



**TAVARES CITY COUNCIL
MEETING MINUTES
MARCH 4, 2020 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Amanda Boggus, Mayor
Lori Pfister, Vice Mayor - *Absent*
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
Phil Clark, Utilities Director
Crissy Bublitz, Human Resources Director
Mark O'Keefe, Public Communications Director**

TAVARES HISTORICAL SOCIETY

Brenda Smith, President

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 Tom Cavanaugh, First Baptist Church of Mount Dora

Pastor Tom Cavanaugh, First Baptist Church of Mount Dora, 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

Troy Singer moved to approve the Agenda, seconded by Lou Buigas. The motion carried unanimously 4-0.

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Tavares Chamber of Commerce Update

Mr. Berry stated a correction to his monthly report to reflect eight new members in February 2020. He noted Council Member Buigas inquired about the number of visitors the Chamber received in 2019 and said there were 1320 visits or calls for the year. Mr. Berry highlighted upcoming events and noted Justin Higa, YMCA Director, will be guest speaker at the Chamber's March business luncheon.

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

Mr. Drury stated there were no quasi-judicial matters before Council.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following resolution and ordinance by title only:

**LAKE COUNTY RESOLUTION NO. 2020- 17
CITY OF MOUNT DORA RESOLUTION NO. 2020- 29
CITY OF TAVARES RESOLUTION NO. 2020- 04**

A JOINT RESOLUTION OF LAKE COUNTY, FLORIDA, THE CITY OF MOUNT DORA, FLORIDA AND THE CITY OF TAVARES, FLORIDA IDENTIFYING A COOPERATIVE INITIATIVE TO DEVELOP A RAILS TO TRAILS RECREATIONAL TRAIL FROM TAVARES, THROUGH A

PORTION OF UNINCORPORATED LAKE COUNTY, THROUGH MOUNT DORA AND INTO UNINCORPORATED SORRENTO WITHIN THE EXISTING RAILROAD BED AS DEPICTED IN THE STATE OF FLORIDA'S 2020 "TAVARES-MOUNT DORA TRAIL CORRIDOR PLANNING STUDY."

ORDINANCE 2020-03

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE FOLLOWING SECTIONS OF THE CITY LAND DEVELOPMENT REGULATIONS; SECTION 4-45 NOTICE OF HEARING (C) POSTING OF SITE; SECTION 24-2 PLANNING & ZONING DIVISION FEES (C) ADVERTISING FEES; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Council Member Buigas said she would like to pull Tab 4 for discussion.

MOTION

Troy Singer moved to approve the Consent Agenda with Tab 4 pulled for discussion [Tab 3 – Approval of the February 19, 2020 Regular City Council Meeting Minutes], seconded by Lou Buigas. The motion carried unanimously 4-0.

Tab 3. Approval of the February 19, 2020 Regular City Council Meeting Minutes

Approved on the Consent Agenda.

Tab 4. Utility Easement for Duke Energy for Temporary Water Pump Station

Council Member Buigas said Avalon Park is reflected on the easement and wanted to ensure she did not have a conflict of interest. Attorney Williams said the city is giving Duke Energy an easement for property the city acquired from Avalon Park. He said he spoke with Ms. Buigas and has given her his opinion that there is no conflict of interest. Attorney Williams said he suggested Council Member Buigas pull the item for discussion in order to place his opinion on record.

MOTION

Lou Buigas moved to approve, seconded by Roy Stevenson. The motion carried unanimously 4-0.

VIII. RESOLUTIONS

Tab 5. Resolution 2020-04 – Joint Agency Resolution for Rails to Trails Initiative

Mr. Drury made the following presentation:

There exists two rail lines in Tavares. One traverses North and South though Downtown by-passing the Wootton Park Train Station. The other traverses east towards Mount Dora out to Sorrento beginning in Downtown Tavares.

The north-south line which begins in Umatilla traverses through Eustis, Tavares, Apopka and into Orlando recently received upgrades including continuous welded tracks and is slated to remain an active rail road line in the foreseeable future for freight, storage and tourist train excursions.

The east line was never improved with continuous welded tracks and recently was closed down to passenger tourist excursions due to maintenance needs that are not programmed to be done in the foreseeable future. It is now limited to rail car storage only.

