



**TAVARES CITY COUNCIL
MEETING MINUTES
AUGUST 3, 2022 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

**Lori Pfister, Mayor
Walter Price, Vice Mayor
Amanda Boggus, Council Member
Sandy Gamble, Council Member
Troy Singer, Council Member**

STAFF PRESENT

**John Drury, City Administrator
Lindsay Holt, City Attorney
Susie Novack, City Clerk
Scott Aldrich, Community Services Director
Phil Clark, Utilities Director
Mike Fitzgerald, Community Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Stoney Lubins, Police Chief
Mark O'Keefe, Public Communications Director
Bob Tweedie, Economic Development Director**

I. CALL TO ORDER

Mayor Pfister called the meeting to order at 4:00 p.m. She asked those who wished to speak on an agenda item to complete and submit a Request to Speak form.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Pastor Jamison Elder, Umatilla Baptist Church

Pastor Jamison Elder, Umatilla Baptist Church, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor Pfister asked for changes to the Agenda. Mr. Drury said staff had no changes.

MOTION

Amanda Boggus moved to approve the Agenda, seconded by Troy Singer. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

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

Attorney Holt said there were no quasi-judicial matters before the Council for discussion.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following resolutions and ordinances by title only:

RESOLUTION 2022-12

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA ACCEPTING A PROPOSAL OF TRUIST BANK TO PROVIDE THE CITY WITH A TERM LOAN TO FINANCE THE CONSTRUCTION AND EQUIPPING OF A PUBLIC WORKS FACILITY WITHIN THE CITY; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT; AUTHORIZING THE ISSUANCE OF A CITY OF TAVARES, FLORIDA CAPITAL IMPROVEMENT REVENUE NOTE, SERIES 2022 IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,550,000 IN ORDER TO EVIDENCE SUCH LOAN; AUTHORIZING THE REPAYMENT OF SUCH NOTE FROM A COVENANT TO BUDGET AND APPROPRIATE LEGALLY AVAILABLE NON-AD VALOREM REVENUES; DELEGATING CERTAIN AUTHORITY TO THE MAYOR, CITY ADMINISTRATOR AND OTHER CITY OFFICIALS FOR THE AUTHORIZATION, EXECUTION AND DELIVERY OF THE LOAN AGREEMENT, NOTE AND VARIOUS OTHER DOCUMENTS WITH RESPECT THERETO; AND PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTION 2022-13

A RESOLUTION OF CITY OF TAVARES, FLORIDA; AUTHORIZING THE ACCEPTANCE OF A GRANT FROM LAKE COUNTY WATER AUTHORITY, LAKE COUNTY FLORIDA; AND THE GRANT REPRESENTS A GRANT AWARD FOR THE DESIGN AND INSTALLATION OF A STORMWATER TREATMENT POND SYSTEM AT

AESOPS PARK IN THE CRA; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND EFFECTIVE DATE.

ORDINANCE 2022-10

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING APPROXIMATELY 05.83 ACRES OF PROPERTY LOCATED EAST OF RIDGE PLACE, NORTH OF E. CAROLINE STREET, FROM PUBLIC FACILITIES DISTRICT (PFD) TO RESIDENTIAL MULTI-FAMILY (RMF-3); SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE 2022-11

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE LAND USE MAP 2040, PROVIDING FOR A CHANGE OF FUTURE LAND USE DESIGNATION ON APPROXIMATELY 05.83 ACRES OF PROPERTY FROM PUBLIC FACILITY / INSTITUTIONAL (PUB) TO HIGH DENSITY (HD) FOR PROPERTY LOCATED EAST OF RIDGE PLACE, NORTH OF E. CAROLINE STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

VII. CONSENT AGENDA

Mayor Pfister asked if anyone wished to pull an item from the Consent Agenda for discussion. There were none.

