



**TAVARES CITY COUNCIL  
MEETING MINUTES  
SEPTEMBER 22, 2021 – 4:00 PM  
TAVARES CITY HALL COUNCIL CHAMBERS  
201 EAST MAIN STREET, TAVARES**

**COUNCIL MEMBERS PRESENT**

**Amanda Boggus, Mayor  
Lou Buigas, Vice Mayor  
Lori Pfister, Council Member  
Walter Price, Council Member  
Troy Singer, 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  
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  
Scott Aldrich, Community Services Director**

**I. CALL TO ORDER**

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

## **II. INVOCATION/PLEDGE OF ALLEGIANCE**

### **Tab 1. Josh Gussler, Discipleship Pastor, Umatilla Baptist Church**

Josh Gussler, Discipleship Pastor, Umatilla Baptist Church, provided the invocation and led those present in the Pledge of Allegiance.

## **III. APPROVAL OF AGENDA**

Mr. Drury said staff had no changes to the Agenda.

## **MOTION**

**Lori Pfister moved to approve the Agenda, seconded by Lou Buigas. The motion carried unanimously 5-0.**

## **IV. PROCLAMATIONS/PRESENTATIONS**

### **Tab 2. Proclamation – City Attorney Robert Q. Williams**

Mayor Boggus provided the following presentation:

*Robert Q. Williams started his tenure as City Attorney in 1984 and has served the City Council, City Staff, and Citizens for over 37 years. His numerous contributions are reflected throughout City, and his calm, steady, and expert guidance have been invaluable. He has been instrumental in bringing Tavares through its renaissance period, and his loyalty and dedication to the City will have a lasting impact on those who have had the honor to work with him.*

Mayor Boggus read and presented a proclamation to Attorney Williams, bestowing special thanks, recognition, and appreciation for his outstanding legal advice and contributions to the City of Tavares – America’s Seaplane City, and to wish him a happy retirement.

## **MOTION**

**Lori Pfister moved to approve the Proclamation, seconded Lou Buigas. The motion carried unanimously 5-0.**

Mayor Boggus said Gary Cooney, Lake County Clerk of Court, submitted a Request to Speak form.

Gary Cooney said he began his legal career with Attorney Williams. He said Attorney Williams is a great teacher on how to be a good lawyer, person, and friend, He thanked Attorney Williams.

Mayor Boggus asked if there were additional comments from the audience.

Pastor Mike Watkins, 805 Summerall Avenue, Tavares, thanked Attorney Williams and said he had given much to the community. Pastor Watkins wished Attorney Williams a happy retirement.

Mayor Boggus asked for comments from the Council.

Council Member Pfister said Attorney Williams had been a good mentor who taught her to look at both sides and all variables of issues. She thanked Attorney Williams and said he would be missed.

Council Member Price thanked Attorney Williams and congratulated him on his retirement. He said he is confident the City will be in good hands with Attorney Holt.

Vice Mayor Buigas said she hoped Attorney Williams and his wife Julie would continue to support City events. Attorney Williams thanked Vice Mayor Buigas for her contributions to arts and culture in the City.

Council Member Singer said Mr. Williams is a wonderful attorney and a great human being. He wished him a happy retirement.

Mayor Boggus said Attorney Williams had had a large impact on her family. She thanked Attorney Williams on behalf of herself and her family and said she looks forward to working with Attorney Holt.

Attorney Williams reminisced about meeting each Council member for the first time and said it had been a pleasure to work for the City. He said Mr. Drury is a great leader who hires competent people and lets them lead, allowing creativity. He said it was neat what the team accomplished through the years.

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

Attorney Williams said there were no quasi-judicial matters before the Council for consideration.

**VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**

Ms. Novack read the following Resolution and Ordinance by title only:

**RESOLUTION NO. 2021-25**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, PROVIDING FOR AUTHORIZATION TO EXECUTE PLAN SERVICES AGREEMENT WITH EMPOWER RETIREMENT DUE TO ACQUISITION OF MASSMUTUAL BY EMPOWER RETIREMENT**

## ORDINANCE NO. 2021-16

**AN ORDINANCE OF THE CITY OF TAVARES AMENDING CHAPTER 15, PENSIONS AND RETIREMENT, ARTICLE V, FIREFIGHTERS' PENSION TRUST FUND, OF THE CODE OF ORDINANCES OF THE CITY OF TAVARES; AMENDING SECTION 15-106, BENEFIT AMOUNTS AND ELIGIBILITY; AMENDING SECTION 15-107, PRE-RETIREMENT DEATH; AMENDING SECTION 15-110, OPTIONAL FORMS OF BENEFITS; AMENDING SECTION 15-116, MINIMUM DISTRIBUTION OF BENEFITS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY OF PROVISIONS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH AND PROVIDING AN EFFECTIVE DATE.**

Ms. Novack noted Resolutions 2021-20 and 2021-21 would be read in their entirety during the Budget Hearing at 5:05 p.m.

### **VII. CONSENT AGENDA**

Mayor Boggus asked if the Council wished to pull any item(s) from the Consent Agenda. Vice Mayor Buigas asked pulled Tab 3.

#### **Tab 3. Approval of the September 8, 2021 City Council Regular and Budget Hearing Meeting Minutes**

Vice Mayor Buigas made the following correction: Page 18, Item 3; 'building departments throughout the state' should be changed to 'building departments throughout the county.'

### **MOTION**

Lori Pfister moved to approve the minutes as amended, seconded by Lou Buigas. The motion carried unanimously 5-0.

### **VIII. RESOLUTIONS**

#### **Tab 4. Resolution 2021-25 - Authorization to Execute Administrative Agreements for 401 and 457 MassMutual Plans due to Acquisition by Empower Retirement**

Ms. Houghton said the resolution is ministerial in nature and provided the following presentation:

*The City of Tavares established the General Employees Retirement Plan (Plan 7763), a defined contribution plan with the Hartford Company in 2000 which was subsequently changed to the MassMutual Financial Group as a result of a prior corporate acquisition. This plan was closed to new members when the City of*

*Tavares implemented the Florida Retirement System (FRS) for General Employees in April 2006. The Plan currently has four active members as well as several vested inactive members. Inactive vested members include terminated employees, retired employees, or employees that elected FRS in 2006.*

*The City of Tavares also maintains a 457 Deferred Compensation Plan (109843) which was originally implemented with the Hartford Group in 2000. Membership for the 457 plan is solely voluntary and is open to all employees.*

*Each Plan must meet Internal Revenue Code Compliance and therefore changes may be required from time to time due to changes in law.*

*Due to a recent corporate acquisition, the MassMutual Plans are now held by Empower Retirement and therefore updated Administrative Agreements for each plan is required.*

*The attached Resolution authorizes the execution of new Administrative Agreements with the Empower Retirement for the 401 Plan (7763), and the 457 Plan (109843) as well as authorization for other required updates for Internal Revenue Code Compliance.*

*Agreements will be reviewed by the City Attorney before executing.*

*Staff recommends approval of Option 1, to approve Resolution 2021-25, authorizing the execution of Administrative Agreements with Empower for the 401 Plan (7763), and the 457 Plan (109843).*

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

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

## **MOTION**

**Troy Singer moved to approve Resolution 2021-25, seconded by Walter Price. The motion carried unanimously 5-0.**

## **IX. ORDINANCES – PUBLIC HEARING**

### **First Reading**

### **Second Reading**

### **Tab 5. Ordinance 2021-16 – Amendment to Firefighters’ Pension Plan Amending Sections 15-106, 15-107, 15-110, and 15-116, Minimum Age Distribution of Benefits – Second Reading**

Ms. Houghton provided the following presentation:

*Ordinance 2021-16 provides changes to the Firefighters' Pension Plan to comply with recent changes to the Internal Revenue Code, related Treasury Regulations, and guidance from the Internal Revenue Service.*

*The Pension Plan Board Attorney, Scott Christiansen, Law Offices of Christiansen & Dehner, P.A., has prepared Ordinance 2021-16 to address these Internal Revenue Code (IRC) changes. A summary of the changes are as follows:*

- *Amend Section 15-106, Required distribution date.*
- *Amend Section 15-107, Pre-Retirement Death to address required distribution age per Amended Section 15-116.*
- *Amend Section 15-10, Optional Forms of Benefits to address required distribution age per Amended Section 15-116.*
- *Amend Section 15-116, Minimum Distribution of Benefits to provide for recent changes to the IRC changing the required distribution age from 70 ½ to 72.*

*The Plan Actuaries, Foster and Foster, have provided a letter of “no-impact” to the plan stating no formal Actuarial Impact Statement is required to support adoption. A copy of their letter detailing the plan changes and their opinion is attached.*

*Staff recommends approval of Option 1, to adopt Ordinance 2021-16 amending Chapter 15 of the Code of Ordinances for the City of Tavares Firefighters' Pension Plan.*

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

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

## **MOTION**

**Walter Price moved to approve Ordinance 2021-16, seconded by Lou Buigas. The motion carried unanimously 5-0.**

## **X. GENERAL GOVERNMENT**

### **Tab 6. Discuss Public Works Plans Review Fee Policy**

Mr. Dillon made the following presentation:

*As the City of Tavares experiences continued growth, City staff is seeking Council approval to explore alternative funding options besides property taxes for servicing development projects by the institution of user fees and policies for Public Works services. Specifically, a fee schedule that would address services including but not limited to inspection services, and plans review engineering*

*services, and rights of way permitting. Currently, the Department of Public Works doesn't collect fees from developers for these services.*

*Staff recommends Option 1, for Council to authorize staff to explore and bring back to Council for approval Developer fees for services rendered by Public Works.*

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

Mayor Boggus asked for comments from the Council.

## **MOTION**

**Lori Pfister moved to approve Option 1, seconded by Lou Buigas.**

Mayor Boggus asked for comments from the Council.

Vice Mayor Buigas asked if staff would bring back fee comparisons from area cities. Mr. Dillon confirmed. Vice Mayor Buigas asked if fees would include site plan review as a component of Planning and Zoning. Mr. Dillon confirmed and said site plan inspections for services Public Works provides for developers would be included.

Council Member Singer asked for anticipated cost savings. Mr. Dillon said if the city elects to move forward with the study, there would be a determination of the benefit of the rates and user fees. Mr. Drury said staff would identify the current cost of providing services and how user fees would offset property tax savings.

Council Member Price asked if other cities in the county charges Public Works fees. Mr. Dillon said the study would capture any fee charges from other cities.

Vice Mayor Buigas asked if contracted engineering reviews would be replaced with in-house reviews. Mr. Drury noted the request is for Public Works services. Community Development charges fees for services they provide, and Public Works would charge for services they would provide. He said other cities do charge fees, and those comparisons will be provided to the Council along with cost savings to the millage rate.

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

## **Tab 7. City Hall Mitigation Grant Project Close-Out Report**

Mr. Dillon made the following presentation:

*On February 19<sup>th</sup>, 2018 the Florida Division of Emergency Management (FDEM), serving as a pass-through entity for the Federal Emergency Management Agency (FEMA), and City of Tavares entered into a contract through the Hazard Mitigation Grant Program (HMGP) to harden City Hall as part of a wind retrofit*

*project. The grant would reimburse up to 75% of total project costs, and the city was required to match the other 25% of project costs.*

*Total project costs were \$500,834.13 with FEMA reimbursing \$375,625.60 (75% of total project costs). The City's portion of the project was \$125,208.53 (25% of total project costs). Staff is pleased to report that the Florida Division of Emergency Management has confirmed that the work was performed in accordance with the approved scope of work, project drawings, specifications, and has satisfied all of the prerequisites of the sub-recipient agreement.*

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

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

Mr. Drury said no action from the Council was required.

#### **XI. NEW BUSINESS**

#### **XII. OLD BUSINESS**

Council Member Singer asked for a kiosk update. Mr. Drury said the City kiosks would be refurbished, including updated information, within approximately 60 days.

#### **XIII. AUDIENCE TO BE HEARD**

Joseph Shreffler, Leesburg, said he cleans area waterfronts and discussed a trespassing case in Tavares. Mayor Boggus asked Mr. Shreffler to contact her office.

