



**TAVARES CITY COUNCIL
MEETING MINUTES
JANUARY 15, 2020 – 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

TAVARES CHAMBER OF COMMERCE

J. Scott Berry, Executive Director

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Pastor Eric Filkin, Bridges Covenant Church

Pastor Eric Filkin, Bridges Covenant 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

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

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Tavares Chamber of Commerce Update

Mr. Berry said the Tavares Chamber of Commerce had a record-breaking year with 103 new members. He noted Mr. Drury was scheduled as guest speaker for the January 22, 2020 Monthly Business Luncheon. He said the Chamber Alliance is forming a coalition to include Lake 100 and Leadership Lake.

Council Member Stevenson thanked Mr. Berry for his efforts.

Tab 3. 2020 Arbor Day Proclamation

Vice Mayor Pfister read a proclamation on behalf of Mayor Boggus proclaiming January 18, 2020 as City of Tavares Arbor Day. Mayor Boggus noted Arbor Day was being celebrated in Wooton Park on Saturday, January 18, 2020 beginning at 10:00 a.m.

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

Attorney Williams stated there were no quasi-judicial matters before Council.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following Ordinances and Resolutions by title only:

RESOLUTION NO. 2020-01

A RESOLUTION OF CITY OF TAVARES, FLORIDA; AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING A GRANT SCOPE OF WORK RELATED TO BEST PRACTICES OF ASSET MANAGEMENT PLANNING FOR MEDIUM SIZED WATER SYSTEMS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

RESOLUTION NO. 2020-02

A RESOLUTION OF CITY OF TAVARES, FLORIDA; AUTHORIZING THE ACCEPTANCE OF A GRANT FROM THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM); PROVIDING A GRANT SCOPE OF WORK RELATED TO THE PURCHASE AND INSTALLATION OF TWO GENERATORS FOR TWO LIFT STATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

ORDINANCE 2020-01

AN ORDINANCE OF THE CITY OF TAVARES AMENDING THE BOUNDARIES OF THE CITY BY ANNEXING APPROXIMATELY 1.50 ACRES OF LAND LOCATED AT 12549 LANE PARK CUTOFF, REZONING SAID PROPERTY FROM LAKE COUNTY LIGHT INDUSTRIAL DISTRICT (LM) TO CITY OF TAVARES INDUSTRIAL (I); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2020-02

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 1.50 ACRES OF LAND LOCATED AT 12549 LANE PARK CUTOFF; FROM COUNTY URBAN LOW DENSITY TO CITY INDUSTRIAL (IND); PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.

VII. CONSENT AGENDA

MOTION

Troy Singer moved to approve the Consent Agenda [Tab 4 – Approval of the December 18, 2019 Regular City Council Meeting Minutes; and, Tab 5 – Air Boss

Solutions Agreement for Planes, Trains and Barbeque & Seaplane A Palooza], seconded by Lou Buigas. The motion carried unanimously 5-0.

Tab. 4. Approval of the December 18, 2019 Regular City Council Meeting Minutes

Approved on the Consent Agenda.

Tab 5. Air Boss Solutions Agreement for Planes, Trains and Barbeque & Seaplane A Palooza

Approved on the Consent Agenda.

VIII. RESOLUTIONS

Tab 6. Approval of Resolution 2020-01, FDEP Grant DW35097

Ms. Houghton made the following presentation:

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.

Staff recommends Council move to approve Option 1 - Approve Resolution 2020-01 authorizing the City Administrator to execute FDEP Grant

Agreement DW35097 for Asset Management Best Practices for Medium Sized Water Systems.

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

MOTION

Lori Pfister moved for approval [Option 1 – Approve Resolution 2020-01 authorizing the City Administrator to execute FDEP Grant Agreement DW35097 for Asset Management Best Practices for Medium Sized Water Systems], seconded by Roy Stevenson. The motion carried unanimously 5-0.

Tab 7. Approval of Resolution 2020-02 for FEMA (sub-award) Hazard Mitigation Grant for Lift Station Generators – Grant H0335, Project DR4337-263-R

Ms. Houghton made the following presentation:

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.”*

The total budget for the project is \$49,867.50 and therefore no match is budgeted.

Staff recommends Council move to approve Option 1 – Approve Resolution 2020-02 authorizing the City Administrator to Execute FDERM Grant Agreement H0335 for Grant Project DR-4337-236-R, Lift Station Grant.

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

MOTION

Lori Pfister moved for approval [Option 1 – Approve Resolution 2020-02 authorizing the City Administrator to execute FDERM Grant Agreement H0335 for Grant Project DR-4337-236-R, Lift Station Grant], seconded by Lou Buigas. The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Tab 8. Ordinance 2020-01 – Annexation & Rezoning of 1.50 Acres Located at 12549 Lane Park Cutoff

No discussion at first reading.

Tab 9. Ordinance 2020-02 – SSFLUM of 1.50 Acres Located at 12549 Lane Park Cutoff

No discussion at first reading.