MOTION

Amanda Boggus moved to approve the Consent Agenda [Tab 2. Approval of the July 6, 2022, City Council Regular Meeting and Budget Workshop Minutes; and, Tab 3. Lake Harris Reserve – Final Plat], seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 2. Approval of the July 6, 2022, City Council Regular Meeting and Budget Workshop Minutes

Approved on the Consent Agenda.

Tab 3. Lake Harris Reserve – Final Plat

Approved on the Consent Agenda.

VIII. RESOLUTIONS

**Tab 4. Resolution 2022-13 – Acceptance for LCWA Grant CRA Basin EE Ph 1
Stormwater Enhancement – Aesop’s Park**

Mr. Drury made the following presentation:

The City of Tavares received notice of award from the Lake County Water Authority that the City of Tavares has been awarded a Grant in the amount of \$162,500 for design and installation of a stormwater treatment pond. The Project is estimated at \$325,000, and the Grant Agreement requires a 50% grant match or \$162,500.

The project is the first phase of improvements to Basin EE within the Community Redevelopment area (CRA) watershed. The proposed improvements are detailed in the Tavares Community Redevelopment Area – Stormwater Study Phase dated March 2011 by Griffey Engineering. This grant provides funding for Phase 1 which will be the expansion of the existing pond in Aesop’s Park.

The Grant requires that grant funds only be applied toward the portion of the project that treats the existing impervious areas. Grant funds may not be used for the redistribution of flows from existing retention areas that are proposed to be eliminated or reduced.

Salient details of this grant include the following:

- The Project Title: City of Tavares Phase 1 Stormwater Improvements to Basin EE within the Community Redevelopment Area (CRA) watershed at Aesop’s Park.*
- The Grant is a direct local grant award by Lake County Water Authority (LCWA), Lake County, Florida*
- The Grant award amount is \$162,500 (reimbursable)*
- The Grant requires a 50% match of total project costs (\$325,000) which is \$162,500.*
- Funding from LCWA shall only be applied toward the portion of the project that treats the existing impervious areas and not future development, nor shall the LCWA Grant fund the redistribution of flows from existing retention areas that are proposed to be eliminated or reduced.*
- The LCWA shall make reimbursements to Grantee within thirty (30) days of timely submitted invoices by Grantee.*
- The Agreement shall begin upon the date it has been executed by both parties, and terminate no later than twenty-four (24) months thereafter.*

Staff recommends Option 1, for Council to approve Resolution 2022-13 authorizing the City Administrator to Execute the Lake County Water Authority Grant for the Phase 1 Stormwater Improvements to Basin EE within the Community Redevelopment Area located at Aesop’s Park.

Mayor Pfister asked for comments from the Council.

Council Member Gamble inquired about expanding the existing pond. Mr. Clark confirmed the pond floods as it is too small. He said flooding would exacerbate after the completion of Phase II and confirmed the retention pond was a fish pond.

MOTION

Amanda Boggus moved to approve [Option 1], seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 5. Resolution 2022-12 – Award and Authorize Capital Improvement Revenue Note, Series 2022

Ms. Houghton made the following presentation:

The City included the design, construction, and equipping of a Public Works Facility Complex to house Solid Waste Operations, Facilities Maintenance, Road Maintenance, Parks Maintenance, and Fleet Operations, as well as Public Works Administration in the FY2022 Budget with a portion of the funding for the facility programmed from loan proceeds. The Project also includes a Lake Technical Workforce Training Component. Funding components for the Project in addition to this loan include the following:

- *\$6,000,000 - Florida Job Growth Infrastructure Grant - FL DEO*
- *775,497 – Lake County CDBG -CV (City as Subrecipient)*
- *\$3,100,000 – Federal ARPA*
- *\$1,000,000 – Solid Waste Reserves*
- *\$3,500,000 – Lake County Work Force Dev (Lake Tech is Recipient – reimbursements to the City of Tavares through Interlocal Agreement)*

On June 10, 2022, the City issued RFP No. 2022-0016 for long term financing to construct and equip a Public Works Facility. The RFP stated that the debt would be issued as a CBA (covenant to budget and appropriate). The RFP was issued with the following elements requested:

- *Amount: not to exceed \$4,550,000*
- *Bank Qualified Fixed tax-exempt rate for the entire term of the Note*
- *No pre-payment penalty*
- *Security: CBA – Covenant to Budget and Appropriate*
- *Rate: fixed*
- *Term: 20 years*

On July 6, 2022, all received bids were opened publicly. Two Proposals were received. Truist (formerly BB&T & SunTrust) was selected for submittal to the City Council for award of proposal and for request of approval to execute a loan

in the amount of \$4,550,000.