#### **XIV. REPORTS**

##### **Tab 10. City Administrator Report**

Mr. Drury provided an update on upcoming events, including the Tavares High School Homecoming Parade scheduled for October 1st. He said Roctoberfest, featuring Monster Splash Fly-In and Marina Ribbon Cutting, was scheduled for October 16th.

The Leadership Team congratulated Attorney Williams, said he will be missed, and wished him well in his retirement.

##### **Tab 11. City Council Member Reports**

Council Member Pfister said she has enjoyed working with Attorney Williams.

##### **Council Member Singer**

- Said he attended the 911 ceremony and commended and thanked Chief Keith for his efforts.

- Said he attended the Coastal Cleanup – Harris Chain of Lakes and thanked Mr. Dillon and his staff.
- Thanked Mr. Aldrich for a tour of the Tavares Library and expansion. He said 2500 feet will be added to the library. The Project Manager complimented the City’s permitting process during the tour. He commended Mr. Fitzgerald and the permitting staff.
- Said Mr. Williams is a wonderful Attorney and will be missed.

Vice Mayor Buigas opined about Hispanic Heritage Month and her pride as the first Hispanic woman elected to office in Lake County. She credited her family for coming to the United States and fighting for the American Dream. She said she would continue in their footsteps.

**Mayor Boggus adjourned the meeting for a recess at 4:49 p.m.**

**Mayor Boggus reconvened the meeting at 5:05.**

**XI. BUDGET HEARING – FISCAL YEAR 2021-2022 MILLAGE & BUDGET –  
READING OF FINAL MILLAGE & BUDGET RESOLUTION – 5:05 P.M.**

**Tab 8. Approve Resolution 2021-20 for Millage Rate for FY 2022 – Second Reading**

Ms. Novack read Resolution 2021-20 in its entirety as follows:

**RESOLUTION 2021 - 20**

**A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.7579 FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR FISCAL YEAR 2021-2022; SETTING FORTH THE PERCENT BY WHICH THE MILLAGE RATE IS GREATER THAN THE "ROLLED-BACK" RATE.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:

**WHEREAS**, the City of Tavares of Lake County, Florida on September 8, 2021, adopted the 2021-2022 Fiscal Year Tentative Millage Rate following a public hearing as required by Florida Statute 200.065.

**WHEREAS**, the City of Tavares of Lake County, Florida, following due public notice as required by law, held a second public hearing on September 22, 2021, as required by Florida Statute 200.065 on the 2021-2022 Millage Rate; and

**WHEREAS**, the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the County Property Appraiser to the City of Tavares as \$1,138,385,564.

**NOW THEREFORE, BE IT RESOLVED** by the City of Tavares of Lake County, Florida, that:

1. The City of Tavares Fiscal Year 2021-2022 operating millage rate to be levied is hereby set at 6.7579 mills, which millage rate is greater than the rolled back rate of 6.4948 by 4.05%.
2. The voted debt service millage rate is set at .2391 mills for Fiscal Year 2021-2022.
3. This Resolution will take effect immediately upon its adoption.

Mr. Drury said the millage rate and budget were properly advertised consistent with Florida Statutes in the Sunday edition of the Daily Commercial. He asked Ms. Houghton to highlight the salient points.

Ms. Houghton made the following presentation:

*An FY 22 proposed budget for Council's consideration totaling \$50,413,637 that is fully balanced and includes the adjustments made by the City Council at the September 8, 2021 Public Hearing is now ready for adoption. The proposed budget for FY2022 includes, among many other items, the following:*

1. *Similar Level of Service.*
2. *General Fund millage rate decrease (from 6.90 to 6.7579) which is 4.05% above the rollbacked rate.*
3. *Debt Service millage rate decrease (from .2623 to .2391).*
4. *Increased reserve appropriations.*
5. *Fire Assessment level funded (no rate increase).*
6. *Employee pay increase of 2.5%.*
7. *Street paving is increased from \$130,000 to \$500,000.*
8. *The annual July 4<sup>th</sup> and Christmas holiday celebration events are level funded.*
9. *Expanded programs are cut.*

*Previously, the City Council discussed the proposed Fiscal Year 2022 Budget at the following public meetings:*