Lake County, Mount Dora and Tavares are working together to develop a "Rails to Trails" project as part of the Wekiva Trail where in Lake County would purchase the private rail road line and turn it into a vibrant public recreational trail from Tavares, through Lake County and Mount Dora to Sorrento where it would connect the Wekiva Trail that is currently under construction. It then connects to the Coast to Coast trail from St. Petersburg to Cape Canaveral.

Currently, the three Governmental partners (Lake County, Tavares and Mount Dora) are exploring the USDOT \$25 million Build Grant as a potential funding source for this project. This Resolution would codify the cooperative initiative between the three governmental agencies for the grant to develop this Rails To Trails project. Any financial contributions needed from Tavares to further this effort as part of grant match or maintenance program of the trail would come back to City Council at a later date in the future for further review and action. At this point the resolution is more symbolic by stating for the record that the three Governmental Agencies are desirous of working together to pursue this rails to trail project.

Staff recommends Council approve Resolution 2020-04.

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

MOTION

Lou Buigas moved to approve Resolution 2020-04, seconded by Troy Singer. The motion carried unanimously 4-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Tab 6. Ordinance 2020-03 – Amendment to Land Development Regulations Section 4-45 Notice of Hearing (c) Posting of Site: Section 24-2 Planning & Zoning Division Fees (c) Advertising

No discussion at First Reading.

Second Reading

None.

X. GENERAL GOVERNMENT

Tab 7. Board Appointments – Fire Pension Board and Lake County Arts & Cultural Alliance

Mayor Boggus made the following presentation:

The City currently has one seat available on the Fire Pension Board for the remainder of a term that will expire November 2022, and one seat available on the Lake County Arts & Cultural Alliance - City Representative for a three year term beginning the date of appointment. Both the Fire Pension Board and Lake County Cultural Alliance meet on a quarterly basis. The following applications were received:

Fire Pension Board

- *Gary Santoro*

Lake County Arts & Cultural Alliance

- *J Scott Berry*
- *Margaret Brock*

The City advertised the positions in the Daily Commercial, City website (multiple locations), and on City social media accounts.

Mayor Boggus appointed Gary Santoro to the Fire Pension Board.

MOTION

Lou Buigas moved to approve the appointment of Gary Santoro to the Fire Pension Board, seconded by Troy Singer.

Attorney Williams asked if the motion could be amended to make the approval be contingent on confirming the appointment does not conflict with the Florida Constitution dual officeholding prohibition. Mr. Drury said if the City Attorney deems there is a conflict then the motion would be null and void. Mr. Santoro said he would like to remain on the Planning and Zoning Board.

Lou Buigas amended the motion that the appointment is subject to the City Attorney confirming it does not conflict with the dual office law, seconded by Troy Singer. The motion carried unanimously 4-0.

Mayor Boggus said she would like to appoint J. Scott Berry to the Lake County Arts and Cultural Alliance, City Representative.

MOTION

Troy Singer moved to approve the recommendation of J. Scott Berry to the Lake County Arts and Cultural Alliance, City Representative, seconded by Roy Stevenson.

Council Member Buigas inquired about the alternate position. Mr. Drury said Ms. Rogers is the alternate who will remain in the position.

The motion was carried unanimously 4-0.

Tab 8. Approve FY2020-2021 Budget Workshop and TRIM Calendar

Mr. Drury noted Council was provided with an updated agenda summary and TRIM calendar to reflect a corrected meeting date. [Correction: Item 3. 5-Year Capital Improvement Plan Workshop to discuss the FY2020-2021 Maximum Tentative Millage Rate will be held July 15, 2020]

Ms. Houghton made the following presentation:

The 2020 TRIM calendar includes presentations for the General Fund Budget at a Regular City Council meeting, the Enterprise Funds at another Regular City Council Meeting, and an additional non-regularly scheduled City Council meeting to set the Tentative Maximum Millage Rate. In addition budget workshops will be included with Regular August City Council Meetings. Finally, the calendar includes two Public Hearings for adoption of the FY2020/2021 Budget and Millage Rate (September).

Truth in Millage statutes require that the first public hearing for the budget and millage rate(Tentative Budget Hearing) be held not less than 65 days after the first day of TRIM, July 1st. The City anticipates receiving the Certification of Taxable Value from the Property Appraiser for determining the 2020 (FY 2021) millage rate calculations on May 31, 2020.

