNTY LIGHT INDUSTRIAL DISTRICT (LM) TO CITY OF TAVARES RESIDENTIAL MULTI-FAMILY (RMF-2); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2019-20

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2020, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 0.35 ACRES OF LAND LOCATED AT 15219 & 15221 OLD US HWY 441; FROM COUNTY URBAN HIGH DENSITY TO CITY MEDIUM DENSITY (MED); PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2019-21

AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TURST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-108, DISABILITY; AMENDING SECTION 15-129, REEMPLOYMENT AFTER RETIREMENT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Boggus asked if Council had any questions or comments on the Consent Agenda. There were none.

MOTION

Lori Pfister moved for approval of the Consent Agenda, seconded by Roy Stevenson. The motion carried unanimously 5-0.

Tab 2. Approval of the December 4, 2019 Regular City Council Meeting Minutes

Approved on the Consent Agenda.

VIII. RESOLUTIONS

None.

IX. ORDINANCES – PUBLIC HEARING

First Reading

None.

Second Reading

Tab 3. Ordinance 2019-19 Annexation and Rezoning .35 Acres – Triangle Industrial Park, 15219 & 15221 Old US HWY 441

Mr. Fitzgerald made the following presentation:

Ordinance 2019-19 is before Council to consider the annexation and rezoning to Residential Multi-Family (RMF-2) of approximately 0.35 acres of property located at 15219 & 15221 Old US-Hwy 441, Tavares, FL.

The subject property is located at 15219 & 15221 Old US-Hwy 441 and is approximately 0.35 acres in size. The land is presently zoned as County Light Industrial District (LM), and the applicant is proposing that the property be annexed and rezoned to Residential Multi-Family (RMF-2).

The proposed zoning of Residential Multi-Family (RMF-2) is compatible with the surrounding zoning and the existing multi-family use of the property.

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 to the City.

The owner is concurrently seeking a Future Land Use Map amendment to Medium Density (MED). Medium Density (MED) land use is compatible with the proposed RMF-2 zoning.

At their November 21st meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2019-19.

Staff recommends that City Council moves to approve Ordinance 2019-19, the annexation and rezoning to Residential Multi-Family (RMF-2) of approximately 0.35 acres of property located at 15219 & 15221 Old US-Hwy 441, Tavares, FL.

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

Mayor Boggus asked for comments from Council.

Vice Mayor Pfister asked if the surrounding property is in the city. Mr. Fitzgerald said Shantiniketan to the north is in the city limits and the adjacent properties are in the county with residential uses. He said the city has available water and sewer services available.

Council Member Singer asked why the applicant wishes to annex into the city. Mr. Fitzgerald said the applicant is seeking connection to city water service and noted it is a voluntary annexation request. Mr. Drury said the property is located within the Tavares Interlocal Service Boundary Area (ISBA).

MOTION

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

Tab 4. Ordinance 2019-20 SSFLUM .35 Acres - Triangle Industrial Park, 15219 & 15221 Old US HWY 441

Mr. Fitzgerald made the following presentation:

Ordinance 2019-20 is before Council to consider a Small Scale Future Land Use Map amendment from County Urban High Density to City Medium Density (MED) for 0.35 acres of property located at 15219 & 15221 Old US Hwy 441, Tavares, FL.

The subject property is located at 15219 & 15221 Old US Hwy 441, and is approximately 0.35 acres in size. The land presently has a land use designation of County Urban High Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Lake County Urban High Density to City of Tavares Medium Density (MED).

Ordinance 2019-20 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan from County Urban High Density to City Medium Density (MED).

The subject property is adjacent to residential and commercial uses. An application to annex and rezone this property to a Residential Multi-Family (RMF-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 County Urban High Density. A City Medium Density (MED) designation is compatible with surrounding property and the existing County Future Land Use.

Lands surrounding this property are residential and commercial in nature. A multi-family duplex use is currently on the property.

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 Medium Density (MED) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.*
- 2. Impacts of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

At their November 21st meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2019-20.

Staff recommends that City Council moves to approve Ordinance 2019-20, a Small Scale Future Land Use Map amendment from County Urban High Density to City Medium Density (MED) for 0.35 acres of property located at 15219 & 15221 Old US Hwy 441, Tavares, FL.

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

Mayor Boggus asked for comments from Council. There were none.

MOTION

Troy Singer moved for approval of Ordinance 2019-20, seconded by Roy Stevenson. The motion carried unanimously 5-0.

Tab 5. Ordinance 2019-21 – Amend Firefighters' Pension

Ms. Houghton made the following presentation:

The proposed ordinance amends the City of Tavares Firefighters' Pension Plan. This ordinance amends Section 15-108, Disability, to include language

regarding the Firefighter Cancer Presumption recently adopted by the Florida Legislature in F.S. § 112.1816(1)(a).

This ordinance also amends Section 15-129, Reemployment After Retirement, to reflect that a retiree who may be rehired by the City as a firefighter will become a member of the Florida Retirement System, and not the Firefighters' Pension Plan.

These changes mirror changes previously made to the Police Pension Plan, and have been approved by the Firefighter Pension Board. An Actuarial impact Statement was prepared by the Board's actuary, Foster & Foster, Inc., which is attached for review and consideration with adoption of this ordinance.

A detailed explanation of the plan amendment is provided in the attached letter from the Firefighter Pension Plan Attorney, Scott R. Christiansen of Christiansen & Dehner, P.A.

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

Mayor Boggus asked for comments from Council. There were none.

MOTION

Lori Pfister moved for approval of Ordinance 2019-21, seconded by Roy Stevenson. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 6. Tavares Opt-Out Option Regarding the Mount Dora ISBA

Mr. Fitzgerald made the following presentation:

Previously The City negotiated an Inter-local Service Boundary Agreement (ISBA) with Lake County and surrounding cities. The agreement was successfully negotiated and executed by all the parties (Lake County, Tavares and surrounding Cities). The ISBA sets the future boundaries of a City.

Mount Dora is now negotiating an ISBA with Lake County. Attached is Mount Dora's resolution initiating ISBA negotiations with Lake County and Lake County's responding resolution.

Lake County has invited Tavares to the Mount Dora negotiations table in the formation of the Mount Dora ISBA, which is protocol on ISBA formation. Staff has verified with Mount Dora that the proposed boundary shown as Exhibit "A" of Resolution 19-77, limits the proposed Mount Dora ISBA boundary to the current Mount Dora Joint Planning Area (JPA) which was last updated in 2015. Therefore, as the ISBA proposed by Mount Dora will not affect Tavares, the

invitation by Lake County to Tavares to participate in negotiations on the Mount Dora ISBA should be respectively declined in staff's opinion.

Staff recommends Council move to opt out of negotiations on Mount Dora ISBA creation and authorize staff to transmit this decision to both Mount Dora and Lake County.

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

Mayor Boggus asked for comments from Council.

Council Member Stevenson inquired about expectations for a response from Tavares. Mr. Fitzgerald said opting out is in good will.

MOTION

Roy Stevenson moved for approval, seconded by Lou Buigas. The motion carried unanimously 5-0.

Attorney Williams said the state requires notice to adjacent municipalities to allow a city to participate if there is an issue. He said the City of Mount Dora will be pleased that Tavares is not contesting the ISBA.

Tab 7. Approval of Haskell Company Guarantee Maximum Price Submittal for Seaplane Base Marina Reconstruction Agreement

Mr. Tweedie made the following presentation:

Previously the City Council and Insurance Company approved the selection of Haskell Company, through a competitive Request for Qualifications (RFQ) solicitation, for Design/Build services for the Seaplane Base and Marina reconstruction.

Council and the insurance company approved a preliminary services agreement which was executed on July 24'th, 2018 and a Notice to Proceed (NTP) for engineering & design services was issued on August 1, 2018.

Haskell has completed the engineering and design phase construction documents, obtained bids from sub-contractors and provided the City and insurance company with a Guaranteed Maximum Price (GMP) proposal in the amount of \$8,169,301 (attached).

There are two additional bid alternates that are identified in the attached GMP that are not eligible for insurance reimbursement and thus not being recommended for inclusion at this time. If staff is successful in the future with securing grant dollars to cover these two bid alternates, these items would be

brought back to Council for further consideration. One is for additional boat slips and the other is for additional seaplane dockage.

Staff seeks Council approval of the attached GMP proposal and contract authorization subject to final contract review and approval by the City Attorney and assurance that the GMP is fully eligible for insurance re-imbursement coverage.

Staff recommends Council approve the Haskell Guaranteed Maximum Price proposal in the amount of \$8,169,301 without bid alternates 1 & 2 and authorize contract execution upon insurance coverage eligibility.

Mr. Tweedie said the plan includes complete capacity as before with higher grade construction standards. He noted 98% of the project is covered by insurance and the remaining 2% is in the current fiscal year budget. He said Josh Hatfield, Project Manager, Haskell, is available for comments.

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

Mayor Boggus asked for comments from Council.

Council Member Singer said he is excited to get the project underway and asked Mr. Tweedie how the cost went from \$18 million dollars to \$8 million dollars. Mr. Tweedie said at the time of the budget process the design was not completed. He said Haskell had not gone to market for pricing and the entire review from the insurance company for eligibility had not occurred and items were removed due to eligibility as well as paired down to the real market place. He said he is pleased it is under budget and below what was expected. Mr. Tweedie said there will be \$200,000 above the city's match which will be a good contingency reserve. Council Member Singer asked if the funding that is not used would go into Reserves. Ms. Houghton said if there is funding left it will come back to Council for consideration.

Mayor Boggus inquired about parking for the Dora Queen. Mr. Tweedie said the Dora Queen is currently in a temporary location and will be moved to a permanent vertical dock location in the future.

Council Member Buigas asked for the anticipated project completion date. Mr. Tweedie said January 2021.

Council Member Stevenson asked if the Dora Queen will interfere with the docks. Mr. Tweedie said no.

MOTION

Lori Pfister moved for approval, seconded by Roy Stevenson. The motion carried unanimously 5-0.

Tab 8. Request Council's Approval for Disposal and Obsolete Fire Truck

Ms. Houghton made the following presentation:

The City Fire Department currently has one 1996 Pierce Sabre Fire Truck that has reached its useful life. The following provides salient points for the current condition of the fire truck:

- *The fire truck is a 1996 Pierce Sabre engine*
- *The fire truck has an odometer reading of 154,519*
- *Major repairs and tires for this vehicle are not budgeted*
- *The fire truck is fully depreciated and is not needed as a reserve fire truck*

This fire truck has been identified for disposal due to age, wear and tear, nonperformance, rising repair cost, and is obsolete for City operational use. Replacement parts may be difficult to locate and may be costly. The Fleet Manager recommends disposal of this fire truck.

The fire truck is currently stored at the Caroline Water Plant location. City storage space is limited and thus the fire truck is stored in a non enclosed outside area for obsolete fleet vehicles.

Generally obsolete vehicles are presented for Public Auction through Gov Deals on-line auctions. Used vehicles that are not fire trucks, sold and auctioned off through this method, generally realize 110% of the blue book value. John Rumble, Purchasing Manager, has researched the resale value for a similar make and model fire truck with like miles and age. The following provides a listing of recent on-line auction results for Pierce Sabre Fire Trucks with similar ages and mileage. Gov Deals on-line auctions indicates an average sell price of \$7,274.

Florida statutes section 274.07 requires that equipment and property disposals shall be included in the minutes of the governmental unit therefore, staff requests Council's authorization to place the 19996 Pierce Sabre Fire Truck for auction through Gov Deals on-line auction. The City's Purchasing Policy follows the requirements of the Florida statutes.

Staff recommends placing the 1996 Pierce Sabre Fire Truck with Gov Deals for on-line auction with a base starting bid of \$1,000.00

Mr. Drury said revenues for the sale would go in General Fund Reserves.

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

Mayor Boggus asked for comments from Council.

Council Member Buigas asked if the city labels will be removed from the fire truck before sale. Ms. Houghton confirmed.

Council Member Stevenson and Vice Mayor Pfister asked if the city is bound by a \$1,000 base bid. John Rumble, Purchasing Manager, said the city can reject any bids. Ms. Houghton said auction prices were reviewed and \$1,000 is the standard base price. She said the base price can be raised if Council wishes. Ms. Houghton said the city adds a disclaimer that the city has a right to reject any and all bids.

Council Member Buigas asked if there are any fees associated with the auction site. Mr. Rumble said the buyer will pay all fees.

MOTION

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

Tab 8a Release of Restrictions on Comfort Inn Vacant Lot 9 for Medical Office Development

Attorney Williams said the city was contacted by an attorney for a title company on a proposed closing for property that is directly south and adjacent to the Comfort Inn. He said at the time the Comfort Inn developed, annexed and acquired site plan approval the city required the owner of the Comfort Inn site to unify the title of the property with vacant Lot 9 south of the property. He said at the time (12-15 years ago) there may have been consideration of a possible rear access easement or road through an expansion of Lot 9 that did not come to fruition. The city has a recorded restriction that restricts the alienation of Lot 9 separate and apart from the Comfort Inn. The new owners wish to sell the property and be able to sell, market and develop Lot 9. The new owners have a contract that is pending closing before the end of the year and would like to execute a release as quickly as possible. Attorney Williams said he recommends releasing the restriction and a release has been prepared for signature which will be provided to the title company attorney. He said there is no cost or impact to the city.

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

Mayor Boggus asked for comments from Council.

Council Member Singer asked if proper notice requirements have been met for a walk-on agenda item. Attorney Williams said there are no notice requirements for this type of action and the reason it is before Council is timeliness and the restriction on alienation is a property right that belongs to the city. He said the item was added to the agenda properly at the beginning of the meeting.

MOTION

Troy Singer moved for approval, seconded by Roy Stevenson. The motion carried unanimously 5-0.

Tab 9. Christmas Village

Mr. Tweedie made the following presentation:

Mr. Drury introduced a Christmas village concept for next year at the prior City Council meeting and threw-out a challenge to Council to develop "center piece" ideas for the proposed village.

The Economic Development Horizon Team (Vice Mayor Lori Pfister, Bob Tweedie and John Drury) has discussed this concept, will be further developing this project and introducing a more vetted plan with the estimated budget during this summers normal budget process.

In order to refine the concept and budget, the Horizon team is interested in sharing with and hearing from Council on their views for the center piece.

At this point, the thinking is that a Christmas Village would be created in the Tavares Square and be kicked-off at the annual Christmas parade. It would run for three weekends there-after on Friday, Saturday and Sunday. It would include quality crafts and Christmas themed food and drink, Santa, story telling, Christmas music, children and adult activities and a center piece.

Staff recommends Council provide the Horizon team some ideas for a center piece to include in the proposed budget.

Mr. Drury said he challenged Council during the December 4, 2019 City Council meeting to come up with creative ideas for a Christmas village centerpiece. He asked for ideas from Council. Discussion was held and the following ideas were offered for consideration:

- Seaplane with Santa Clause and Indy market surrounded by market lights
- Tethered hot air balloon
- Santa Clause at the top of a slide similar to that in A Christmas Story movie
- Fountain with seaplane, timed dancing water displays, colored lights and/or music
- Santa's workshop

Council Member Buigas said she is not in support of expending much funds and asked for costs to be brought back to Council.

Mr. Drury said that while traveling around the United States and Europe he witnessed the popularity of pop up restaurants, events and themed farmers markets. He said Pop Ups are low impact on permanently changing green space, are trendy and can change with the times. He said all of the ideas are great and staff will develop the ideas that were expressed and include in the upcoming budget for Council's consideration. He thanked Council for their input.

XI. NEW BUSINESS

None.

XII. OLD BUSINESS

None.

XIII. HISTORICAL PERSPECTIVE

Tab 10. Tavares Historical Society

Mrs. Burleigh read an article regarding the December 12, 1952 Town Council meeting that stated the annual audit of the town for Fiscal Year 1952 was accepted and filed. The General Fund balance at the end of the year was \$12,022.65. Cigarette Tax Fund Revenue from November 1951 to November 1952 was \$13,000. The report reflected the Town of Tavares owns \$19,500 in bonds. The Council instructed the Clerk to have the sidewalk in front of the Methodist Church located at the corner of Alfred Street and Joanna Avenue repaired.

Mrs. Burleigh wished all those present a merry Christmas and happy New Year.

XIV. AUDIENCE TO BE HEARD

Kelly Singer, 205 Lakecrest Drive, commended Ms. Rogers on the Christmas parade. She requested that the start time be delayed in the future to begin at dark to highlight the lighted floats. She said the event had a great layout from the Pavilion to Wooton Park West. She noted there was a lot of community involvement.

XV. REPORTS

Tab 11. City Administrator Report

Mr. Drury noted there is a change for the Chamber Luncheon that will be held Wednesday, January 22, 2020. He said the next City Council meeting will be held January 15, 2020. He wished those present a Happy Holiday.

Chief Keith congratulated Council Member Buigas and Council Member Singer on their election and re-election. He congratulated Mayor Boggus and Vice Mayor Pfister and said he looks forward to working with the Council in the upcoming year.

Ms. Rogers thanked Council for their support of the community and community events during the year.

All those present wished all a happy holiday season.

Tab 12. City Council Member Reports

Council Member Buigas

- Said the Christmas parade was magical.
- Said she enjoyed attending the employee Christmas luncheon.
- Said she enjoyed meeting the residents of Shantiniketan and hopes to see them at future meetings and the Library's senior programs.

Council Member Buigas provided the following quote: "Life becomes easier and more beautiful when we can see the good in other people." ~ Roy T. Bennett

Council Member Singer

- Commended Ms. Rogers on the Christmas parade.
- Said he enjoyed the employee Christmas luncheon and said the city has a wonderful team.
- Welcomed and congratulated the Dora Queen and its successful launch.
- Said he enjoyed meeting the residents of Shantiniketan. He noted his visit did not conflict with Council Member Buigas as they attended at separate times.
- Thanked the Tavares High School Band for performing prior to the Council meeting.
- Wished those present a Merry Christmas.

Council Member Stevenson

Council Member Stevenson commended Mrs. Burleigh and Mr. O'Keefe on their Christmas sweaters.

Vice Mayor Pfister

- Said she enjoyed the Christmas parade and commended Ms. Rogers and staff.
- Asked the public to forward ideas for a Christmas Village centerpiece and said she welcomes public input. She thanked those present for participating in the meetings.
- Wished those present a Merry Christmas.

Mayor Boggus

- Said she enjoyed the Tavares High School band program prior to the meeting.
- Said she has heard wonderful things from citizens regarding the Christmas Parade and noted her regrets that she was not able to attend.
- Said she received an email from a visitor who was in the area to attend the Mount Dora Christmas celebration. The visitor indicated that he stayed at the Key West resort in Tavares and attended both Tavares and Mount Dora events. The gentleman said he would be staying in Tavares in the future and enjoyed the Tavares Christmas celebration.
- Enjoyed watching the Dora Queen launch from her office.
- Wished those present a Merry Christmas.

XVI. ADJOURNMENT

There was no further business and Mayor Boggus adjourned the meeting at 4.59 p.m.

Respectfully,

Susie Novack, MMC/FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 5

SUBJECT TITLE: Air Boss Solutions Agreement for Planes, Trains Barbecue & Seaplane A Palooza (Economic Development)

OBJECTIVE:

For Council to approve the attached Agreement with Air Boss Solutions for air boss services for the 2020 Planes, Trains & BBQ and Seaplane-A-Palooza events.

SUMMARY:

The City of Tavares has hosted Fall and Spring Seaplane Fly-In events at Wooton Park since 2012 and hosted an Air Show with the Planes Trains & BBQ event since 2011. In order to safely conduct these events the services of a professional “Air Boss” to direct the fly in and contest activities and to organize and direct the air show has been contracted for all previous events. The professional “Air Boss” has also provided proof of operations insurance as required for the past events. This year’s Planes, Trains & BBQ event is scheduled for February 29th, and the Seaplane-A-Palooza seaplane fly-in event is scheduled for the weekend of March 28th & 29th. The estimated cost for an Air Boss for these events is \$24,500.

City expenses would be covered by FY 2020 CRA-TIF revenues and have been included in the City’s approved FY 2020 budget.

Staff is requesting that Council approve the attached Agreement to have an Air Boss for the 2020 Planes, Trains & BBQ and Seaplane-A-Palooza events.

OPTIONS:

1. To approve the attached Agreement to have an Air Boss for the 2020 Planes, Trains & BBQ and Seaplane-A-Palooza events
2. To not approve the attached Agreement to have an Air Boss for the 2020 Planes, Trains & BBQ and Seaplane-A-Palooza events

STAFF RECOMMENDATION:

Staff recommends that the Council moves to approve the attached Agreement to have an Air Boss for the 2020 Planes, Trains & BBQ and Seaplane-A-Palooza events.

FISCAL IMPACT:

The expenditures of \$24,500 will be covered by FY 2019 CRA – TIF revenues contained in the City approved FY2020 budget.

LEGAL SUFFICIENCY:

Legally sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. AirBoss Agreement

ATTACHMENTS:

Description	Type
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**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 6

SUBJECT TITLE: Approval of Resolution 2020-01, FDEP Grant DW35097 (Finance)

OBJECTIVE:

Consider approval of Resolution 2020-01 authorizing Florida Department of Environmental Protection (FDEP) Grant Agreement No. DW35097 for development of Best Practices in Asset Management for Medium Sized Water Systems.

SUMMARY:

The City of Tavares received notice of award from the Florida Department of Environmental Protection (FDEP) of a grant to develop Best Practices in Asset Management for Medium Sized Water Systems. The Grant award is identified as agreement DW35097.

The Grant requires the collection of data on the City's Wastewater assets, implement asset management technology, and integrate existing SCADA and GIS datasets, to produce an asset management maintenance procedure. The goal is a procedure that a utility can implement in stages if so desired.

Salient details of this grant include the following:

- The Agreement provides for Federal pass-through source funding in the amount of \$110,000.
- The funding is identified through State funding as CSFA 37.039 or 37.052 or 37.075
- The Agreement is valid upon execution (reimburse to the City)
- The Agreement does not require a match
- The Agreement expires on December 20, 2021
- The Agreement is subject to Federal compliance as identified in 2 CFR 200.331(a)(1)

The total budget for the project is \$110,000.00 and therefore no match is budgeted.

OPTIONS:

1. **MOVE TO APPROVE RESOLUTION NO. 2020-01 authorizing the City Administrator to Execute FDEP Grant Agreement DW35097 for Asset Management Best Practices for Medium Sized Water Systems.**
2. **MOVE TO NOT APPROVE**

STAFF RECOMMENDATION:

1. **MOVE TO APPROVE RESOLUTION NO. 2020-01 authorizing the City Administrator**

**to Execute FDEP Grant Agreement DW35097 for Asset Management Best Practices
for Medium Sized Water Systems.**

FISCAL IMPACT:

\$110,000 funded solely from Grant Funds. No match is required.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2020-01
2. Grant Agreement

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 7

SUBJECT TITLE: Approval of Resolution 2020-02 for FEMA (sub-award) Hazard Mitigation Grant for Lift Station Generators - Grant H0335, Project DR4337-236-R (Finance)

OBJECTIVE:

Consider approval of Resolution 2020-02 authorizing Florida Division of Emergency Management (FDERM) Grant Agreement No. H0335 for the purchase and installation of two generators for two City lift stations.

SUMMARY:

The City of Tavares received notice of award from the Florida Division of Emergency Management of award of a FEMA Hazard Mitigation Grant for the purchase and installation of two generators for two City lift stations. The Grant award is identified as agreement H0335, and the Grant Project Number is 4337-236-R.

The Grant requires the purchase of two permanent generators to be installed at City lift station #10 with coordinates 28.801900, -81.719222, and City lift station #16, coordinates 28.823379, -81.723365.

Salient details of this grant include the following:

- The Project Title: Generator Project
- The Grant is further identified as Project No. DR-4337-236-R.
- The Grant is awarded as Agreement No. H0335 from the Florida Division of Emergency Management.
- The grant is identified under the Federal Catalog No. CFDA 97.039.
- The Agreement provides that the Federal Funding Agency as Federal Emergency Management Agency.
- The Agreement identifies the pass-through agency as the Florida Division of Emergency Management.
- The Grant program is identified as the Hazard Mitigation Grant Program.
- The Grant award amount is \$49,867.50 (reimbursable) without a required match.
- The grant is valid upon execution of the grant agreement, H0335.
- The grant period ends/expires on September 30, 2021
- The total grant budget without match is \$49,867.50
- The grant is be subject to Federal and State Single Audit Requirements. The grant is subject to Federal Regulations identified in 2 CFR Part 200 entitled "Uniform Administrative Requirement.

OPTIONS:

1. **MOVE TO APPROVE RESOLUTION NO. 2020-02 authorizing the City Administrator**

to Execute FDERM Grant Agreement H0335 for Grant Project DR-4337-236-R, Lift Station Grant.

1. MOVE TO NOT APPROVE.

STAFF RECOMMENDATION:

1. MOVE TO APPROVE RESOLUTION NO. 2020-02 authorizing the City Administrator to Execute FDERM Grant Agreement H0335 for Grant Project DR-4337-236-R, Lift Station Grant.

FISCAL IMPACT:

\$49,867.50 is funded solely from Grant Funds. No match is required.

LEGAL SUFFICIENCY:

Legally Sufficient

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Resolution 2020-02
2. Grant Agreement

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 8

SUBJECT TITLE: Ordinance 2020-01 - Annexation & Rezoning of 1.50 Acres located at 12549 Lane Park Cutoff (Community Development)

OBJECTIVE:

To consider the annexation and rezoning to Industrial (I) of approximately 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

SUMMARY:

The subject property is located at 12549 Lane Park Cutoff and is approximately 1.50 acres in size. The land is presently zoned as County Light Industrial District (LM), and the applicant is proposing that the property be annexed and rezoned to City Industrial (I).

The proposed zoning of Industrial (I) is compatible with the surrounding zoning and the existing industrial use of the property.

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 to the City.

The owner is concurrently seeking a Future Land Use Map amendment to Industrial (IND) to be compatible with the proposed Industrial zoning.

OPTIONS:

1. That City Council moves to approve Ordinance 2020-01, the annexation and rezoning to Industrial (I) of approximately 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.
2. That City Council moves to deny the proposed annexation and rezoning.