- 1. Truist (formerly BB&T and SunTrust Banks) – 3.45%*
- 2. Webster Bank (Formerly Sterling Bank) – 3.475%*

The bids were reviewed and evaluated by the City's Financial Advisor, Mark Galvin of Hilltop Securities, and City Staff. Proposals were ranked according to RFP requirements and overall benefit to the City of Tavares. It was determined that Truist Bank provided the best overall benefit to the City of Tavares.

Michael Broschart of Giblin & Nickerson, P.A., as Bond Counsel, has prepared the Resolution for the Bank Loan, and the Loan Agreement, approved by Truist Bank, the City Attorney, and City Staff.

*Staff recommends Council move to Award Bid No. 2022-0016 to Branch Banking & Trust Co. (BB&T), and Approve Resolution No. 2022-12, **and** authorize the Mayor and Staff to execute of the Capital Improvement Revenue Note, Series 2022 in the amount of \$4,550,000, including closing costs with Truist Bank to construct and equip a new Public Works Facility.*

Mark Galvin, Hilltop Securities, said after five years the bonds can be called at any time without a pre-payment penalty.

Mayor Pfister asked for comments from the Council.

Council Member Boggus asked if the City could negotiate a better interest rate in the future. Mike Broshart, Bond Counsel, Giblin & Nickerson, P.A. confirmed and said after five years.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, said he views the project as adding more debt. He asked for the cost per resident and cost per household and recommended deferral of the award.

Council Member Boggus asked for confirmation the Council had already voted on the debt, and the item before Council was who would be assigned the loan. Mr. Drury confirmed and noted funding was in place. The project is one of the best leverage projects in the history of the City, with a \$6 million dollar grant from the Governor, a \$3 million dollar grant from Lake County Workforce Development, and a \$3 million dollar grant from the Federal Government. Council Member Boggus said the City would assign a \$4.5 million dollar loan to a \$19 million dollar project. Mr. Drury confirmed.

MOTION

Amanda Boggus moved to approve Truist [Option 1], seconded by Troy Singer.

Council Member Singer said the City would be able to build a \$19 million dollar Public Works Complex with the loan. And, if the City were to deny the loan and tax the current

residents \$100,000 per year, it would take 40 years to complete the project. He said the City would also lose \$14 million dollars in grants. Council Member Singer noted his support.

Council Member Gamble asked if the City would lose the \$6 million dollar grant from the State of Florida if the Council did not approve the funding award. Mr. Drury confirmed.

Vice Mayor Price said he does not favor the City adding debt as a matter of principle. He said the \$4 million out of a \$19 million dollar project benefits the City and students at Lake Technical College and noted his support.

The motion carried unanimously 5-0.

IX. ORDINANCES – PUBLIC HEARING

First Reading

Tab 6. Ordinance 2022-10 – City of Tavares Property – Rezoning of Approximately 5.83 Acres Located East of Ridge Place, North of E. Caroline Street

No discussion at first reading.

Tab 7. Ordinance 2022-11 – City of Tavares Property – Small Scale FLYM Amendment of Approximately 5.83 Acres Located East of Ridge Place, North of E. Caroline Street

No discussion at first reading.