Second Reading

None.

X. GENERAL GOVERNMENT

Tab 10. Board Appointments – Planning & Zoning Board

Mayor Boggus made the following presentation:

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.

Mayor Boggus appointed Robert Wolfe and James Sweeza to the Planning and Zoning Board for the remainder of terms expiring June 2022.

MOTION

Roy Stevenson moved for approval of the Mayor's appointments to the Planning and Zoning Board for the remainder of terms expiring June 2022 [Robert Wolfe and James Sweeza], seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 11. Community Grant Awards

Ms. Novack made the following presentation:

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.

Staff recommends approval of 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.

Mayor Boggus asked for questions from Council.

Council Member Singer asked if there is a deadline for applications. Ms. Novack confirmed. Council Member Singer asked if applications received after would be denied. Mr. Drury confirmed.

Council Member Stevenson inquired about the grant program. Mr. Drury said the Council sets a budget for community grant funding in the amount of \$2,000 for not-for-profits that benefit Tavares residents. The city received two applications and the ranking committee determined the applicants serve the community. He said the requests are in line with the approved budget as well as the grant policy. Council Member Stevenson noted his support for Angel Flight Southeast and inquired if more grant funding can be provided.

Council Member Singer said the application provides an opportunity for \$500 grant awards. Mr. Drury said the two applicants applied for the maximum grant award under city policy. He said Council can award less dollars or change the policy and noted the community grant was advertised under the current policy guidelines for up to \$500.

Vice Mayor Pfister asked about the next fiscal year program funding. Mr. Drury said funding is a Council decision and noted options to level fund at \$2000 or increase the program to \$3000. Vice Mayor Pfister said she would like the city to be more aggressive in getting the word out about the grant opportunity to the community.

Council Member Singer noted his support for granting upon request rather than an application deadline.

MOTION

Troy Singer moved to award community grants to the Tavares Theater, Inc. and Mercy Flight/Angel Flight Southeast in the amount of \$500.00 each, seconded by Lori Pfister.

Mr. Drury said staff can update the policy with a rolling grant application where requests can be accepted throughout the year if Council wishes.

There was a consensus from Council for staff to bring back an amended policy for discussion.

The motion carried unanimously 5-0.

Tab 12. Demolition Request for 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 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?*

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.

Mr. Fitzgerald presented PowerPoint photographs submitted by the applicant depicting building deterioration and stressed landscaping.

Mayor Boggus asked for questions from Council.

Council Member Buigas said she would like to disclose that she has worked with the demolition and engineering firms professionally. Attorney Williams said Council Member Buigas contacted him in advance of the meeting and said he advised there was no conflict of interest that would prohibit a vote. He said Council Member Buigas must vote on the item.

Council Member Buigas asked what tax implication the city will incur with the property removed from the tax roll. Mr. Drury said revenues before the church purchase was \$2,851.03 and there are no revenues after purchase. Council Member Buigas said it is sad to see a historic building come down and also deterioration when a property owner does not maintain a building.

Vice Mayor Pfister said she asked the city to take some action in the past as the building did not look structurally sound. Mr. Drury said the new owner conducted their own analysis and determined the building is not salvageable. He said the city has never received authorization to enter the property and conduct an engineering analysis. Vice Mayor Pfister noted the property is located in a prime location on Main Street and is not in support of removal from the tax roll.

Council Member Singer asked if Council approval would be required if the building was not listed on the historical registry. Mr. Fitzgerald said no. Council Member Singer said the property has been for sale many years, is an eyesore, and feels the land owner has the right to demolish.

Council Member Stevenson noted a concern for tree removal. Mr. Fitzgerald said tree removal is part of the demolition of the building and a tree could be removed with a permit.

Attorney Williams noted there are differences between a building's that need to be condemned and those that are uninhabitable. He said the city has an unsafe building abatement ordinance that Code Enforcement enforces, and while the building has deficiencies, it does not meet the level required for condemnation which would then allow the city to take steps to bring up to code or demolished. He said Council's review of the building as a Historical Review Board should take into consideration if the building can be reasonably rehabilitated to its former self.

Mayor Boggus asked if the building was once a stable.

Ms. Smith, President, Tavares Historical Society, said the building was the Gardner Garage in the 1920's. She said the Historical Society was contacted by the church. Ms. Smith said there comes a time when buildings are beyond repair or would be too

costly to bring up to standard. She said the Historical Society said they would not object to demolition if the building was beyond repair or too costly to repair.

Larry Bobo, Building Grounds Chairman, First Baptist Church of Tavares, read an executive summary prepared by Engineering Services Group regarding the structural damage of the building. He said the church has determined that the best approach to benefit the city and church is to remove the building, install a black aluminum fence similar to Tavares Square and landscape the grounds. He noted the fencing will include ingress and egress areas.

Gary Ricker, Member First Baptist Church, said the church purchased the building to use as an office and youth center, but due to its deterioration it is not fit to serve as hoped. He reiterated previously commented damage.

MOTION

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

Tab 13. Amendment to Agreement: Fred Stover Complex

Ms. Rogers made the following presentation:

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.

Mr. Drury noted the Lake County School Board voted unanimously 5-0 to accept the agreement during their January 13, 2020 Board meeting. He said the agreement is now before Council for consideration. Ms. Rogers said the cost of installation will be borne by School Board including relocation of irrigation heads.

Mayor Boggus said fencing is being added per regulation requirements to enhance scholarship opportunities. She said the agreement includes a provision that the property must be brought back to its original condition or better if the fence is removed.

Council Member Singer asked if the agreement will affect city maintenance or events. Ms. Rogers said there are no issues and noted the men's senior softball program operates out of Woodlea Sports Complex. Ms. Rogers confirmed the fencing is a capital improvement project paid by the School Board with the city continuing to maintaining the fields.

MOTION

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

XI. NEW BUSINESS

None.

XII. OLD BUSINESS

None.

XIII. HISTORICAL PERSPECTIVE

Tab 14. Tavares Historical Society

Brenda Smith, President, Tavares Historical Society, said she was presenting a report in Ms. Burleigh's absence. She noted the following buildings lost to the city through the years by fire or demolition: first house, first school, Peninsula Hotel, Lake County Abstract Company building (former Lake Region Packing site), Bank building (Tavares Square site), Osceola Hotel (City Hall site), Pioneer building, Train Station and Tally house (Lake County Historical Courthouse site). Ms. Smith noted the city replicated the train station and said it is her hope that the First Baptist Church would replicate or incorporate the façade into any new building.

Mr. Drury noted some of the historic buildings have been replicated in the past ten years including the Pavilion on the Lake, Woodlea House, Train Station, and Duncan House. He said the next project is converting the historic train station on Alfred Street into a museum.

XIV. AUDIENCE TO BE HEARD

Vance Jochim, 12619 Milwaukee Avenue, read a list of transparency concerns including the absence of ADA non-compliant agenda documents on the city website.

Pastor Watkins, 805 Sumerall, thanked Mr. Drury and staff for their efforts to ensure Camp Road was resurfaced after a recently established development was completed.

Midge Fryer, 305 Juniper Way, said 60 to 70 residents of Baytree Subdivision enjoyed a recent tour of the Public Safety Facility. She thanked the Police and Fire Departments and said the facility makes her proud to live in Tavares.

XV. REPORTS

Tab 15. City Administrator Reports

Mr. Drury said the public provided great comments. He noted many cities have been sued and incurred settlement costs for placing documents on their websites that are not ADA compliant.

Mr. Drury said Council will be setting broad budget priorities for the upcoming budget during the February 5, 2020 City Council meeting. He asked Council to think about where the city has been, where it should go, and what should be accomplished in the next fiscal year. He said a budget for the next fiscal year will be built upon the broad budget priorities that are provided.

Mr. Dillon said Camp Road improvements are ahead of schedule with completion expected at the end of January. He noted Arbor Day will be held in Wooton Park on Saturday, January 25, 2020.

Mr. Clark recognized former Council Member Smith in the audience. Mr. Smith said on this day in 1922 Dr. Martin Luther King, Jr. was born.

Mr. Rogers said there will be a concert series program held at the Tavares Public Library on January 16, 2020 at 12:30 p.m. She asked those attending to bring a bag lunch.

Attorney Williams said a judge has ruled that the Americans with Disabilities Act applies to websites and visual impairment. He said visually impaired readers are unable to read scanned pdf documents on websites and must be ADA compliant. He said the city has taken steps to ensure that the city is compliant with ADA laws. Mr. Drury noted documents are always available to the public upon request.

Tab 16. City Council Member Reports

Council Member Buigas

Council Member Buigas extended her condolences to Diana Aten on the recent loss of her husband.

Positive Quote of the Day: Train your mind to see the good in everything. Positivity is a choice. The happiness of your life depends on the quality of your thoughts. ~author unknown

Council Member Singer

- Said he is happy to see the pilings being removed.
- Thanked the audience members for their participation.
- Thanked the Mayor's Youth Council members for attending the meeting.

Council Member Stevenson

Council Member Stevenson recognized former Council Member Smith in attendance.

Vice Mayor Pfister

- Was happy to see the Mayor's Youth Council in attendance.
- Encouraged the audience members to apply for openings on city boards.
- Thanked the audience members for their participation.

Mayor Boggus

Mayor Boggus noted the upcoming African American Heritage Festival. Ms. Rogers said January 31, 2020 is the kick-off for African American Heritage Festival and a Unity Walk will be held on February 1, 2020.

XVI. ADJOURNMENT

There was no further business and Mayor Boggus adjourned the meeting at 5:11 p.m.

Respectfully,

Susie Novack, MMC/FCRM
City Clerk