STAFF RECOMMENDATION:

At their December 19th meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2020-01.

Staff recommends that City Council moves to approve Ordinance 2020-01, the annexation and rezoning to Industrial (I) of approximately 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Ordinance 2020-01

Aerial Map

Zoning Map

ATTACHMENTS:

Description

Type

December 19, 2019 Planning and Zoning Board Minutes

Exhibit

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
DECEMBER 19, 2019**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Gary Koerner, Board Member
Deborah Murphy, Board Member
Morris Osborn, Board Member - *absent*
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Mike Fitzgerald, Community Development Director
Robert Q. Williams, City Attorney
Susie Novack, City Clerk
Antonio Fabre, Planning Coordinator

I. CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. He asked those present to silence their cell phones.

II. PLEDGE OF ALLEGIANCE

Chairman Santoro asked for a moment of silence in honor of Board Member William Stomp. He led those present in the Pledge of Allegiance.

Chairman Santoro said he would like to add Nomination of Vice Chairman to the agenda under Other Business.

MOTION

Deborah Murphy moved to approve the addition of Nomination of Vice Chairman to the agenda, seconded by Gary Koerner. The motion carried unanimously 4-0.

III. APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the November 21, 2019 Planning and Zoning Board meeting minutes. There were none.

MOTION

Deborah Murphy moved for approval of the November 21, 2019 Planning and Zoning Board meeting minutes, seconded by Dara Treadwell. The motion carried unanimously 4-0.

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

Attorney Williams gave the oath to those who wished to provide testimony.

Attorney Williams asked the Board members if they had any ex-parte communications to disclose. Board Member Keorner said he spoke Mr. Greenwood regarding demolition at a park. There were no other ex-parte communications disclosed.

V. PUBLIC HEARING

1) Demolition Request for a Building Listed on the Local Register of Historic Places Located at 102 W. Main Street

Mr. Fitzgerald made the following presentation:

On July 5, 2001 City Council adopted Ordinance 2001-18 creating historic preservation regulations that include a historic district boundary, historic preservation guidelines, and a local register of historic places. Included in Ordinance 2001-18 are requirements for the Planning & Zoning Board, acting as the Historic Preservation Board, to make a recommendation to City Council regarding the issuance of a Certificate of Appropriateness for the demolition of any structure listed on the local register of historic places.

City staff has received an application from the owner of the building located at 102 W. Main St. for a Certificate of Appropriateness for the demolition of the building, which is listed on the local register of historic places. The owner has submitted photographic evidence of the building's current state of disrepair. The Building Official for the City of Tavares conducted a cursory review of the building and observed some visible structural deficiencies.

Per Ordinance 2001-18 the Planning & Zoning Board, acting as the Historic Preservation Board, shall consider the following guidelines in providing a recommendation to City Council concerning applications for a Certificate of Appropriateness that propose demolition of designated historic sites:

- 1) Is the structure of such interest or quality that it would reasonably fulfill criteria for designation for listing on the National Register?*
- 2) Is the structure of such design, craftsmanship or material that it could be reproduced only with great difficulty and/or expense?*

- 3) *Is the structure one of the last remaining examples of its kind in the neighborhood, City or designated historic district?*
- 4) *Would retaining the structure promote the general welfare of the City of Tavares by providing an opportunity to study local history, architecture and design, or by developing an understanding of the importance and value of a particular culture and heritage?*

Mr. Fitzgerald presented a PowerPoint presentation including photographs submitted by the applicant. He noted the following building conditions:

- Appearance of water and termite damage in front section of the building
- Roof of front porch deterioration with risk of collapse
- Cracking on exterior walls
- Rear wall buckling
- Appearance of water damage and ceiling collapse internally

Mr. Fitzgerald said that after the agenda packet was provided to the Board staff received a structural inspection report completed by a third party, Engineering Services Group, LLC, hired by the property owner. Mr. Fitzgerald read the following portion of the executive summary into the record as follows: "In summary it is our opinion that the building has suffered significant structural deterioration due to age, outdated and poor construction methods as well as inadequate maintenance. Due to the extent of repairs required to make this safe and usable space, it is not feasible to repair the structure to meet the current 2017 Florida Building Code in a cost-effective manner."

Mr. Fitzgerald said if the demolition is approved the applicant plans to clean the property including tree removal. He said staff is presenting the information to the board and has no recommendation.

Chairman Santoro asked the applicant to the podium.

James L. Bobo, 1532 Schult Court, Lake Francis Estates, said he is representing the First Baptist Church of Tavares as the Chairman of the Building and Grounds Committee. He said the church purchased the property with aspiration to use the existing building. The building has deteriorated and is not practical to use as intended when purchasing. The church has voted and is requesting approval to demolish the building in order to landscape the site and install a black fence similar to Tavares Square with development at a later date if there is an opportunity for expansion. Mr. Bobo noted there is a concern that inclement weather such as a hurricane would worsen the state of the building. He said the First Baptist Church has been assured that all tanks were removed since the time the building was used as a Gulf Service Station. Board Member Treadwell asked if the First Baptist Church had any discussion with the Tavares Historical Society regarding the demolition request. Mr. Bobo said no as it is a city registry. Board Member Treadwell asked if the Tavares Historical Society would

need to be contacted. Mr. Fitzgerald said the ordinance notification requirements includes posting on the building and the Planning and Zoning Board acts as the Historic Preservation Board with the authority to act on the request.

Board Member Koerner said the building is part of a district and not included in the registry on its own merits. Mr. Bobo said only a portion of the building is historic including the brick façade with additions in the rear made in the 1950's. He said the safety and welfare of the city, cost of maintaining the building as well as aesthetic appearance of Main Street is the main concern of the First Baptist Church.

Board Member Murphy asked if the trees located on the property would be removed. Mr. Bobo said the contractor, Glenn Greenwood, has provided a proposal to remove all debris and trees while preserving the sidewalk. He said the area will be landscaped with a fence.

Chairman Santoro asked for an estimated time for project completion and inquired about adjacent parking on both sides of the building. Mr. Bobo said it would take two weeks to remove the building and parking will be available during demolition. A fence will be placed inside the sidewalk and debris staging will be located on N. Joanna Avenue. Chairman Santoro said his main concern is safety and that businesses and pedestrians incur minimal disruption. He noted a concern for asbestos. Mr. Bobo said there will be a review for asbestos but there are no signs of asbestos tiles.

Chairman Santoro inquired about the approval process. Mr. Fitzgerald said that the Planning and Zoning Board acting as the Historic Preservation Board will make a recommendation to City Council. Chairman Santoro said that while he supports historic preservation he understands the condition of the building. He said the building has become an eyesore with safety issues and noted his support.

Board Member Murphy asked if the building will need to be taken off of a list of historic buildings prior to action. Attorney Williams said no. He noted the Tavares Historic Society is a group that is friendly to the city but has no official function with the city.

Chairman Santoro asked for comments from the audience.

Gary Ryker, 25714 Ebersol, Eustis, provided his professional background and said he is a member of the First Baptist Church of Tavares. He said the extensive damage and condition of the building was determined after purchase. He said a beam was placed to shore up the ceiling and the façade is sagging. He said the church is concerned that the façade will fall on a pedestrian. Mr. Ryker said the church would like to build a sanctuary life center on the property in the future.

Chairman Santoro inquired about underground tanks. Mr. Ryker said the church has an environmental study indicating tank removal. He confirmed that any discovered contamination would be removed. Mr. Ryker said the church is using the contractor that

removed the bank that was located at Tavares Square. He said the windows are wood with no lead or asbestos caulking.

MOTION

Deborah Murphy moved for demolition approval, seconded by Dara Treadwell.

Chairman Santoro asked that the project be completed as expeditiously as possible to minimize the down time for parking spaces and sidewalks. He said the Planning and Zoning Board is recommending approval for issuance of a Certificate of Appropriateness for Demolition of the building listed on the local register of historic places located at 102 West Main Street.

The motion carried unanimously 4-0.

2) Ordinance 2020-01 - Annexation Approximately 1.5 Acres of Land Located at 12549 Lane Park Cutoff, Rezoning Property from Lake County Light Industrial District (LM) to City of Tavares Industrial (I)

Mr. Fitzgerald made the following presentation:

The subject property is located at 12549 Lane Park Cutoff and is approximately 1.50 acres in size. The land is presently zoned as County Light Industrial District (LM), and the applicant is proposing that the property be annexed and rezoned to City Industrial (I).

The proposed zoning of Industrial (I) is compatible with the surrounding zoning and the existing industrial use of the property.

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 to the City.

The owner is concurrently seeking a Future Land Use Map amendment to Industrial (IND) to be compatible with the proposed Industrial zoning.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2020-01, the annexation and rezoning to Industrial (I) of approximately 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

Chairman Santoro asked if the applicant is present.

Victoria Senia, 11340 Dead River Road, said she is available for questions.

Board Member Koerner inquired about the owners plans. Ms. Senia said her company is in the wastewater industry which conducts warehouse light assembly. She said that she is currently renting space at a location off Southridge Industrial Drive and is outgrowing the space.

MOTION

Dara Treadwell moved for the Planning and Zoning Board to recognize the annexation of 12549 Lane Park Cutoff and Rezone from Lake County Light Industrial to City of Tavares (I) Industrial, seconded by Gary Koerner. The motion carried unanimously 4-0.

3) Ordinance 2020-02 - SSFLUM Providing for a Change of Future Land Use Designation on Approximately 1.5 Acres of Land Located at 12549 Lane Park Cutoff; from County Urban Low Density to City Industrial (IND)

Mr. Fitzgerald made the following presentation:

The subject property is located at 12549 Lane Park Cutoff, and is approximately 1.50 acres in size. The land presently has a land use designation of County Urban Low Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Lake County Urban Low Density to City of Tavares Industrial (IND).

Ordinance 2020-02 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan from County Urban Low Density to City Industrial (IND).

The subject property is adjacent to industrial and commercial uses. An application to annex and rezone this property to an Industrial (I) 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 County Urban Low Density. A City Industrial (IND) designation is compatible with surrounding property and the existing County Future Land Use.

Lands surrounding this property are industrial and commercial in nature.

An industrial / commercial building is currently on the property.

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. An Industrial (I) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.*
- 2. Impacts of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2020-02, a Small Scale Future Land Use Map amendment from County Urban Low Density to City Industrial (I) for 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

MOTION

Dara Treadwell moved to approve Ordinance 2020-02, seconded by Gary Koerner. The motion carried unanimously 4-0.

Mr. Fitzgerald said the Planning and Zoning Board made a recommendation to the City Council to approve the ordinances. Both ordinances will go before City Council for two readings with final approval at second reading to be held February 5, 2020.

VI. OTHER BUSINESS

4) Election of Vice Chairman

Chairman Santoro asked for a nomination for the Vice Chairman position. He noted the position was held by Lou Buigas who was elected to City Council.

MOTION

Deborah Murphy moved to nominated Morris Osborne.

Attorney Williams said Mr. Osborne is a land use attorney with a firm in Orlando and will be a good member.

The motion was seconded by Dara Treadwell. The motion carried unanimously 4-0.

VII. AUDIENCE TO BE HEARD

Chairman Santoro asked for comments from the audience. There was none.

VIII. ADJOURNMENT

There was no further business and the meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Susie Novack, MMC/FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 9

SUBJECT TITLE: Ordinance 2020-02 - SSFLUM of 1.50 Acres located at 12549 Lane Park Cutoff (Community Development)

OBJECTIVE:

To consider a Small Scale Future Land Use Map amendment from County Urban Low Density to City Industrial (IND) for 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

SUMMARY:

The subject property is located at 12549 Lane Park Cutoff, and is approximately 1.50 acres in size. The land presently has a land use designation of County Urban Low Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Lake County Urban Low Density to City of Tavares Industrial (IND).

Ordinance 2020-02 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan from County Urban Low Density to City Industrial (IND).

The subject property is adjacent to industrial and commercial uses. An application to annex and rezone this property to an Industrial (I) designation is concurrently under consideration.

Future Land Use Amendment

The city is required to place a future land use designation on annexed property. The subject property is currently designated County Urban Low Density. A City Industrial (IND) designation is compatible with surrounding property and the existing County Future Land Use.

Compatibility

Lands surrounding this property are industrial and commercial in nature.

Site Conditions

An industrial / commercial building is currently on the property.

Impact on City Services

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.

FINDINGS

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

1. An Industrial (I) Future Land Use designation would serve as the most appropriate land

use for the subject property in accordance with Future Land Use policy 1-1.1.6.

2. Impacts of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)

OPTIONS:

1. That City Council moves to approve Ordinance 2020-02, a Small Scale Future Land Use Map amendment from County Urban Low Density to City Industrial (I) for 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

2. That City Council moves to deny the proposed Small Scale Comprehensive Plan Amendment.

STAFF RECOMMENDATION:

At their December 19th meeting the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2020-02.

Staff recommends that City Council moves to approve Ordinance 2020-02, a Small Scale Future Land Use Map amendment from County Urban Low Density to City Industrial (I) for 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

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

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Ordinance 2020-02

FLU Map

ATTACHMENTS:

Description

December 19, 2019 Planning and Zoning Board Minutes

Type

Cover Memo

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
DECEMBER 19, 2019**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Gary Koerner, Board Member
Deborah Murphy, Board Member
Morris Osborn, Board Member - *absent*
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Mike Fitzgerald, Community Development Director
Robert Q. Williams, City Attorney
Susie Novack, City Clerk
Antonio Fabre, Planning Coordinator

I. CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. He asked those present to silence their cell phones.

II. PLEDGE OF ALLEGIANCE

Chairman Santoro asked for a moment of silence in honor of Board Member William Stomp. He led those present in the Pledge of Allegiance.

Chairman Santoro said he would like to add Nomination of Vice Chairman to the agenda under Other Business.

MOTION

Deborah Murphy moved to approve the addition of Nomination of Vice Chairman to the agenda, seconded by Gary Koerner. The motion carried unanimously 4-0.

III. APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the November 21, 2019 Planning and Zoning Board meeting minutes. There were none.

MOTION

Deborah Murphy moved for approval of the November 21, 2019 Planning and Zoning Board meeting minutes, seconded by Dara Treadwell. The motion carried unanimously 4-0.

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

Attorney Williams gave the oath to those who wished to provide testimony.

Attorney Williams asked the Board members if they had any ex-parte communications to disclose. Board Member Keorner said he spoke Mr. Greenwood regarding demolition at a park. There were no other ex-parte communications disclosed.

V. PUBLIC HEARING

1) Demolition Request for a Building Listed on the Local Register of Historic Places Located at 102 W. Main Street

Mr. Fitzgerald made the following presentation:

On July 5, 2001 City Council adopted Ordinance 2001-18 creating historic preservation regulations that include a historic district boundary, historic preservation guidelines, and a local register of historic places. Included in Ordinance 2001-18 are requirements for the Planning & Zoning Board, acting as the Historic Preservation Board, to make a recommendation to City Council regarding the issuance of a Certificate of Appropriateness for the demolition of any structure listed on the local register of historic places.

City staff has received an application from the owner of the building located at 102 W. Main St. for a Certificate of Appropriateness for the demolition of the building, which is listed on the local register of historic places. The owner has submitted photographic evidence of the building's current state of disrepair. The Building Official for the City of Tavares conducted a cursory review of the building and observed some visible structural deficiencies.

Per Ordinance 2001-18 the Planning & Zoning Board, acting as the Historic Preservation Board, shall consider the following guidelines in providing a recommendation to City Council concerning applications for a Certificate of Appropriateness that propose demolition of designated historic sites:

- 1) Is the structure of such interest or quality that it would reasonably fulfill criteria for designation for listing on the National Register?*
- 2) Is the structure of such design, craftsmanship or material that it could be reproduced only with great difficulty and/or expense?*

- 3) *Is the structure one of the last remaining examples of its kind in the neighborhood, City or designated historic district?*
- 4) *Would retaining the structure promote the general welfare of the City of Tavares by providing an opportunity to study local history, architecture and design, or by developing an understanding of the importance and value of a particular culture and heritage?*

Mr. Fitzgerald presented a PowerPoint presentation including photographs submitted by the applicant. He noted the following building conditions:

- Appearance of water and termite damage in front section of the building
- Roof of front porch deterioration with risk of collapse
- Cracking on exterior walls
- Rear wall buckling
- Appearance of water damage and ceiling collapse internally

Mr. Fitzgerald said that after the agenda packet was provided to the Board staff received a structural inspection report completed by a third party, Engineering Services Group, LLC, hired by the property owner. Mr. Fitzgerald read the following portion of the executive summary into the record as follows: "In summary it is our opinion that the building has suffered significant structural deterioration due to age, outdated and poor construction methods as well as inadequate maintenance. Due to the extent of repairs required to make this safe and usable space, it is not feasible to repair the structure to meet the current 2017 Florida Building Code in a cost-effective manner."

Mr. Fitzgerald said if the demolition is approved the applicant plans to clean the property including tree removal. He said staff is presenting the information to the board and has no recommendation.

Chairman Santoro asked the applicant to the podium.

James L. Bobo, 1532 Schult Court, Lake Francis Estates, said he is representing the First Baptist Church of Tavares as the Chairman of the Building and Grounds Committee. He said the church purchased the property with aspiration to use the existing building. The building has deteriorated and is not practical to use as intended when purchasing. The church has voted and is requesting approval to demolish the building in order to landscape the site and install a black fence similar to Tavares Square with development at a later date if there is an opportunity for expansion. Mr. Bobo noted there is a concern that inclement weather such as a hurricane would worsen the state of the building. He said the First Baptist Church has been assured that all tanks were removed since the time the building was used as a Gulf Service Station. Board Member Treadwell asked if the First Baptist Church had any discussion with the Tavares Historical Society regarding the demolition request. Mr. Bobo said no as it is a city registry. Board Member Treadwell asked if the Tavares Historical Society would

need to be contacted. Mr. Fitzgerald said the ordinance notification requirements includes posting on the building and the Planning and Zoning Board acts as the Historic Preservation Board with the authority to act on the request.

Board Member Koerner said the building is part of a district and not included in the registry on its own merits. Mr. Bobo said only a portion of the building is historic including the brick façade with additions in the rear made in the 1950's. He said the safety and welfare of the city, cost of maintaining the building as well as aesthetic appearance of Main Street is the main concern of the First Baptist Church.

Board Member Murphy asked if the trees located on the property would be removed. Mr. Bobo said the contractor, Glenn Greenwood, has provided a proposal to remove all debris and trees while preserving the sidewalk. He said the area will be landscaped with a fence.

Chairman Santoro asked for an estimated time for project completion and inquired about adjacent parking on both sides of the building. Mr. Bobo said it would take two weeks to remove the building and parking will be available during demolition. A fence will be placed inside the sidewalk and debris staging will be located on N. Joanna Avenue. Chairman Santoro said his main concern is safety and that businesses and pedestrians incur minimal disruption. He noted a concern for asbestos. Mr. Bobo said there will be a review for asbestos but there are no signs of asbestos tiles.

Chairman Santoro inquired about the approval process. Mr. Fitzgerald said that the Planning and Zoning Board acting as the Historic Preservation Board will make a recommendation to City Council. Chairman Santoro said that while he supports historic preservation he understands the condition of the building. He said the building has become an eyesore with safety issues and noted his support.

Board Member Murphy asked if the building will need to be taken off of a list of historic buildings prior to action. Attorney Williams said no. He noted the Tavares Historic Society is a group that is friendly to the city but has no official function with the city.

Chairman Santoro asked for comments from the audience.

Gary Ryker, 25714 Ebersol, Eustis, provided his professional background and said he is a member of the First Baptist Church of Tavares. He said the extensive damage and condition of the building was determined after purchase. He said a beam was placed to shore up the ceiling and the façade is sagging. He said the church is concerned that the façade will fall on a pedestrian. Mr. Ryker said the church would like to build a sanctuary life center on the property in the future.

Chairman Santoro inquired about underground tanks. Mr. Ryker said the church has an environmental study indicating tank removal. He confirmed that any discovered contamination would be removed. Mr. Ryker said the church is using the contractor that

removed the bank that was located at Tavares Square. He said the windows are wood with no lead or asbestos caulking.

MOTION

Deborah Murphy moved for demolition approval, seconded by Dara Treadwell.

Chairman Santoro asked that the project be completed as expeditiously as possible to minimize the down time for parking spaces and sidewalks. He said the Planning and Zoning Board is recommending approval for issuance of a Certificate of Appropriateness for Demolition of the building listed on the local register of historic places located at 102 West Main Street.

The motion carried unanimously 4-0.

2) Ordinance 2020-01 - Annexation Approximately 1.5 Acres of Land Located at 12549 Lane Park Cutoff, Rezoning Property from Lake County Light Industrial District (LM) to City of Tavares Industrial (I)

Mr. Fitzgerald made the following presentation:

The subject property is located at 12549 Lane Park Cutoff and is approximately 1.50 acres in size. The land is presently zoned as County Light Industrial District (LM), and the applicant is proposing that the property be annexed and rezoned to City Industrial (I).

The proposed zoning of Industrial (I) is compatible with the surrounding zoning and the existing industrial use of the property.

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 to the City.

The owner is concurrently seeking a Future Land Use Map amendment to Industrial (IND) to be compatible with the proposed Industrial zoning.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2020-01, the annexation and rezoning to Industrial (I) of approximately 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

Chairman Santoro asked if the applicant is present.

Victoria Senia, 11340 Dead River Road, said she is available for questions.

Board Member Koerner inquired about the owners plans. Ms. Senia said her company is in the wastewater industry which conducts warehouse light assembly. She said that she is currently renting space at a location off Southridge Industrial Drive and is outgrowing the space.

MOTION

Dara Treadwell moved for the Planning and Zoning Board to recognize the annexation of 12549 Lane Park Cutoff and Rezone from Lake County Light Industrial to City of Tavares (I) Industrial, seconded by Gary Koerner. The motion carried unanimously 4-0.

3) Ordinance 2020-02 - SSFLUM Providing for a Change of Future Land Use Designation on Approximately 1.5 Acres of Land Located at 12549 Lane Park Cutoff; from County Urban Low Density to City Industrial (IND)

Mr. Fitzgerald made the following presentation:

The subject property is located at 12549 Lane Park Cutoff, and is approximately 1.50 acres in size. The land presently has a land use designation of County Urban Low Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Lake County Urban Low Density to City of Tavares Industrial (IND).

Ordinance 2020-02 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan from County Urban Low Density to City Industrial (IND).

The subject property is adjacent to industrial and commercial uses. An application to annex and rezone this property to an Industrial (I) 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 County Urban Low Density. A City Industrial (IND) designation is compatible with surrounding property and the existing County Future Land Use.

Lands surrounding this property are industrial and commercial in nature.

An industrial / commercial building is currently on the property.

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. An Industrial (I) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.*
- 2. Impacts of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2020-02, a Small Scale Future Land Use Map amendment from County Urban Low Density to City Industrial (I) for 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

MOTION

Dara Treadwell moved to approve Ordinance 2020-02, seconded by Gary Koerner. The motion carried unanimously 4-0.

Mr. Fitzgerald said the Planning and Zoning Board made a recommendation to the City Council to approve the ordinances. Both ordinances will go before City Council for two readings with final approval at second reading to be held February 5, 2020.

VI. OTHER BUSINESS

4) Election of Vice Chairman

Chairman Santoro asked for a nomination for the Vice Chairman position. He noted the position was held by Lou Buigas who was elected to City Council.

MOTION

Deborah Murphy moved to nominated Morris Osborne.

Attorney Williams said Mr. Osborne is a land use attorney with a firm in Orlando and will be a good member.

The motion was seconded by Dara Treadwell. The motion carried unanimously 4-0.

VII. AUDIENCE TO BE HEARD

Chairman Santoro asked for comments from the audience. There was none.

VIII. ADJOURNMENT

There was no further business and the meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Susie Novack, MMC/FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 10

SUBJECT TITLE: Board Appointments - Planning & Zoning Board (Mayor)

OBJECTIVE:

For the Mayor to make appointment(s) to the Planning and Zoning Board.

SUMMARY:

The Planning and Zoning Board consists of seven seats with staggered three year terms. Currently there are two vacant seats on the board for the remainder of terms that will expire June 2022. The city received applications from the following:

1. Robert W. Wolfe
2. James E. Sweeza

The city advertised the vacancies in the Daily Commercial, city website and on social media.

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Planning & Zoning Board Application - Robert Wolfe
2. Planning & Zoning Board Application - James Sweeza
3. Daily Commercial Proof of Publication

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 11

SUBJECT TITLE: Community Grant Awards (City Clerk)

OBJECTIVE:

For Council to award two Community Grants in the amount of \$500.00 each.

SUMMARY:

Council budgeted \$2,000.00 in current Fiscal Year 2020 for Community Grant awards. The city advertised an invitation to submit community grant applications from area not-for-profit organizations with a 501C3 designation for up to \$500 in funding for community and social service projects. Advertisement was made in the Daily Commercial, city website and city social media. Two grant applications were received from the following:

1. Tavares Theater, Inc.
2. Mercy Flight Southeast/Angel Flight Southeast

A ranking committee consisting of the City Clerk, Finance Director and Community Services Director met on January 9, 2020 to review the applications for qualification and ranking. Both applications received met the criteria for selection. As only two applications were received there was no ranking order chosen by the committee.

The current administrative policy states that the City Council provides final approval for grant awards and may, at their discretion, elect to withhold a portion of the full community grant account for future applications. If Council approves both awards there will be \$1,000.00 remaining in the Community Grant account which would be rolled over to fund next years program if the Council so chooses during the upcoming budget process.

OPTIONS:

1. For Council to award two Community Grants in the amount of \$500.00 each to Tavares Theater, Inc. and Mercy Flight Southeast/Angel Flight Southeast.
2. For Council to award Community Grants at a later date.

STAFF RECOMMENDATION:

Option 1 - For Council to award two Community Grants in the amount of \$500.00 each to Tavares Theater, Inc. and Mercy Flight Southeast/Angel Flight Southeast.

FISCAL IMPACT:

There is currently \$2,000.00 allocated for Community Grants. If two applications are awarded the balance in the Community Grant account will be \$1,000.00.

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Tavares Theater Group, Inc. Grant Application
2. Mercy Flight Southeast/Angel Flight Grant Application
3. Daily Commercial Proof of Advertising

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 12

SUBJECT TITLE: Demolition Request for Building Listed on the Local Register of Historic Places Located at 102 W. Main Street (Community Development)

OBJECTIVE:

To consider approval for issuance of a Certificate of Appropriateness for demolition of the building listed on the local register of historic places located at 102 W. Main St.

SUMMARY:

On July 5, 2001 City Council adopted Ordinance 2001-18 creating historic preservation regulations that include a historic district boundary, historic preservation guidelines, and a local register of historic places. Included in Ordinance 2001-18 is the requirement for City Council to approve the issuance of a Certificate of Appropriateness for the demolition of any structure listed on the local register of historic places.

City staff has received an application from the owner of the building located at 102 W. Main St. for a Certificate of Appropriateness for the demolition of the building, which is listed on the local register of historic places. The owner has submitted photographic evidence of the building's current state of disrepair and a structural inspection report completed by Engineering Services Group, LLC. The Building Official for the City of Tavares conducted a cursory review of the building and observed some visible structural deficiencies.

Per Ordinance 2001-18 the following guidelines shall be considered concerning applications for a Certificate of Appropriateness that propose demolition of designated historic sites:

- 1) Is the structure of such interest or quality that it would reasonably fulfill criteria for designation for listing on the National Register?
- 2) Is the structure of such design, craftsmanship or material that it could be reproduced only with great difficulty and/or expense?
- 3) Is the structure one of the last remaining examples of its kind in the neighborhood, City or designated historic district?
- 4) Would retaining the structure promote the general welfare of the City of Tavares by providing an opportunity to study local history, architecture and design, or by developing an understanding of the importance and value of a particular culture and heritage?

OPTIONS:

1. That City Council moves to approve issuance of a Certificate of Appropriateness for demolition of the building listed on the local register of historic places located at 102 W. Main St.

2. That City Council moves to deny the demolition request.

STAFF RECOMMENDATION:

At their December 19th meeting the Planning & Zoning Board, acting as the Historic Preservation Board per Ord. 2001-18, voted unanimously to recommend approval of the issuance of a Certificate of Appropriateness for the demolition of 102 W. Main St.

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

Application & Property Photos

Structural Assessment Report - Engineering Services Group, LLC

ATTACHMENTS:

Description

Type

December 19, 2019 Planning and Zoning Board Minutes

Exhibit

**CITY OF TAVARES
PLANNING AND ZONING BOARD MEETING
TAVARES COUNCIL CHAMBERS
201 E. MAIN STREET, TAVARES
DECEMBER 19, 2019**

BOARD MEMBERS PRESENT

Gary Santoro, Chairman
Gary Koerner, Board Member
Deborah Murphy, Board Member
Morris Osborn, Board Member - *absent*
Dara Treadwell, Board Member

LAKE COUNTY SCHOOL BOARD

Helen LaValley - Absent

STAFF MEMBERS PRESENT

Mike Fitzgerald, Community Development Director
Robert Q. Williams, City Attorney
Susie Novack, City Clerk
Antonio Fabre, Planning Coordinator

I. CALL TO ORDER

Chairman Santoro called the meeting to order at 3:00 p.m. He asked those present to silence their cell phones.

II. PLEDGE OF ALLEGIANCE

Chairman Santoro asked for a moment of silence in honor of Board Member William Stomp. He led those present in the Pledge of Allegiance.

Chairman Santoro said he would like to add Nomination of Vice Chairman to the agenda under Other Business.

MOTION

Deborah Murphy moved to approve the addition of Nomination of Vice Chairman to the agenda, seconded by Gary Koerner. The motion carried unanimously 4-0.

III. APPROVAL OF MINUTES

Chairman Santoro asked if there are any additions or corrections to the November 21, 2019 Planning and Zoning Board meeting minutes. There were none.

MOTION

Deborah Murphy moved for approval of the November 21, 2019 Planning and Zoning Board meeting minutes, seconded by Dara Treadwell. The motion carried unanimously 4-0.

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

Attorney Williams gave the oath to those who wished to provide testimony.

Attorney Williams asked the Board members if they had any ex-parte communications to disclose. Board Member Keorner said he spoke Mr. Greenwood regarding demolition at a park. There were no other ex-parte communications disclosed.

V. PUBLIC HEARING

1) Demolition Request for a Building Listed on the Local Register of Historic Places Located at 102 W. Main Street

Mr. Fitzgerald made the following presentation:

On July 5, 2001 City Council adopted Ordinance 2001-18 creating historic preservation regulations that include a historic district boundary, historic preservation guidelines, and a local register of historic places. Included in Ordinance 2001-18 are requirements for the Planning & Zoning Board, acting as the Historic Preservation Board, to make a recommendation to City Council regarding the issuance of a Certificate of Appropriateness for the demolition of any structure listed on the local register of historic places.

City staff has received an application from the owner of the building located at 102 W. Main St. for a Certificate of Appropriateness for the demolition of the building, which is listed on the local register of historic places. The owner has submitted photographic evidence of the building's current state of disrepair. The Building Official for the City of Tavares conducted a cursory review of the building and observed some visible structural deficiencies.

Per Ordinance 2001-18 the Planning & Zoning Board, acting as the Historic Preservation Board, shall consider the following guidelines in providing a recommendation to City Council concerning applications for a Certificate of Appropriateness that propose demolition of designated historic sites:

- 1) Is the structure of such interest or quality that it would reasonably fulfill criteria for designation for listing on the National Register?*
- 2) Is the structure of such design, craftsmanship or material that it could be reproduced only with great difficulty and/or expense?*

- 3) *Is the structure one of the last remaining examples of its kind in the neighborhood, City or designated historic district?*
- 4) *Would retaining the structure promote the general welfare of the City of Tavares by providing an opportunity to study local history, architecture and design, or by developing an understanding of the importance and value of a particular culture and heritage?*

Mr. Fitzgerald presented a PowerPoint presentation including photographs submitted by the applicant. He noted the following building conditions:

- Appearance of water and termite damage in front section of the building
- Roof of front porch deterioration with risk of collapse
- Cracking on exterior walls
- Rear wall buckling
- Appearance of water damage and ceiling collapse internally

Mr. Fitzgerald said that after the agenda packet was provided to the Board staff received a structural inspection report completed by a third party, Engineering Services Group, LLC, hired by the property owner. Mr. Fitzgerald read the following portion of the executive summary into the record as follows: "In summary it is our opinion that the building has suffered significant structural deterioration due to age, outdated and poor construction methods as well as inadequate maintenance. Due to the extent of repairs required to make this safe and usable space, it is not feasible to repair the structure to meet the current 2017 Florida Building Code in a cost-effective manner."

Mr. Fitzgerald said if the demolition is approved the applicant plans to clean the property including tree removal. He said staff is presenting the information to the board and has no recommendation.

Chairman Santoro asked the applicant to the podium.

James L. Bobo, 1532 Schult Court, Lake Francis Estates, said he is representing the First Baptist Church of Tavares as the Chairman of the Building and Grounds Committee. He said the church purchased the property with aspiration to use the existing building. The building has deteriorated and is not practical to use as intended when purchasing. The church has voted and is requesting approval to demolish the building in order to landscape the site and install a black fence similar to Tavares Square with development at a later date if there is an opportunity for expansion. Mr. Bobo noted there is a concern that inclement weather such as a hurricane would worsen the state of the building. He said the First Baptist Church has been assured that all tanks were removed since the time the building was used as a Gulf Service Station. Board Member Treadwell asked if the First Baptist Church had any discussion with the Tavares Historical Society regarding the demolition request. Mr. Bobo said no as it is a city registry. Board Member Treadwell asked if the Tavares Historical Society would

need to be contacted. Mr. Fitzgerald said the ordinance notification requirements includes posting on the building and the Planning and Zoning Board acts as the Historic Preservation Board with the authority to act on the request.

Board Member Koerner said the building is part of a district and not included in the registry on its own merits. Mr. Bobo said only a portion of the building is historic including the brick façade with additions in the rear made in the 1950's. He said the safety and welfare of the city, cost of maintaining the building as well as aesthetic appearance of Main Street is the main concern of the First Baptist Church.

Board Member Murphy asked if the trees located on the property would be removed. Mr. Bobo said the contractor, Glenn Greenwood, has provided a proposal to remove all debris and trees while preserving the sidewalk. He said the area will be landscaped with a fence.

Chairman Santoro asked for an estimated time for project completion and inquired about adjacent parking on both sides of the building. Mr. Bobo said it would take two weeks to remove the building and parking will be available during demolition. A fence will be placed inside the sidewalk and debris staging will be located on N. Joanna Avenue. Chairman Santoro said his main concern is safety and that businesses and pedestrians incur minimal disruption. He noted a concern for asbestos. Mr. Bobo said there will be a review for asbestos but there are no signs of asbestos tiles.