1. June 17, 2020 - Budget Workshop with Regular City Council Meeting to present the proposed FY 2021 General Fund Budget.
2. July 1, 2020 - Budget Workshop with Regular City Council Meeting to present the Enterprise Funds and Special Revenue Funds, and to discuss General Fund and Millage Rate.
3. July 15, 2020 - Budget Workshop - Present Five-Year Capital Improvement Plan (CIP). Workshop to discuss the FY 2020-2021 Maximum Tentative Millage Rate.
4. July 29, 2020 - Budget Workshop to set the Tentative Maximum Millage Rate.
5. August 5, 2020 - City Council Budget Workshop (Same date as Regular Council Meeting).
6. August 19, 2020 - City Council Budget Workshop (Same Date as Regular Council Meeting).
7. September 3, 2020 - First Public Hearing to adopt Tentative Budget and Tentative Millage Rate for FY 2020-2021 Budget (this is the THURSDAY after the regular City Council Meeting on September 2).
8. September 16, 2020 - Final Public Hearing to adopt 2020-2021 Budget and Millage Rate (same date as regular City Council Meeting).

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

MOTION

Lou Buigas moved to approve Option 1 [Approve the Fiscal Year 2021 TRIM Calendar as submitted which meets the requirements of TRIM.], seconded by Troy Singer. The motion carried unanimously 4-0.

Tab 9. Emergency Notification System

Mr. O'Keefe made the following presentation:

The City desires to utilize (at no cost) the emergency notification system administered by the Florida Division of Emergency Management and Lake County Division of Emergency Management to transmit emergency alerts, notifications, and other authorized public safety messaging to residents, businesses, and visitors located in or transiting through the City of Tavares.

Staff is requesting Council enter into an Interlocal Agreement with Lake County BCC pursuant to Sections 252.35(2)(a)6 and 252.38, Florida Statutes, and allow the City Administrator and Mayor to sign a Memorandum of Agreement ("MOA") with the Lake County for the utilization of the notification system provided by the Florida Division of Emergency Management known as AlertLake and branded by the City as AlertTavares.

The purpose of the Emergency Notification System is to enable the City to send messages via landlines, cell phones, text messages and email.

The City shall utilize the AlertLake Standard Operating Guidelines (SOGs) which set forth the use of the emergency notification system when sending outbound messages, which would be limited to Tavares city residents only. Emergency messages include, but are not limited to: population protective actions; emergency preparedness and response information; disaster recovery information; notification of emergency preparedness exercises; law enforcement searches for a missing person or a manhunt for an escaped convict or suspects evading arrest; automated severe weather warnings; notification and recall of employees, contractors, and other response partners; emergency non-weather messages such as Civil Danger Warning, firewarning, hazardous materials warning, local area emergency, 911 telephone outage emergency, and radiological hazard warning.

Staff recommends approval of Option 1 – Approve the Interlocal Agreement “Memorandum of Agreement (MOA)” with Lake County BCC for Emergency Notification System

Mayor Boggus asked for questions from Council.

Council Member Singer asked if the city budgeted an alert system in the past. Mr. O’Keefe confirmed. He said technology has surpassed the previous systems usability. He said Lake County and State have a system the city can piggy-back with a contract at no cost. Several other cities including the Lake County Sheriff’s Office currently take advantage of the no cost agreement. Council Member Singer asked if the past software was budgeted in the current fiscal year. Mr. Drury confirmed and said the city is cancelling the contract. He said the next fiscal year will reflect a reduction in the amount of \$10,000.

Mayor Boggus asked how alert system information gathered and distributed to the citizens. Mr. O’Keefe said the State of Florida Division of Emergency Management Services has a public communications plan that encourages citizens to sign up. The software uses readily available white and yellow pages phone numbers, and there is a sign-up component for cell phones. The city will create a webpage called Alert Tavares. Through the city newsletter, social media and other communication tools the city will encourage citizens to participate.

Council Member Buigas asked if the information under the current contract transfer to the new system. Mr. O’Keefe said no and noted the current information and system is antiquated.

Mayor Boggus asked if she will need to sign up for Tavares Alert and the Lake County Alert System separately. Mr. O’Keefe said the city would likely send out the same information that Lake County would during an emergency, and there are standard operating guidelines to prevent double and triple messaging on the same topic from multiple agencies.

MOTION

Troy Singer moved to approve, seconded by Roy Stevenson. The motion carried 4-0.