Second Reading

X. GENERAL GOVERNMENT

Tab 8. Collective Bargaining Agreement between Tavares Firefighters Local 3245 and the City of Tavares

Chief Keith made the following presentation:

Representatives of management and the Union met on several occasions for collective bargaining sessions. City Council member / Vice-Mayor Walter Price, City Administrator John Drury, and Fire Chief Richard Keith served as the negotiations team representing the City. Local 3245 President Mike Kelley and Vice-President Mike Willis represented the Union. City Finance Director Lori Houghton and Human Resources Director Crissy Bublitiz attended and added their expertise in all bargaining sessions.

Mike Kelley has authorization from the members of the Union Local to sign the proposed contract on behalf of the Union.

Proposed changes to the contract are indicated by strikethrough (~~example~~) for deleted language, and underlined (example) for new language.

The salient points of this proposed contract are:

- Under Article 33, bargaining unit members agree to the same 5.38% cost of living adjustment proposed for other city employees.*
- Under Article 33, bargaining unit members agree to participate in the health insurance plan, including cost adjustments (9% increase - city / 9% increase - employee), consistent with the plan adjustments proposed for other city employees.*

Staff recommends Option 1, for Council to approve the proposed Collective Bargaining Agreement as presented, between the Tavares Professional Firefighters Local 3245 and the City of Tavares, authorizing City Administrator John Drury to execute the contract on behalf of the City.

Vice Mayor Price said the Tavares Firefighters were professional and enjoyed working with them. He said Firefighters were not unreasonable in their requests and noted his support of the agreement.

MOTION

Amanda Boggus moved to approve [Option 1], seconded by Walter Price. The motion carried unanimously 5-0.

Tab 9. Regional Park Update

Mr. Drury provided the following presentation:

Previously, the City established a Horizon Team to explore the development of Lake County's Regional Park with a proposed East Campus located at the YMCA and West Campus located at Woodlea ball fields. The goal was to explore a public/private partnership with Tavares, Lake County and YMCA. Tavares Horizon team members include Mayor Lori Pfister, City Administrator and Public Community Services Director. Many meetings have been held by the Horizon team with officials from Lake County and YMCA.

Most recently, the County Commission voted unanimously to move forward with an appraisal of the YMCA property and the YMCA Board voted to work with the County and City to sell the property and lease back the YMCA portion to continue to provide YMCA programs. An agreement is being developed to be presented to the City, County, and YMCA for consideration in the near future on how the partnership would be formed. It is expected that Lake County would pay for the purchase of the property and capital improvements, the City would operate the

Regional Park to include a Senior Center and outdoor recreation, and the YMCA would lease their portion to continue to provide YMCA programs. The agreement and funding options will be provided to the City in the near future for consideration - all of which are being worked on by the partners and Horizon team.

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

XI. BUDGET WORKSHOP

Tab 10. Budget Workshop – Five-Year Capital Improvement Plan

Mr. Drury made the following presentation:

The General Fund budget was presented to Council at the July 6th budget workshop. The Enterprise and Special Revenue Fund budgets were presented to Council at the July 20th budget workshop. The City Council set the maximum tentative millage rate at a reduced tax rate of 6.6950 mills, and the maximum tentative voted debt millage rate at a reduced tax rate of 0.2074 mills at the July 20th budget workshop. At this meeting the Five-Year Capital Improvement Plan will be presented, after which the Council will have an opportunity to discuss it, the FY 2023 Proposed General Fund Budget and Enterprise Fund Budgets.

The Proposed Budgets have been updated based on the most recent updates from the City's health and property insurers, Lake County Property Appraiser, and the State of Florida Office of Economic and Demographic Research (EDR) Department. Updates for miscellaneous items are also included (staff vacancies, changes in health insurance coverage, changes in dental insurance coverage, local Police and Fire pension contributions as adjusted by the actuary).

Ms. Houghton provided a PowerPoint presentation on the Five-Year Capital Improvement Plan.

Mayor Pfister asked for comments from the Council.

Council Member Gamble inquired about West Main Street Gateway funding. Mr. Drury said the project was not included in the budget.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, commended Ms. Houghton on her PowerPoint presentation. He noted the Tavares Nature Park improvements were scheduled four years out and recommended funding be included in the current budget. He asked for clarification and justification for wells being moved from downtown at \$4.5 million dollars and discussed the International City County Management Association and its certificate programs.

XII. NEW BUSINESS

XIII. OLD BUSINESS

XIV. AUDIENCE TO BE HEARD

Carl and Deborah Sarver, 1100 E. Caroline Street, said they are Board members of the Lakeview condominiums. Mayor Pfister noted the ordinances 2022-10 and 2022-11 were at first reading and would not be discussed. She said the discussion would be held during the August 17, 2022, City Council meeting at 4:00 p.m.

Daniel Olivanni, 3688 Lake Elenore Drive, Mount Dora, said she was contacted by the City's Code Enforcement Department, who advised a food box would need to be removed from Aesop's park. The Code Enforcement Officer said a permit would need to be completed. Ms. Olivanni said her organization would need to place the box at a business location, and they have tried unsuccessfully for several months to identify a location. Mayor Pfister advised a permit would need to be completed. Mr. Drury asked Ms. Olivanni to develop a partnership plan by writing a letter to the City identifying a partnership, including goals and measures. The City would review her plan and entertain discussion on a plan. He said a separate issue is leaving a food box in a public right-of-way which is against the law. The Code Enforcement Officer has enforced the violation, and a magistrate would handle any contesting. He stated the food box would need to be removed. Mayor Pfister thanked Ms. Olivanni for her efforts.

Gary Santoro, Royal Harbor, said he would like to thank the Mayor on behalf of the Planning and Zoning Board for her kind words about the Board during the previous City Council meeting. He stated the Planning and Zoning Board could not do their job without the help of City staff, Attorney Holt, and Mr. O'Keefe.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, said he would like more information and justification on moving wells from downtown. Mr. Drury said the City is in the Budget Workshop process with two additional public hearings scheduled in September for opportunities to address the subject.

Sandy Singer, 1936 Maple Circle, Tavares, said she wrote a letter to Chief Lubins to commend Officer Courtney Bannick, a first responder on the scene during an emergency with her sister. She thanked Officer Bannick for staying with her throughout a difficult time and going above and beyond her duties. Ms. Singer also wrote a letter to Chief Keith commending Captain Buddy Luckock, who provided free car seat installation for her grandchild. She said car seat installations were a wonderful community service that many residents may not know.

Mayor Pfister thanked Ms. Singer for sharing her experiences with the Council.

XV. REPORTS

Tab 11. City Administrator Report

Mr. Drury noted an August Lake Sumter MPO meeting was canceled and the next meeting would be held on October 26, 2022, at 2:00 p.m.

Mr. Drury provided the following project updates:

- Tavares/Mount Dora Recreational Trail: Located on the Old US 441 rail bed, the County has funded as in negotiations with CSX with the purchase of the rail railroad right-of-way.
- \$25 Million Dollar Raise Grant: Submitted to the United States Department of Transportation award announcement will be August 8, 2022.
- Public Works Operations Facility: Designed, and go through permitting on August 5, 2022.
- Lake Francis Utility Line Replacement: Completed and finalized last punch list items.
- Wootton Wonderland: In the process of demossing trees, salvaging historic artifacts, and site process is underway.
- The Peninsula Water and Sewer Line: Designed and will be out to bid on September 1, 2022. This project will improve road paving.
- Dead River/SR 19 Intersection: Completion is scheduled for August 11, 2022.

Mr. Clark thanked the residents of Lake Francis Estates.

Tab 12. City Council Member Reports

Council Member Gamble

- Inquired about fishing in Aesop's Park. Mr. Drury said the park is catch and release.
- Stated Ken Reutebuch who owned Ace Hardware in downtown Tavares for 25 years recently passed away.
- Inquired about a task force for the homeless. Chief Lubins said a group of Police Officers was working with property owners, homeless coalitions, and homeless individuals to assist with service needs.

XVI. ADJOURNMENT

There was no further business and Mayor Pfister adjourned the meeting at 5:05 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk