



**TAVARES CITY COUNCIL
MEETING MINUTES
SEPTEMBER 21, 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
Crissy Bubnitz, Human Resources Director
Phil Clark, Utilities Director
James Dillon, Public Works Director
Mike Fitzgerald, Community Development Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Stoney Lubins, Police Chief
Mark O'Keefe, Public Communications 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. Richard Keith, Tavares Fire Chief

Richard Keith, Tavares Fire Chief, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mayor 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

Tab 2. Tavares Chamber of Commerce Update

Mr. Drury said the Tavares Chamber of Commerce held its annual Gala at the Mission Inn Resort & Club, where Bud Bucharth provided a historical perspective of the Bucharth family and the inception of the Mission Inn. Awards were presented to many businesses in Tavares. He thanked those Council members who attended.

Tab 3. Proclamation – Taiwan’s 111 National Day

Mayor Pfister read a Proclamation in its entirety in observance of the 111th National Day of the Republic of China (Taiwan) on October 10, 2022.

MOTION

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

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

Attorney Holt said there were three quasi-judicial matters before the Council; Tab 6, Tab 7, and Tab 9. She swore in those who wished to provide testimony.

Attorney Holt asked the Council to disclose any exparte communications.

- Council Member Gamble said he met with the applicants’ presenters for Tabs 6 and 7.
- Council Member Singer said he met with the applicants for Tabs 6 and 7.
- Council Member Boggus said she met with the applicants for Tabs 6 and 7.
- Vice Mayor Price said he met with the applicants and attorney for Tab 7.
- Mayor Pfister said she met with the applicants for Tab 6.

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following Ordinances at Second Reading by title only:

ORDINANCE 2022-12

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA REGARDING ELECTRONIC GAME ROOMS; MAKING FINDINGS; ESTABLISHING A NEW CHAPTER 21 (ELECTRONIC GAME ROOMS) OF THE CITY OF TAVARES CODE OF ORDINANCES, TO REGULATE ELECTRONIC GAME ROOMS AND TECHNOLOGY; PROVIDING FOR LEGISLATIVE AUTHORIZATION, THE COVERED AREA TO BE ALL OF THE CITY OF TAVARES, FLORIDA, THE INTENT OF THE LEGISLATION, DEFINITIONS, REGULATIONS FOR PERMITTING AND FEES, INSPECTIONS, SIGNAGE REQUIREMENTS, LIMITATIONS ON THE OPERATIONS OF THE BUSINESSES, SAFETY AND SECURITY REQUIREMENTS, VIOLATIONS AND PENALTIES AND SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2022-13

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, ESTABLISHING, ON THE PROPOSED PROPERTY KNOWN AS LEELA RESERVE AND FURTHER DESCRIBED HEREIN, AND RECOGNIZING, THE COMMUNITY DEVELOPMENT DISTRICT, CREATED AND CHARTERED BY UNIFORM GENERAL LAW, THE UNIFORM COMMUNITY DEVELOPMENT DISTRICT ACT OF FLORIDA, CHAPTER 190, FLORIDA STATUTES (2001 AND HEREFTER); ACKNOWLEDGING THE UNIFORM DISTRICT CHARTER EXPRESSED IN SECTIONS 190.006-190.041, FLORIDA STATUTES, AND AS REFERENCED AND PROVIDED BY SECTION 190.004(4), FLORIDA STATUTES, AND CONFIRMED BY SECTION 189.0311, FLORIDA STATUTES; ESTABLISHING THE LEELA RESERVE COMMUNITY DEVELOPMENT DISTRICT (ON THE PROPERTY PROPOSED IN THIS PETITION) AND DESIGNATING THE INITIAL MEMBERS OF THE DISTRICT BOARD OF SUPERVISORS; AND, DESIGNATING THE PROPOSED LAND AREA WITHIN WHICH THE DISTRICT MAY MANAGE AND FINANCE ITS BASIC INFRASTRUCTURE, SYSTEMS, FACILITIES, SERVICES, IMPROVEMENTS AND PROJECTS; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

ORDINANCE 2022-14

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, SUBSTANTIALLY REVISING AND REWRITING THE CITY LAND DEVELOPMENT REGULATIONS, WHICH INCLUDE CHAPTER 1 GENERAL PROVISIONS, CHAPTER 2 ADMINISTRATION, CHAPTER 3 DEFINITIONS, CHAPTER 4 APPLICATION PROCEDURES AND PERMITTING, CHAPTER 7 NON-CONFORMING SITUATIONS, CHAPTER 8 ZONING REGULATIONS, CHAPTER 9 HISTORIC PRESERVATION OVERLAY DISTRICT AND

ARCHITECTURAL AND SITE DESIGN STANDARDS, CHAPTER 10 CONCURRENCY REVIEW AND DETERMINATION, CHAPTER 11 LANDSCAPING AND BUFFERING REGULATIONS PROTECTION AND REMOVAL OF TREES, CHAPTER 12 PERFORMANCE STANDARDS, CHAPTER 13 ENVIRONMENTAL PRESERVATION, CHAPTER 14 FLOODPLAIN, CHAPTER 15 STORMWATER, CHAPTER 16 SUBDIVISION REGULATIONS, CHAPTER 17 UTILITIES, CHAPTER 19 STREETS AND SIDEWALKS, CHAPTER 20 PARKING REGULATIONS, CHAPTER 21 SIGN REGULATIONS, CHAPTER 22 BUILDINGS AND BUILDING REGULATIONS, CHAPTER 23 COMMUNITY ECONOMIC DEVELOPMENT INITIATIVES, CHAPTER 24 COMMUNITY DEVELOPMENT FEE SCHEDULE; CHANGING THE ACTUAL LIST OF PERMITTED, CONDITIONAL, OR PROHIBITED USES WITHIN ZONING DISTRICTS; ADDING CERTAIN ZONING DISTRICTS; SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

ORDINANCE NO. 2022-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TAVARES, FLORIDA, ESTABLISHING THE CRESSWIND LAKE HARRIS COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR THE ESTABLISHMENT AND NAMING OF THE DISTRICT; PROVIDING FOR THE LEGAL DESCRIPTION OF THE EXTERNAL BOUNDARIES OF THE DISTRICT; PROVIDING FOR THE DESCRIPTION OF THE FUNCTIONS AND POWERS OF THE DISTRICT; PROVIDING FOR THE DESIGNATION OF THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING FOR NOTICE REQUIREMENTS AND FOR COMPLIANCE WITH ALL REMAINING SECTIONS OF CHAPTER 190, FLORIDA STATUTES, AND ALL OTHER APPLICABLE LAWS AND ORDINANCES; PROVIDING FOR SEVERABILITY; 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. Vice Mayor Price asked to pull Tab 5 for discussion.

MOTION

Amanda Boggus moved to approve the Consent Agenda with Tab 5 pulled [Tab 4. Approval of the August 17, 2022, Regular City Council and Budget Workshop Meeting Minutes], seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 4. Approval of the August 17, 2022, Regular City Council and Budget Workshop Meeting Minutes

Approved on the Consent Agenda.

Tab 5. Leela Reserve Phase 2B – Preliminary Subdivision Plan

Vice Mayor Price noted a discrepancy in the number of lots between the agenda summary and the traffic study. He asked for the number of lots the Council would approve in the preliminary plan. Mr. Fitzgerald said the traffic study numbers included the entire project. Before the Council for consideration was Phase 2B of the subdivision with 125 lots and a portion of what the traffic study indicates.

MOTION

Walter Price moved to approve Tab 5 [Leela Reserve Phase 2B – Preliminary Subdivision Plan], seconded by Amanda Boggus. The motion carried unanimously 5-0.

VIII. RESOLUTIONS

IX. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

Tab 6. Ordinance 2022-15 – Establishment of a Community Development District for Cresswind Subdivision

Mr. Fitzgerald made the following presentation:

Cresswind is a residential subdivision located west of the intersection of Woodlea Rd. and Lane Park Rd. and consists of 625 dwelling units. The developer of the property has submitted an application to create a Community Development District (CDD) for the purpose of financing and constructing community-wide infrastructure. Community Development Districts are permitted under the Florida Statute as a means for developers to shift the payment of the cost of infrastructure construction and other improvements to the homeowners that will directly benefit. Establishment of a Community Development District is pursuant to the adoption of an ordinance by the City Council granting approval of the CDD. If approved, all City land development regulations and ordinances shall still apply to all development of the land within the Community Development District.

Staff recommends Option 1, that City Council moves to approve Ordinance 2022-15 establishing a Community Development District for the Cresswind Subdivision located west of the intersection of Woodlea Rd. and Lane Park Rd.

Jere Earlywine, KE Law Group, PLLC, provided a PowerPoint presentation on the Cresswind at Lake Harris project and Community Development Districts (CDDs).

Mayor Pfister asked for comments from the Council.

Council Member Gamble asked if the City would only be responsible for water and sewer. Mr. Earlywine confirmed and said the CDD would acquire and develop sewer and water and turn it over to the City. Council Member Gamble asked if the CDD would cover storm damage along the roadway. Mr. Earlywine confirmed. He said there are statewide mutual aid agreements that may be utilized.

Council Member Singer said he likes the transparency, accountability, and limited liability a CDD would provide the City. He asked if the CDD would maintain internal roads. Mr. Earlywine said the expectation is the CDD would cover stormwater and utilities, the HOA would cover roads, and the developer would pay for roads. Mr. Earlywine confirmed the development would take care of internal roads.

Council Member Boggus asked if legal notice requirements were met. Mr. Fitzgerald confirmed.

Council Member Boggus said utilities would be extended to the Peninsula and asked if that was part of the CDD. Scott Morton, Kolter Homes, confirmed and said the CDD would be utilized to bring main utility lines through the development to the Peninsula, and the 17 Peninsula homes would not be burdened with the debt. Council Member Boggus asked if the Peninsula was not part of the district and had no voting rights in the district. Mr. Morton confirmed.

Council Member Boggus asked if the CDD included conservation areas. Mr. Morton said there would be a cleanup of those areas, such as exotic removals. He noted an opportunity to dedicate those conservation areas to the district, which would be a better entity for long-term maintenance rather than an HOA. Council Member Boggus said she wanted to ensure the conservation areas were part of the CDD petition. Mr. Earlywine stated they were for the record.

Council Member Boggus asked if a \$15,000 filing fee was paid. Mr. Earlywine confirmed.

Council Member Boggus asked if water and sewer would be turned over to the City upon completion. Mr. Morton confirmed and said the HOA would maintain the roads, and the CDD would cover stormwater.

Council Member Boggus asked if there was an intent to keep the CDD perpetual for maintenance costs, with the HOA having separate maintenance. Mr. Morton confirmed. Council Member Boggus stated the cost of living in the community would include property taxes, utilities, CDD fees, and HOA fees.

Council Member Boggus asked how many houses would be in the CDD. Mr. Earlywine said zoning was approved for 625 homes and would be market driven depending on

purchased homes and their lot sizes. Council Member Boggus asked if the assigned debt would be \$18,000 to \$25,000 per lot with monthly installments. Mr. Earlywine confirmed and said approximately \$16,000 would be construction dollars, and the rest would be bond costs.

Vice Mayor Price asked for a summary of the benefits to the City. Mr. Earlywine reviewed the PowerPoint presentation. He noted there are fewer default situations with a CDD, and communities were less likely to come back and ask the City for improvements. He said the CDD is more capable of collecting on the tax roll, is subject to FEMA and mutual aid agreements, increases the tax base, and is a more stable maintenance entity.

Vice Mayor Price noted a difference in names for the Board of Supervisors listed in the Ordinance and petition to establish the CDD. Mr. Earlywine said those names might have been changed. He said the initial board includes Kolter representatives.

Mayor Pfister asked for comments from the audience.

Lou Buigas, 110 E. Ianthe Street, Tavares, asked the following questions:

- Would there be administrative costs or reporting incurred by the City
- Would the CDD go through the tax roll
- How was the selection of officers made for the CDD

Mr. Earlywine said there would be no administrative costs to the City. He said the community would pay fees from the Lake County Tax Collector and Lake County Property Appraiser. He discussed the CDD and HOA Boards' selection of Officers and the transition from the developers to the homeowners.

Mayor Pfister inquired about the size of the CDD compared to others in Florida. Mr. Earlywine said the proposed CDD was medium in size. Mayor Pfister noted a concern for costs to homeowners. Mr. Morton said a study of the area market was completed. A portion of the costs would be transferred through the HOA to the CDD, and costs and fees would be disclosed to prospective homeowners.

Mayor Pfister inquired about the infrastructure. Mr. Morton said the infrastructure would go through the same City approval process as any other project. The City is less likely to have a problem with a CDD community because they have the resources vs. an HOA community. Mr. Drury said the City would complete inspections and ensure engineers have approved before taking over infrastructure. A continuous maintenance bond would also be in place. Mr. Clark said the City Utility Staff would inspect the infrastructure. He said the City has a tight construction manual and would be built to the highest specification.

Council Member Gamble asked if the taxable amount could be altered once the residents' officers have been elected to the Board. Mr. Earlywine said the debt

assessment typically does not change and is fixed for 30 years. The operating budget may vary yearly, and a new bond to repair an item or build something new could be obtained for the community's desired level of service.

MOTION

Troy Singer moved to approve Ordinance 2022-15 [Option 1], seconded by Sandy Gamble. The motion carried unanimously 5-0.

Tab 7. Ordinance 2022-13 – Establishment of a Community Development District for Leela Reserve Subdivision

Mr. Fitzgerald made the following presentation:

Leela Reserve is a residential subdivision located west of SR-19, south of Slim Haywood Ave., north of Camp Rd. and consists of 362 dwelling units. The developer of the property has submitted an application to create a Community Development District (CDD) for the purpose of financing and constructing community-wide infrastructure. Community Development Districts are permitted under the Florida Statute as a means for developers to shift the payment of the cost of infrastructure construction and other improvements to the homeowners that will directly benefit. Establishment of a Community Development District is pursuant to the adoption of an ordinance by the City Council granting approval of the CDD. If approved, all City land development regulations and ordinances shall still apply to all development of the land within the Community Development District.

Staff recommends Option 1, that City Council moves to approve Ordinance 2022-13 establishing a Community Development District for the Leela Reserve Subdivision located west of SR-19, south of Slim Haywood Ave., north of Camp Rd.

Mr. Fitzgerald noted the subdivision is not gated and the roads would remain public.

Jan Carpenter, Representative for Leela Reserve Subdivision, presented a PowerPoint presentation on Leela Reserve Subdivision and the proposed CDD. Ms. Carpenter said CDDs are a government with protections for the residents and City and do not take away City powers. The legislative intent of CDDs was to lessen the burden on local governments and allow infrastructure to be built and paid for by those residents and not the rest of the City or County.

Mayor Pfister asked for comments from the Council.

Council Member Gamble asked if the City would own the roads since the community is not gated. Ms. Carpenter said the City agreed to accept the roads as part of negotiations with the Camp Road extension. Mr. Fitzgerald said Leela Reserves is an open community with a public road that would be an extension of Captain Haynes route from Dead River Road to Camp Road to Lane Park Road.

Vice Mayor Price said the developer would pay for all the infrastructure, including roads, which the City would own and maintain. Ms. Carpenter confirmed and said the City would accept the utility infrastructure through the same process as other projects. The CDD would maintain the stormwater ponds and green spaces throughout the development.

Mayor Pfister inquired about the community's maintenance standards. Ms. Carpenter said the CDD generally maintains stormwater at higher standards. She noted the area is highly visible, and the management office could be contacted. Mr. Drury said stormwater has to be held to St. John's River Water Management District standards. Council Member Boggus noted the community would be subject to the City's code enforcement.

Chuck Hoitt, 902 North Sinclair Avenue, Tavares, said landscaping would be required.

Mr. Drury advised the Mayor of the time at 5:05 p.m.; Mayor Pfister said Council would complete the agenda item and then move on to the Budget Hearing.

Council Member Singer asked if it was possible to stipulate the CDD to maintain roads. A discussion was held regarding the City's long-range master plan to have a road from Dead River Road to Lane Park Road that would serve as an alternate evacuation route. Mr. Drury discussed the process of the City working with developers over many years to acquire land and build the road. Mr. Fitzgerald said he would not recommend including Shantiniketan Boulevard as a private road.

Council Member Boggus asked if legal advertising requirements had been met. Mr. Fitzgerald confirmed

Council Member Boggus asked if the community was 55 and older. Ms. Carpenter said no and confirmed there were no deed restrictions. Mr. Fitzgerald said the community was not a Planned Development and was straight zoning.

Council Member Boggus asked if the collection and disposal of waste was a planned service of the CDD. Ms. Carpenter said no.

Council Member Boggus asked if a \$15,000 filing fee had been paid. Ms. Carpenter confirmed.

Council Member Boggus asked if the infrastructure cost would be distributed evenly or based on the property value. Ms. Carpenter said it is generally based on the lot frontage and type. She noted an assessment process matching each unit's benefit and larger single-family homes would pay more than a townhome.

MOTION

Walter Price moved to approve Ordinance 2022-13 – Community Development District for Leela Reserve Subdivision, seconded by Sandy Gamble.

Council Member Boggus asked if the public roads would be part of the CDD assessment. Ms. Carpenter said the City was accepting all roads and the CDD would pay for landscaping and the stormwater pond maintenance/conservation land maintenance.

The motion carried unanimously 5-0.

Mayor Pfister adjourned the Regular City Council Meeting and opened the Budget Hearing at 5:10 p.m.

XI. BUDGET HEARING

Tab 13. Approve Resolution 2022-16 for Final Millage Rate for FY 2023 – Second Reading

Ms. Novack read the following resolution in its entirety:

RESOLUTION 2022 - 16

A RESOLUTION ADOPTING A FINAL MILLAGE RATE OF 6.6950 FOR THE CITY OF TAVARES, FLORIDA, FOR AD VALOREM TAXES FOR FISCAL YEAR 2022-2023; 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 7, 2022, adopted the 2022-2023 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 21, 2022, as required by Florida Statute 200.065 on the 2022-2023 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 \$1,310,071,607.

NOW THEREFORE, BE IT RESOLVED by the City of Tavares of Lake

County, Florida, that:

- 1. The City of Tavares Fiscal Year 2022-2023 operating millage rate to be levied is hereby set at 6.6950 mills, which millage rate is greater than the rolled back rate of 6.1098 mills by 9.58%.**
- 2. The voted debt service millage rate is set at .2074 mills for Fiscal Year 2022-2023.**
- 3. This Resolution will take effect immediately upon its adoption.**

Mr. Drury made the following presentation:

The City Administrator and staff have developed a budget for Fiscal Year 2023 for the Council's consideration, totaling \$53,131,518 that is fully balanced. The proposed budget for FY 2023 includes, among many other items, the following:

- 1. Similar level of service.*
- 2. Decreased the General Fund millage rate for the 4th year in a row from 6.7579 to 6.6950 (which is 9.58% above the rollbacked rate).*
- 3. Debt Service millage rate decreased (from .2391 to .2074).*
- 4. Increased reserve appropriations to meet the GFOA recommendations for a city of this size.*
- 5. Fire Assessment level funded (no rate increase).*
- 6. Employee raises of 5.38%.*
- 7. Two new Police Officers, and one new Police Evidence Technician.*
- 8. Street paving \$430,000.*
- 9. Expanded programs are cut.*

Previously, the City Council discussed the proposed Fiscal Year 2023 Budget at the following public meetings:

- 7/06/2022 – City Council Budget Workshop – (General Fund Budget)*
- 7/20/2022 – City Council Budget Workshop – (Utility and Special Revenue Fund Budgets)*
- 7/20/2022 – City Council Budget Workshop – (Set Maximum Tentative Millage rate)*
- 8/03/2022 – City Council Budget Workshop – (Capital Improvement Plan Presentation)*
- 8/17/2022 – City Council Budget Workshop – (Discussion on FY 2023 Proposed Budget)*
- 9/07/2022 – City Council Budget Public Hearing – (First Reading for Resolution 2022-16 and 2022-17)*

A Tentative Budget (all funds) has been prepared for the City Council. This second Public Hearing represents the Final Public Hearing (Second Reading –

Resolution 2022-16) for Council's consideration to adopt the FY 2023 Operating Millage rate and the FY 2023 Voted Debt Service Millage rate.

Staff recommends Option 1, for Council to take public input and approve the Final Millage for Fiscal Year 2023 as reflected in Resolution 2022-16.

Mayor Pfister asked for comments from the audience.

Gary Santoro, Royal Harbor, commended the Council, Mr. Drury, City Staff, and Attorney Holt. He thanked the Council for taking care of the employees and for all they do for the City.

MOTION

Amanda Boggus moved to approve Resolution 2022-16 for the final millage rate for FY 2023, seconded by Sandy Gamble.

Council Member Singer thanked the Finance Department and Staff. He said he was proud to lower the millage rate and take care of the City's staff who make Tavares what it is. He said there are many great items and projects in the budget, and while he would wish to lower the millage rate, it was not always possible while ensuring the City invests in its future.

Mayor Pfister said someone asked how she praised all the Department Directors for bringing an excellent budget before the Council and then voting against it. She said she voted no because she promised her constituents items that get pulled each year.

The motion carried 4-1 at 5:20 p.m. as follows:

Lori Pfister:	No
Walter Price:	Yes
Amanda Boggus:	Yes
Sandy Gamble:	Yes
Troy Singer:	Yes

Tab 14. Approve Resolution 2022-17 for Final Budget for FY 2023 – Second Reading

Ms. Novack read the following resolution in its entirety:

RESOLUTION 2022-17

**A RESOLUTION ADOPTING THE FINAL BUDGET FOR
THE CITY OF TAVARES, FLORIDA, FOR THE FISCAL
YEAR 2022 - 2023.**

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

WHEREAS, a public hearing on the tentative 2022-2023 budget was held at the Tavares City Hall Council Chambers in the City of Tavares, Florida, Lake County, Florida on Wednesday, September 7, 2022 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 2022-2023, and

WHEREAS, a second public hearing on the proposed 2022-2023 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 21, 2022, at 5:05 p.m.,

NOW, THEREFORE, BE IT RESOLVED that the Budget for 2022-2023 fiscal year for the City of Tavares, Florida is hereby adopted by the Tavares City Council in the amount of \$53,131,518 at public hearing this 21st day of September, 2022.