Tab 10. Authorization to Enter into Library Design Contract

Ms. Rogers said during the June 19, 2019 City Council meeting, a Continuing Services contract was approved between the City of Tavares and the DLR Group for professional design services. At this juncture in the expansion of the library, the next step is to begin the final design of the project. Ms. Rogers said staff is requesting Council to authorize staff to negotiate a contract with DLR Group for professional design service for the library expansion project, and bring a contract back to Council for final approval. She said contracting with the DLR Group complies with the city's purchasing policy as they are under a continuing services agreement.

Mayor Boggus asked for questions from Council.

Council Member Buigas inquired about the contract. Ms. Rogers said a contract will come back to Council for consideration, and once a contract has been executed the design phase of the project will begin.

Mayor Boggus asked for clarification on why the city is not putting out a bid on the design firm. Ms. Rogers said the DLR Group has an existing continuing service agreement with the city. She said staff has been working with the DLR Group and looks forward to working with their team. She said the city has already gone through the bidding phase through the continuing contract agreement.

MOTION

Roy Stevenson moved to approve authorization to enter into a contract with the DLR Group, seconded by Lou Buigas. The motion carried unanimously 4-0.

XI. NEW BUSINESS

None.

XII. OLD BUSINESS

Attorney Williams said he was able to quickly access the Florida Attorney General's Opinion regarding dual office holding laws. He said the Planning and Zoning Board is an advisory board and there is no conflict for Mr. Santoro to be appointed to the Fire Pension Board as he can serve in both positions.

Mayor Boggus extended her congratulations to Mr. Santoro.

XIII. HISTORICAL PERSPECTIVE

Tab 11. Tavares Historical Society

Brenda Smith, President, Tavares Historical Society, asked if a drive through book return could be incorporated in the Library design. She provided a historical perspective on the April 1888 fire that destroyed the downtown, including an eyewitness account.

XIV. AUDIENCE TO BE HEARD

Marcel Demaria, 1881 College Park Drive, said he lives on Lake Elsie and noted a concern for recent algae blooms. He said he believes the algae blooms are exacerbated by fertilizer runoff from new home construction. Mr. Demaria asked Council to consider increasing setback minimums for future construction, and amend Land Development Regulations Chapter 14-1 to allow electric trolling motors only on Lake Elsie.

Pastor Mike Watkins, 805 Summerall, commended Ms. Buigas for her recent recognition by the Lake County Board of County Commissioners as the first elected Hispanic-American female elected to office in Lake County. Pastor Watkins asked for an update on lighting Slim Haywood Road. Mr. Clark said he identified lighting locations and provided Duke Energy with pole numbers.

Brenda Smith, 1250 Smith Avenue, noted her concern for narrow roads restricting access to emergency vehicles. Mr. Drury noted some roads are not city-owned and said residents could begin a petition process to restrict parking to one side of the road.

XV. REPORTS

Tab 12. City Administrator Report

Mark O'Keefe provided an update on the city's preparation for the coronavirus and scheduled prescription burn in Tavares Recreation Park. He noted the city has established a web page on the coronavirus to provide public safety efforts, helpful links to the Florida Department of Health and other agencies, and a resources section with downloadable materials for best health practices. He said the staff leadership team has created an advisory group that is creating a plan for employees and citizens.

Chief Keith said he believes the prescription burn will be postponed to the week of March 2, 2020 due to inclement weather.

Ms. Rogers noted the opening day for Babe Ruth sports is scheduled March 7, 2020.

Tab 13. City Council Member Report

Council Member Stevenson

Council Member Stevenson inquired about language in the proposed sign ordinance. Mr. Drury noted ordinances are not discussed at first reading, and asked Council Member Stevenson to contact him directly with any questions.

Council Member Buigas

- Thanked Mr. Berry for the update on the Chamber of Commerce visitor numbers.
- Thanked Pastor Watkins for his kind words and support.
- Said Planes, Trains and BBQ was a wonderful event.

Quote of the day: "You cannot control the behavior of others, but you can always choose how to respond to it." ~Roy T. Bennett

Council Member Singer

- Thanked the audience for their participation.
- Thanked the Mayor's Youth Council for their attendance.
- Said Planes, Trains and BBQ was a wonderful event and the city has the hardest working staff in the country. He asked Mr. Tweedie to commend Ms. Moan, Events Coordinator, on a job well done.

Mayor Boggus

Mayor Boggus noted upcoming events.

XVI. ADJOURNMENT

There was no further business and Mayor Boggus adjourned the meeting at 4:57 p.m.

Respectfully,

Susie Novack, MMC/FCRM
City Clerk