- *7/01/2021 – City Council Budget Workshop – (General Fund Budget)*
- *7/21/2021 – City Council Budget Workshop – (Utility and Special Revenue Fund Budgets)*
- *7/21/2021 – City Council Budget Workshop – (Set Maximum Tentative Millage rate)*
- *8/04/2021 – City Council Budget Workshop – (Capital Improvement Plan Presentation)*

- 8/18/2021 – City Council Budget Workshop – (Discussion on FY 2022 Proposed Budget)
- 9/08/2021 – City Council Budget Public Hearing (First Reading for Resolution 2021-20 and 2021-21)

*A Tentative Millage Rate was approved by the City Council at the previous Public Hearing (First Reading for Resolution 2021-20) held on September 8, 2021.*

*This Public Hearing represents the Final Public Hearing (Second Reading – Resolution 2021-20) for Council’s consideration to adopt the FY 2022 Operating Millage rate and the FY 2022 Voted Debt Service Millage rate.*

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

Mayor Boggus asked for comments from the Council.

Council Member Price said he would like the Council to postpone the Tav Lee Trail project to get to the rollback rate.

Council Member Singer said the Council reduced the millage rate for the third year in a row at 2% lower than the previous year. He said the debt service millage rate was also reduced 8.5%, and noted the state has never reduced the 6% sales tax.

Vice Mayor Buigas noted no one in the audience voiced their opinion and said it reflects the residents are happy with the Council’s decision.

**MOTION**

**Lou Buigas moved to approve Option 1, seconded by Troy Singer. The motion carried 3-2 at 5:11 p.m. as follows:**

**Amanda Boggus: Yes**  
**Lou Buigas: Yes**  
**Lori Pfister: No**  
**Walter Price: No**  
**Troy Singer: Yes**

**Tab 9. Approve Resolution 2021-21 for Budget for FY 2022 – Second Reading**

Ms. Novack read Resolution 2021-21 in its entirety as follows:

**RESOLUTION 2021-21**

**A RESOLUTION ADOPTING THE FINAL BUDGET FOR THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL YEAR 2021 - 2022.**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA:

**WHEREAS**, a public hearing on the tentative 2021-2022 budget was held at the Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on Thursday, September 8, 2021 at 5:05 p.m., as required by Florida Statutes 200.065; and

**WHEREAS**, the general public was given an opportunity to express its views pertaining to the tentative budget, and

**WHEREAS**, the City Council approved the tentative budget for 2021-2022, and

**WHEREAS**, a second public hearing on the proposed 2021-2022 budget was held in the Council Chambers at the Tavares City Hall, 201 East Main Street in the City of Tavares, Florida, on Wednesday, September 22, 2021, at 5:05 p.m.,

**NOW, THEREFORE, BE IT RESOLVED** that the Budget for 2021-2022 fiscal year for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of \$50,413,637 at public hearing this 22<sup>nd</sup> day of September, 2021.

This resolution will take effect immediately upon its adoption.

Mr. Drury said the millage rate and budget were properly advertised consistent with Florida Statutes in the Sunday edition of the Daily Commercial. He asked Ms. Houghton to highlight the salient points.

Mr. Drury said Resolution 2021-21 supports the millage rate previously passed by the Council. He said the budget process began in January 2021 with six public meetings, including public input. The budget funds the Police and Fire departments to keep the city safe and moving forward with the most efficient cost structure. He said it is a great budget, and the process has been transparent. He said the Council has been vigilant throughout the budget process, making sure they represented the residents of Tavares well with a similar level of service.

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

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

### **MOTION**

**Troy Singer moved to approve the Budget as presented, seconded by Lou Buigas. The motion carried 3-2 at 5:15 p.m. as follows:**

**Amanda Boggus: Yes**  
**Lou Buigas: Yes**  
**Lori Pfister: No**  
**Walter Price: No**  
**Troy Singer: Yes**

**XV. ADJOURNMENT**

There was no further business and Mayor Boggus adjourned the meeting at 5:15 p.m.

Respectfully submitted,

---

Susie Novack, MMC, FCRM  
City Clerk