This resolution will take effect immediately upon its adoption.

Mr. Drury made the following presentation:

The City Administrator and staff have developed a budget for Fiscal Year 2023 for the Council's consideration, totaling \$53,131,518 that is fully balanced. The proposed budget for FY 2023 includes, among many other items, the following:

- 10. Similar level of service.*
- 11. Decreased the General Fund millage rate for the 4th year in a row from 6.7579 to 6.6950 (which is 9.58% above the rollbacked rate).*
- 12. Debt Service millage rate decreased (from .2391 to .2074).*
- 13. Increased reserve appropriations to meet the GFOA recommendations for a city of this size.*
- 14. Fire Assessment level funded (no rate increase).*
- 15. Employee raises of 5.38%.*
- 16. Two new Police Officers, and one new Police Evidence Technician.*
- 17. Street paving \$430,000.*
- 18. Expanded programs are cut.*

Previously, the City Council discussed the proposed Fiscal Year 2023 Budget at

the following public meetings:

- 7/06/2022 – City Council Budget Workshop – (General Fund Budget)
- 7/20/2022 – City Council Budget Workshop – (Utility and Special Revenue Fund Budgets)
- 7/20/2022 – City Council Budget Workshop – (Set Maximum Tentative Millage rate)
- 8/03/2022 – City Council Budget Workshop – (Capital Improvement Plan Presentation)
- 8/17/2022 – City Council Budget Workshop – (Discussion on FY 2023 Proposed Budget)
- 9/07/2022 – City Council Budget Public Hearing – (First Reading for Resolution 2022-16 and 2022-17)

A Tentative Budget (all funds) has been prepared for the City Council. This second Public Hearing represents the Final Public Hearing (Second Reading – Resolution 2022-16) for Council's consideration to adopt the FY 2023 Operating Millage rate and the FY 2023 Voted Debt Service Millage rate.

Staff recommends Option 1, for the Council to take public input and approve the Final Budget for Fiscal Year 2023 as reflected in Resolution 2022-17.

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

MOTION

Troy Singer moved to approve the FY 2023 Final Budget as reflected in Resolution 2022-17, seconded by Amanda Boggus. The motion carried 4-1 at 5:24 p.m. as follows:

Lori Pfister:	No
Walter Price:	Yes
Amanda Boggus:	Yes
Sandy Gamble:	Yes
Troy Singer:	Yes

Mayor Pfister adjourned the Budget Hearing and reconvened the Regular City Council Meeting at 5:24 p.m.

Tab 8. Ordinance 2022-12 – Code of Ordinances Amendment – Establish Regulations Pertaining to Electronic Game Rooms

Mr. Fitzgerald made the following presentation:

Pursuant to City Council's directive, the City of Tavares is proposing an amendment to the Code of Ordinances to establish regulations pertaining to

electronic game rooms within the city limits. Ordinance 2022-12 creates Chapter 21 - Electronic Game Rooms in the Code of Ordinances regulating game rooms by limiting the number allowed, requiring operators to obtain permits and pay fees, limiting certain business operations, providing signage guidelines, providing safety and security requirements, and providing for enforcement and inspection of premises.

At their August 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-12.

Staff recommends Option 1, that City Council moves to approve Ordinance 2022-12, a revision to the Code of Ordinances establishing regulations pertaining to electronic game rooms.

Mayor Pfister asked for comments from the Council.

Council Member Gamble asked how fees were determined. Mr. Drury said the Board did not ask the City to mirror the County, and fees were determined during discussions between the City Attorney and City Administrator and what was considered reasonable. He noted the Board could set alternate fee rates.

Council Member Singer asked how many game rooms were in the City. Mr. Fitzgerald said six addresses received business tax receipts for game rooms. Council Member Singer asked for the number of game rooms within the City's ISBA area. Mr. Fitzgerald said the ISBA included eight additional game rooms outside the City limits and within the Tavares ISBA. Council Member Singer said he was initially against regulating the businesses before speaking to law enforcement and residents. He noted his support for an initial fee of \$20,000 and an annual fee of \$5,000.

Mayor Pfister noted two game rooms were located in one small plaza in the City. Mr. Drury said the ordinance would limit game rooms to three (3), creating a moratorium after three of the six existing game rooms sunset their businesses.

Council Member Singer inquired about the game rooms within the City's ISBA. Mr. Drury said Lake County regulates those game rooms in unincorporated Lake County.

Mayor Pfister asked how many Police calls the City received on game rooms. Chief Coursey said there were 24 identified calls and 6 identified armed robberies. She said the City could accurately track responses when incidents spill into roadways because they may be called something else, such as a traffic stop. She said game rooms create a significant increase in Police services. Mayor Pfister said the proposed fees do not cover the cost of one police officer.

Attorney Holt said other municipal and County fees were reviewed for game room permitting, a newer trend throughout the country. She noted the City's ordinance mirrored the County's regarding a grandfather clause and said the City would want to be

careful not to determine fees with an arbitrary number. Attorney Hold said many thoughtful discussions were held with the Police Department, Community Development Department, and Mr. Drury to determine the fee amounts. There was a disparity in the use of emergency first responder services to these types of businesses compared to others. She said the fee amounts had a fair nexus, and Council could change to a different number and should be something that has a nexus to the increased services demanded.