Chairman Santoro inquired about the approval process. Mr. Fitzgerald said that the Planning and Zoning Board acting as the Historic Preservation Board will make a recommendation to City Council. Chairman Santoro said that while he supports historic preservation he understands the condition of the building. He said the building has become an eyesore with safety issues and noted his support.

Board Member Murphy asked if the building will need to be taken off of a list of historic buildings prior to action. Attorney Williams said no. He noted the Tavares Historic Society is a group that is friendly to the city but has no official function with the city.

Chairman Santoro asked for comments from the audience.

Gary Ryker, 25714 Ebersol, Eustis, provided his professional background and said he is a member of the First Baptist Church of Tavares. He said the extensive damage and condition of the building was determined after purchase. He said a beam was placed to shore up the ceiling and the façade is sagging. He said the church is concerned that the façade will fall on a pedestrian. Mr. Ryker said the church would like to build a sanctuary life center on the property in the future.

Chairman Santoro inquired about underground tanks. Mr. Ryker said the church has an environmental study indicating tank removal. He confirmed that any discovered contamination would be removed. Mr. Ryker said the church is using the contractor that

removed the bank that was located at Tavares Square. He said the windows are wood with no lead or asbestos caulking.

MOTION

Deborah Murphy moved for demolition approval, seconded by Dara Treadwell.

Chairman Santoro asked that the project be completed as expeditiously as possible to minimize the down time for parking spaces and sidewalks. He said the Planning and Zoning Board is recommending approval for issuance of a Certificate of Appropriateness for Demolition of the building listed on the local register of historic places located at 102 West Main Street.

The motion carried unanimously 4-0.

2) Ordinance 2020-01 - Annexation Approximately 1.5 Acres of Land Located at 12549 Lane Park Cutoff, Rezoning Property from Lake County Light Industrial District (LM) to City of Tavares Industrial (I)

Mr. Fitzgerald made the following presentation:

The subject property is located at 12549 Lane Park Cutoff and is approximately 1.50 acres in size. The land is presently zoned as County Light Industrial District (LM), and the applicant is proposing that the property be annexed and rezoned to City Industrial (I).

The proposed zoning of Industrial (I) is compatible with the surrounding zoning and the existing industrial use of the property.

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 to the City.

The owner is concurrently seeking a Future Land Use Map amendment to Industrial (IND) to be compatible with the proposed Industrial zoning.

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2020-01, the annexation and rezoning to Industrial (I) of approximately 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

Chairman Santoro asked if the applicant is present.

Victoria Senia, 11340 Dead River Road, said she is available for questions.

Board Member Koerner inquired about the owners plans. Ms. Senia said her company is in the wastewater industry which conducts warehouse light assembly. She said that she is currently renting space at a location off Southridge Industrial Drive and is outgrowing the space.

MOTION

Dara Treadwell moved for the Planning and Zoning Board to recognize the annexation of 12549 Lane Park Cutoff and Rezone from Lake County Light Industrial to City of Tavares (I) Industrial, seconded by Gary Koerner. The motion carried unanimously 4-0.

3) Ordinance 2020-02 - SSFLUM Providing for a Change of Future Land Use Designation on Approximately 1.5 Acres of Land Located at 12549 Lane Park Cutoff; from County Urban Low Density to City Industrial (IND)

Mr. Fitzgerald made the following presentation:

The subject property is located at 12549 Lane Park Cutoff, and is approximately 1.50 acres in size. The land presently has a land use designation of County Urban Low Density, and the property owner is requesting an amendment to the Tavares Comprehensive Plan Future Land Use Map 2020 to change the designation of said property from Lake County Urban Low Density to City of Tavares Industrial (IND).

Ordinance 2020-02 proposes a small scale amendment to the Future Land Use Map 2020 of the Comprehensive Plan from County Urban Low Density to City Industrial (IND).

The subject property is adjacent to industrial and commercial uses. An application to annex and rezone this property to an Industrial (I) 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 County Urban Low Density. A City Industrial (IND) designation is compatible with surrounding property and the existing County Future Land Use.

Lands surrounding this property are industrial and commercial in nature.

An industrial / commercial building is currently on the property.

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. An Industrial (I) Future Land Use designation would serve as the most appropriate land use for the subject property in accordance with Future Land Use policy 1-1.1.6.*
- 2. Impacts of the subject property shall be monitored through the City's Concurrency Management System. (Comp Plan, Chapter 8)*

Staff recommends that the Planning & Zoning Board moves to recommend approval of Ordinance 2020-02, a Small Scale Future Land Use Map amendment from County Urban Low Density to City Industrial (I) for 1.50 acres of property located at 12549 Lane Park Cutoff, Tavares, FL.

MOTION

Dara Treadwell moved to approve Ordinance 2020-02, seconded by Gary Koerner. The motion carried unanimously 4-0.

Mr. Fitzgerald said the Planning and Zoning Board made a recommendation to the City Council to approve the ordinances. Both ordinances will go before City Council for two readings with final approval at second reading to be held February 5, 2020.

VI. OTHER BUSINESS

4) Election of Vice Chairman

Chairman Santoro asked for a nomination for the Vice Chairman position. He noted the position was held by Lou Buigas who was elected to City Council.

MOTION

Deborah Murphy moved to nominated Morris Osborne.

Attorney Williams said Mr. Osborne is a land use attorney with a firm in Orlando and will be a good member.

The motion was seconded by Dara Treadwell. The motion carried unanimously 4-0.

VII. AUDIENCE TO BE HEARD

Chairman Santoro asked for comments from the audience. There was none.

VIII. ADJOURNMENT

There was no further business and the meeting was adjourned at 3:40 p.m.

Respectfully submitted,

Susie Novack, MMC/FCRM
City Clerk

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 13

SUBJECT TITLE: Amendment to Agreement: Fred Stover Complex (Community Services)

OBJECTIVE:

To review and approve Amendment to Agreement

SUMMARY:

Recently, the Tavares High School Softball Coach approached staff to seek permission to permanently install fencing at the Fred Stover baseball complex to reconfigure the existing softball field to a women's fast-pitch softball field.

An Amendment to the current agreement for use of this complex between the City of Tavares and the Lake County School Board has been crafted to address this request.

OPTIONS:

- 1) To review the amendment and approve
- 2) To review the amendment and not approve

STAFF RECOMMENDATION:

FISCAL IMPACT:

n/a

LEGAL SUFFICIENCY:

meets sufficiency

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

1. Amendment

ATTACHMENTS:

Description

Type

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 14

SUBJECT TITLE: Tavares Historical Society

OBJECTIVE:

For the Tavares Historical Society to present a historical perspective.

SUMMARY:

The Tavares Historical Society will present a historical perspective.

OPTIONS:

1. Receive the Tavares Historical Society perspective.
2. Do not receive the Tavares Historical Society perspective.

STAFF RECOMMENDATION:

Option 1. Receive the Tavares Historical Society perspective.

FISCAL IMPACT:

None.

LEGAL SUFFICIENCY:

Legally sufficient.

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 15

SUBJECT TITLE: City Administrator Report

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

The City Administrator will provide a summary at the meeting.

UPCOMING MEETINGS:

City Council Regular Meeting	February 5, 2020 – 4 pm – City Council Chambers (No Meeting on January 1)
Library Board	February 19, 2020 – 2:30pm – Tavares Library Conference Room
Planning and Zoning Board	January 16, 2020 – 3 pm – City Council Chambers – Cancelled (Next scheduled meeting February 20, 2020)
Code Enforcement Hearing	January 28, 2020 – 5 pm – City Council Chambers – Cancelled (Next scheduled hearing February 25, 2020)

UPCOMING EVENTS:

Tavares Arbor Day Event	January 18, 2020 – 10 am to 3 pm – Wooton Park
African American Heritage Festival	February 1, 2020 – Details Pending
Planes, Trains & BBQ	February 29, 2020 – 12 pm to 10 pm – Wooton Park
Dragon Boat Races	March 7, 2020 – Details Pending

OUTSIDE AGENCY MEETINGS:

Lake County League of Cities	February 14, 2020 – 12-1:30 pm - Lake Receptions
Lake Sumter MPO Executive Board Meeting	No Meeting in January 2020
Tavares Chamber Business Luncheon	January 22, 2020 – 11:30 am – Tavares Civic Center, 100 E Caroline Street, Tavares – Speaker, John Drury, City Administrator

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A

**AGENDA SUMMARY
TAVARES CITY COUNCIL
1/15/2020**

AGENDA TAB NO.: 16

SUBJECT TITLE: City Council Member Reports

OBJECTIVE:

To inform Council on city related matters.

SUMMARY:

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

OPTIONS:

N/A

STAFF RECOMMENDATION:

N/A

FISCAL IMPACT:

N/A

LEGAL SUFFICIENCY:

N/A

ATTACHMENTS AVAILABLE TO THE PUBLIC UPON REQUEST:

N/A