A discussion was held regarding fees and the number of businesses in the City and ISBA. Mayor Pfister, Vice Mayor Price, and Council Member Singer noted their support to increase the initial and renewal fee amounts.

Bylinda Rink, 216, Fern Avenue, Tavares, said she did not support game rooms and discussed the effects of game room businesses on individuals and families in the community. She asked the Council to keep their neighbors and community in mind and plan for a smart future for those who live and raise families in Tavares.

Kelly Mathis, 3577 Cardinal Point Drive, Jacksonville, said he understands crime issues raised, and he represents a gaming room that is trying to do things the right way and wants to raise the bar to ensure they are not a drain on the community. He said the Council has discretion in determining the fee amounts and believed the law would require some nexus or relationship between the fees and the cost the City bears. Mr. Mathis said he believed the ordinance is a good mirror of Lake County and makes the playing field consistent between the City and the County for game rooms.

Council Member Gamble noted an initial fee of \$25,000 with the ordinance set at no more than three game rooms would be \$75,000. Attorney Holt said if the Board raises the initial fee above \$20,000, it would be the highest from her polling of the local area.

Council Member Boggus asked Chief Coursey if the City is part of interlocal agreements with Lake County. Chief Coursey confirmed and said the City had responded to County game room calls.

A discussion was held regarding game room business hours, and the positive and negative effects game rooms have on communities. Attorney Holt said if the ordinance passes, it would require a permit; per the City's code, if there is non-compliance, a permit could be revoked.

A discussion was held regarding game room business hours, and the positive and negative effects game rooms have on communities. Attorney Holt said if the ordinance passes, it would require a permit; per the City's code, if there is non-compliance, a permit could be revoked.

Mayor Pfister asked if security could be regulated. Attorney Holt said security is addressed in the ordinance. Attorney Holt noted the ordinance included the right of

entry for inspection of premises which would give the Police Department the right to inspect and ensure compliance. She stated additional provisions included the following:

- Signage requirements
- No alcohol or tobacco sales
- No minors
- Winnings must be posted
- Employee background checks required

Council Member Singer said after discussion with the City Attorney and Police Chief, he believes \$25,000 for the initial fee and \$5,000 for the annual fee would be fair. Mr. Drury said if the Council passes the ordinance, current businesses would be notified regarding permitting requirements. Attorney Holt noted the businesses must apply for a permit within 30 days of the ordinance's passage.

MOTION

Amanda Boggus moved to approve Ordinance 2022-12, amended to have the initial permit fee payable to the City of Tavares at \$25,000, and the annual permit renewal fee payable to the City at \$5,000. The motion was seconded by Troy Singer. The motion carried unanimously 5-0.

Tab 9. Ordinance 2022-14 – Land Development Regulation Amendments – Revision of Land Development Regulations in Accordance with Smart Growth Initiatives and the Comprehensive Plan

Mr. Fitzgerald made the following presentation:

On November 18, 2020, City Council adopted a new Comprehensive Plan for the City of Tavares entitled Taking Flight - Comprehensive Plan 2040. City staff subsequently conducted a full review of the City's Land Development Regulations to ensure consistency with the Comprehensive Plan. The review process included multiple Smart Growth Horizon Team workshops providing the public with the opportunity to collaborate with staff and share ideas regarding how the regulations may be improved. City staff compiled the input received and made revisions to the Land Development Regulations with the intention of promoting quality development standards within the City. Some key highlights include increasing lot sizes, increasing the size of required landscape buffers, adding a residential estate zoning category for rural areas of the City, updating parking regulations to account for golf carts, and amending development application fees.

At their August 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-14, subject to staff making minor corrections to certain language contained in Chapter 11, Chapter 13, Chapter 17,

Chapter 20, Chapter 23, and Chapter 24. The corrections were non-substantive and did not change the intent of the code.

At their August 18th meeting, the Planning & Zoning Board voted unanimously to recommend approval of Ordinance 2022-14, subject to staff making minor corrections to certain language contained in Chapter 11, Chapter 13, Chapter 17, Chapter 20, Chapter 23, and Chapter 24.

Staff recommends Option 1, that City Council moves to approve Ordinance 2022-14 revision of Land Development Regulations in accordance with smart growth initiatives and the Comprehensive Plan.

Mr. Drury thanked the Planning and Zoning Board for their hard work and time. He said they reviewed the Land Development Regulation, asked great questions, and a lot of work went into the revisions, including attending Public Workshops. He said the ordinance before the Council for consideration is the accumulation of many years of meeting with the public, committees, and Planning and Zoning Board to develop an amended Land Development Regulations (LDR) that had not changed since 2006.

Mayor Pfister thanked the Planning and Zoning Board.

Mayor Pfister asked for questions from the Council.

Council Member Gamble asked if any audience members wished to speak on Ordinance 2022-14. Mayor Pfister said she received no requests from the audience.

Vice Mayor Price asked if the Planning and Zoning Board recommended changes were incorporated into the ordinance. Mr. Fitzgerald confirmed.

Vice Mayor Price asked where the new Residential Estate zoning was located. Mr. Fitzgerald said primarily for the East Shirley Shores area. He noted the residents expressed a particular lifestyle in the area during the public meeting process. Vice Mayor Price noted the Comprehensive Plan included a zone by Shirley Shores on the blueberry farm that allowed 25 units per acre and asked if the new zoning would prevent that from happening. Mr. Fitzgerald said that is the set land use, and the estate zoning is the other layer for setbacks and lot sizes.

Council Member Singer thanked the Planning and Zoning Board for their effort and hard work on the project. He thanked the community and said it had been a long process. He also thanked the Staff for putting the revisions together and noted his support.

Council Member Boggus recognized the Planning and Zoning Board for their hard work.

Council Member Gamble noted concerns regarding parking spaces that were too small for some vehicles and said he would like staff to bring back a revision or information for the Council to consider increasing those sizes.

MOTION

Sandy Gamble moved to approve Ordinance 2022-14 Land Development Regulation Amendments, seconded by Amanda Boggus. The motion carried unanimously 5-0.

MOTION

Sandy Gamble moved for staff to bring information on parking regulations for Council to review the size of parking spaces, seconded by Walter Price. The motion carried unanimously 5-0.

X. GENERAL GOVERNMENT

Tab 10. House of Representatives Local Support Grant Update

Mr. Clark made the following presentation:

The Utilities staff were informed of possible grants for stormwater improvements through the House of Representatives. With the help of Keith Truenow's Aide, Aline Guy, staff submitted applications for five (5) possible projects. One of the projects was the Orange Acres/ Dykes Ave Stormwater Improvements, located off of old Hwy 441/Alfred Street. The City received a grant in the amount of \$500,000 for this project! This grant does not require any matching funds. The grant agreement will be forthcoming to the Council for acceptance at a future Council meeting. .

The Dykes Ave Project has been designed. The project is installing stormwater swales along both sides of the street and running some stormwater pipes under the road to improve stormwater conveyance. There is no action required by the Council at this time.

Mayor Pfister commended Mr. Clark. She noted Mr. Clark had one week to submit the grant application.

Tab 11. July 4th Parade Discussion

Mr. Aldrich made the following presentation:

The Tavares July 4th Parade has been a staple in the community for many years. At its February 16, 2022 regular council meeting, the City Council voted unanimously to keep the July 4th Parade through downtown as a part of the City's celebration. Discussions have since ensued on the best and safest route for the parade through the streets of downtown.

As a way of background, until 2010, the July 4th Parade started at the far west

end of Main Street and proceeded eastbound on Main Street all the way past City Hall. From 2010 - 2016, staff utilized the vacant land and undeveloped access road at the far west end of Wooton Park to stage vehicles and parade walkers, leading them up what is today Joanna Ave and onto Ruby Street. The parade then proceeded eastbound on Ruby Street, turned west onto Main Street and proceeded westbound on Main Street.

After the renaissance of Ruby Street through developed restaurants, the west end boat ramp, road paving, etc., staff moved the parade back to a “one-way” direction, again staging the units and starting the parade at the far west end of Main Street and proceeding eastbound on Main Street only. This lasted from 2017 - 2019. Due to the COVID-19 pandemic, there was not a parade in 2020.

During this time period after the development of Ruby Street, city staff also planned the Christmas Celebration Parade along both Ruby Street and Main Street, highlighting the Christmas lights throughout both streets. In 2021, in an effort to be consistent with the parade route designated for the Christmas Celebration Parade, staff decided to use both Ruby Street and Main Street for the July 4th Parade. The responses to this route during the month of July was quite different than in December. High heat and strong chances of storms are more prevalent in July and having this longer parade route left participants stuck in these unfavorable weather conditions with no means of shelter for an extended period of time.

In an effort to reduce the parade participants’ exposure to the extreme summer heat during the July 4th Parade, in 2022, staff reverted back to the “one-way” route of years before, only utilizing Main Street for the parade to make it a littleshorter. Staff is seeking the council’s direction on this decision to keep the July 4th Parade only “one-way” on Main Street or to also include Ruby Street, similar to the Christmas Celebration Parade.

Staff recommends Option 1, to keep the July 4th Parade only “one-way” on Main Street, with the Christmas Celebration Parade utilizing both Ruby Street and Main Street.

Mayor Pfister asked for comments from the Council.

Council Member Gamble noted his support for a parade route on Ruby Street and Main Street. He discussed possible patronage and opportunities for businesses on Ruby Street by including both streets and asked if the Sheriff’s Explorers could assist with security and traffic. Chief Coursey said no, as the Explorers were minors and not law enforcement officers. She said the Explorers could help with traffic if accompanied by a Police Officer.

Mr. Drury noted the amount of security and background work for a parade's production and said the number one objective is to keep everyone safe. He said there had been

issues at parades throughout the country and asked the Council to keep that in mind when making their decision. Mr. Drury noted the additional work it takes the City to secure families during a parade with multiple streets.

Mayor Pfister noted many events held solely on Ruby Street where businesses benefit.

Council Member Boggus said Main Street is a long parade route for children, as she experienced during her childhood. She said shortening the parade route may increase participation, and boat traffic would keep Ruby Street business full during the 4th of July celebration. Council Member Boggus noted her support for the parade only being held on Main Street.

Council Member Singer noted his support for having the 4th of July on Main Street only per the Staff's recommendation due to the summer weather and temperature conditions. He stressed his support for all City businesses.

Vice Mayor Price noted his support for holding the parade on both Main Street and Ruby Street for consistency. He said people watch parades from hotel rooms and businesses on both streets.

Mayor Pfister noted her appreciation for tradition and said cities no longer hold parades as participation decreased. She stated she would prefer a festival rather than a parade as schools do not participate during the summer and political candidates are highlighted. Mayor Pfister said she would like Tavares to be the City of 'firsts' and create a unique event. She noted her support for holding the 4th of July parade on Main Street for safety reasons.

Lou Buigas, 110 E. Ianthe Street, Tavares, said the community is sustained by economic development and relies on taxes paid by those who frequent local businesses. She asked the Council to consider holding the parade on Ruby Street.

Bylinda Rink, 216 Fern Avenue, Tavares, noted her support for including Ruby Street on the parade route. And, if the City wishes to hold the parade on Main Street only, to advise the businesses and people waiting on Ruby Street.

Council Member Boggus said sidewalk access significantly differs between Main Street and Ruby Street, with sidewalks on one side along a portion of Ruby Street.

Mr. Aldrich said Main Street would have more room for spectators.

Mayor Pfister said the reason for having a parade was for tradition, and that would be Main Street. She noted her support for holding the parade on Main Street for safety reasons.

Council Member Singer asked Mr. Aldrich how he would advise the businesses of the parade route. Mr. Aldrich said the parade route is included in displays and posters, and

Staff goes door-to-door to downtown businesses. Mr. Drury said the Chamber of Commerce is the voice and where the primary communication begins, and Staff would do everything possible to let everyone know the parade route.

Mayor Pfister said she would like staff to come back with an idea to make all festivities on the waterfront.

MOTION

Amanda Boggus moved to approve Option 1, keeping the parade only 'one way' on Main Street, seconded by Troy Singer.

Council Member Gamble said he would support the motion for safety purposes.

Council Member Boggus said the fireworks show would support the waterfront businesses.

The motion carried 4-1 as follows:

Lori Pfister:	Yes
Walter Price:	No
Amanda Boggus:	Yes
Sandy Gamble:	Yes
Troy Singer:	Yes

Tab 12. Probation Office Property

Mr. Drury made the following presentation:

The Lake County Office of Probation is located in the Gateway of Tavares across the street from the Public Safety Complex. Lake County is exploring a relocation of the Office of Probation to another location which would result in the current building becoming surplus property. Lake County is offering the City an opportunity to explore what use (if any) the City may have for this surplus property. Staff seeks approval from Council to explore options and bring them back to the City Council for consideration.

Staff recommends Option 1, for Council to authorize staff to explore options for City use of Lake County surplus property that may become available in the gateway and bring them back to the City Council for consideration.

Mayor Pfister and Council Member Boggus noted their support.

MOTION

Amanda Boggus moved to approve Option 1, seconded by Sandy Gamble. The motion carried unanimously 5-0.

XII. NEW BUSINESS

Mayor Pfister commended the Tavares Library for their excellent customer service as she had received positive calls and feedback from residents.

XIII. OLD BUSINESS

XIV. AUDIENCE TO BE HEARD

XV. REPORTS

Tab 15. City Administrator Report

City Administrator

Mr. Drury said he and Council Member Singer met with the Tavares Chamber of Commerce Board. He said the Chamber was engaged, and the relationship between the City and Chamber was strong. There was an opportunity to attend their annual Gala, which was a good event. Tavares's businesses received awards, and he wanted to recognize the Chamber and its leadership for a great job.

Department Directors

Chief Coursey said the Police Department launched Operation Aware for those with special needs, PTSD, and sensory issues. She said the Police Department joined with the Lake County Sheriff's Office and would partner with the City of Mount Dora in the future. She said information on the program is available on the city website.

Mayor Pfister commended Chief Coursey on the program.

Mr. Aldrich thanked the Mayor for recognizing the Tavares Library and said he would pass her comments on to staff.

Mr. Clark said the stormwater retention pond by the Wootton Park West boat ramp and restrooms had been completed.

Chief Keith invited the Council to attend an Advisory Committee reception at Lake Tech on September 22, 2022, at 6:00 p.m.

Ms. Houghton recognized the IT staff for National IT Professionals Day, held on September 20, 2022. She commended Alex Patton, George Elder, and Neal Arnold.

Mr. Fitzgerald said construction for O'Reiley's Auto Parts on SR 19 would begin soon as the site permit was issued. The Community Development Department also received an

application for a WaWa to be constructed in Tavares on US 441 and Orange Avenue. He said a rezoning would be coming before the Council for the project in the future.

Tab 16. City Council Member Reports

Council Member Gamble

- Said a resident recently had a medical incident and thanked Lt. Miller for his assistance.
- Said he was thankful for what the Council accomplished during the meeting. He noted Duke Energy is raising fees, and the approved budget may get tighter.
- Thanked staff and said they were doing a great job.

Council Member Singer

- Said he attended a 9/11 event. He commended Chief Keith for his leadership in making the event happen.
- Said he attended the Mary McLeod Bethune statue unveiling at the Lake County Historical Museum. He said the event was well attended and enjoyed.
- Said he attended the Tavares Chamber of Commerce Gala. He said the City and Chamber enjoy an excellent, mutually beneficial relationship. The City needs businesses, and it is nice when they are recognized. Two winners commended the City and the Economic Development Director.

Vice Mayor Price

- Said he attended the Tavares Chamber of Commerce Gala and congratulated the local businesses that won awards.
- Said he attended a 9/11 event. He commended Chief Keith for his leadership in making the event happen. He recommended inviting Mike Trainor, a Tavares resident, who was a paramedic in charge of a unit at the Twin Towers that assisted in rescue and recovery.
- Said he attended the Mary McLeod Bethune statue unveiling and that it was carved out of the same marble as the statue of David in Italy.
- Said he attended the lakefront cleanup and thanked the volunteers who attended, including those who brought their boats to clean the shoreline.

Mayor Pfister

- Thanked Ms. Novack for her assistance during the election process.
- Recognized three police officers who recently received promotions; Captain Jon Hall, Captain Karl Grogan, and Lieutenant Jared Blessing.
- Thanked Mr. Drury for his hard work. She said Mr. Drury exceeds expectations, is an amazing motivator, and keeps the Mayor and Council well informed. She said he has been an outstanding City Administrator and is not recognized often enough.

XVI. ADJOURNMENT

There was no further business and Mayor Pfister adjourned the meeting at 6:50 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk