



**TAVARES CITY COUNCIL
MEETING MINUTES
JUNE 3, 2020 – 4:00 PM
TAVARES CITY COUNCIL VIDEO CONFERENCE MEETING
<https://www.youtube.com/user/tavarespubcom1>**

COUNCIL MEMBERS PRESENT

**Amanda Boggus, Mayor
Lori Pfister, Vice Mayor
Lou Buigas, Council Member
Troy Singer, Council Member
Roy Stevenson, Council Member**

STAFF PRESENT

**John Drury, City Administrator
Bob Williams, City Attorney
Susie Novack, City Clerk
Mike Fitzgerald, Community Development Director
Bob Tweedie, Economic Development Director
Tamera Rogers, Community Services Director
Lori Houghton, Finance Director
Richard Keith, Fire Chief
Stoney Lubins, Police Chief
James Dillon, Public Works Director
Phil Clark, Utilities Director
Crissy Bublitz, Human Resources Director
Mark O'Keefe, Public Communications Director**

TAVARES CHAMBER OF COMMERCE

J. Scott Berry, Executive Director

I. CALL TO ORDER

Mayor Boggus called the meeting to order at 4:00 p.m. Mayor Boggus provided information on the virtual meeting and asked those who would like to make public comment to email the City Clerk at councilmeeting@tavares.org.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Richard Keith, Tavares Fire Chief

Richard Keith, Fire Chief, 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 Roy Stevenson. The motion carried unanimously 5-0.

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Tavares Chamber of Commerce Update

Mr. Berry noted a report card was available in the agenda packet reflecting what the Chamber team and Board accomplished during a two-month COVID-19 period. He said their 'Tuesday's 10 at 10' meeting moved to Thursday's and included approximately one hundred (100) participants. Mr. Berry said the Tavares Chamber welcomed two new members earlier in the day. He said the July 14, 2020, Legislative Wrap Up meeting will be held virtually and include discussion on the past legislative session accomplishments.

Mr. Drury thanked Mr. Berry for his leadership and continued meetings with City staff and holding luncheons and meetings virtually during COVID-19. Mr. Berry said the Tavares Chamber intends to resume live meetings in July.

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

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

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following Resolution by title only:

RESOLUTION 2020-11

A RESOLUTION OF THE CITY OF TAVARES, FLORIDA CITY COUNCIL SITTING AS THE COMMUNITY REDEVELOPMENT AGENCY; AMENDING THE FAÇADE GRANT IMPROVEMENT REIMBURSEMENT PROGRAM, PROVIDING TEMPORARY PROVISIONS ALLOWING FOR BUSINESSES TO MAKE IMPROVEMENTS TO MEET COVID-19 RELATED REQUIREMENTS.

VII. CONSENT AGENDA

Mayor Boggus asked if Council wished to pull any items from the Consent Agenda for discussion. Council Member Buigas said she would like to pull Tab 3 [Approval of the May 20, 2020 City Council Meeting Minutes].

MOTION

Troy Singer moved to approve the Consent Agenda with Tab 3 pulled, seconded by Roy Stevenson. The motion carried unanimously 5-0.

Tab 3. Approval of the May 20, 2020 City Council Meeting Minutes

Council Member Buigas said she would like to incorporate a verbatim discussion reflected on page 11.

Mayor Boggus noted her name was misspelled on page 4.

Ms. Novack asked for confirmation that Council Member Buigas wished to include a verbatim transcription of her discussion only. Council Member Buigas confirmed.

MOTION

Roy Stevenson moved to approve Tab 3 [Approval of the May 30, 2020 City Council Meeting Minutes]with the changes as discussed, seconded by Lou Buigas. The motion carried unanimously 5-0.

Tab 4. Duke Energy Utility Easement, Marina/Seaplane Base Reconstruction

Approved on the Consent Agenda.

VIII. RESOLUTIONS

IX. ORDINANCES – PUBLIC HEARING

First Reading

Second Reading

X. GENERAL GOVERNMENT

Tab 5. Bid Award to Residential Commercial Municipal Utilities, Inc. (RCW) for Water Skid Booster Pump Station – Advent Health Waterman Region

Mr. Clark made the following presentation:

Last year, the City Council approved funds from the Utility Impact Fee Budget for the purchase and installation of a booster pump station for the Hospital area. This station will supply the necessary water pressure to support Pinecrest Academy Tavares Charter School, Atwater Apartments Tavares Phase II and approximately 200 new homes from Avalon Park Tavares. Both the City's Engineer and City Staff have reviewed and approved the bids and recommend award to Residential Commercial Municipal Utilities, Inc. (RCM as the lowest most responsive bidder for this project.

Bid Tabulation (see attached and below)

*Aerex Industries Inc. \$203,879.00
A.C. Schultes of Florida Inc. \$238,975.00
RCM Utilities, LLC \$113,000.00*

Staff recommends Council approve Option 1 – Award contract to RCM in the amount of \$113,000. \$150,000 is budgeted in the Water/Wastewater Impact Fee Fund for this project in the FY2020 Adopted Budget.

Mayor Boggus asked for public comments. There were none.

Mayor Boggus asked for comments from the Council.

Council Member Buigas asked if the bid is lower because the company has less overhead than the other two companies. Mr. Clark confirmed and said RCM branched off from a thirty-year-old Lake County company, Utility Tech. He said the owner of RCM had completed approximately six projects for the City over the past twenty years. He said RCM is a local company, overhead smaller, and extremely involved in researching the bid details.

MOTION

Roy Stevenson moved to award the bid to RCM as stated, seconded by Lou Buigas. The motion carried unanimously 5-0.

Tab 6. Approve Time Limit Extension for Planned Development Ordinance 2018-09

Mr. Fitzgerald made the following presentation:

On June 6, 2018 City Council approved Ordinance 2018-09 rezoning 41.24 acres of property located on the northern side of Dead River road, 0.3 miles west of SR-19, to Planned Development zoning allowing the construction of 105 single family homes. The timing provision of Ordinance 2018-09 (Section 8) required the completion of all onsite public facilities (Roads and utilities etc) within two (2) years of the approval of the ordinance. Construction of the residential subdivision did not commence, and the owner of the property is requesting that City Council approve extending the time limit of Ordinance 2018-09 for completion of all public facilities for a reasonable period as determined by City Council. If approved, the extension of the time limit of Ordinance 2018-09 does not automatically extend the normal expiration date of any concurrency requirements, site plan approval, preliminary plat approval, or other related development order.

Of special note: Lake County has included improvements to the intersection of Dead River Road and SR-19 in their Transportation Improvement Plan with construction scheduled to begin in 2021.

Staff recommends approval of Option 1 - Approve the request to extend the time limit for completion of all public facilities as required by Ordinance 2018-09 by two (2) years to June 6, 2022.

Mr. Fitzgerald provided a PowerPoint image map of the subject property.

Mr. Drury noted the owner's representative has joined the meeting and is available for questions.

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

Mayor Boggus asked for comments from the Council.

Council Member Singer asked for the procedure the developer would have to go through if the City denies the request. Mr. Fitzgerald said the developer would have to go through a rezoning of the property for development approval, including approval from the Planning & Zoning Board and City Council.

Council Member Singer said it is his understanding that during the original approval process, the developer made some concessions at the board's recommendation, reducing the number of dwelling units and increasing lot sizes. Mr. Fitzgerald confirmed and said this came before Council, and during the discussion, a decision was made for concessions on the lot sizes. Some of the lots were sixty feet wide; some were fifty feet wide with a 50/50 split of those lot sizes. Council Member Singer said he is comfortable with how the process went and would hate to see this have to go through the whole process again. He said he would be satisfied with a two-year extension, an no additional extension request after that.

Attorney Williams said the applicant's representative will need an opportunity to speak.

Joanna Browning, Mainframe Real Estate, and Representative property owner Olin Wooten, said DR Horton had the ordinance approved two years ago. She said DR Horton did not move forward with the project, and the property is currently under contract with a different developer who would like to continue the project and move forward. She said she believes the developer will need to submit a new plat, and noted Chuck Hiott remains the engineer. Ms. Browning said the owner requested a five-year extension so that he would not have to make another request. If the Council believes two years is sufficient, then they can try to make that work. She said the zoning remaining PUD is detrimental to the sale. She said Mr. Meadow's property, originally included in the project, is currently being revised to PSP for Mr. Wooten's property, and that plat will need to be revised as well. She said everyone is excited about the project and to see more affordable homes in the area. She said they would need a Certificate of Occupancy before they can close on the sale. Mr. Fitzgerald noted the ordinance has a conceptual plan attached to it. The Council has already reviewed and approved the preliminary subdivision plan for the property. If the new developer submits a plan to the City that is substantially similar to the preliminary plat that has already been approved, the City will be able to move forward with the subdivision construction plan and final platting. He said he does not feel another preliminary plat would go back before Council if it substantially complies with what is already approved.

Attorney Williams asked for clarification from Ms. Browning regarding the additional parcel that is not included in the development and the requirement of a Certificate of Occupancy (CO). He said a CO is not a trigger for the City's land use.

Mr. Fitzgerald said he believes Ms. Browning is referring to the property to the West that is similar in size. It was approved as Summerfield in 2004 and included the Wooten property. He said they are only talking about the Wooten property in the request before the City Council. Attorney Williams stated that it is a different ordinance. Attorney Williams inquired about the Certificate of Occupancy. Ms. Browning said she knows the builders under contract with her seller wish to close as soon as possible and would like their certificate of occupancy. Attorney Williams said if the extension is approved, they will have zoning but not a CO until they build.

Council Member Buigas said Ms. Browning mentioned affordable housing and asked for an elaboration. Ms. Browning said she does not know what the builder specs are, but it is housing that will be affordable to the area. Attorney Williams said he does not believe the term affordable housing is intended in the same vernacular as the Federal Affordable Housing. He said she is talking about houses that people can afford that are relatively entry-level homes.

Vice Mayor Pfister noted concern regarding the intersection at Dead River Road. She said Lake County included intersection improvements in their 2021 budget, but that is no guarantee it will be funded. She said she could not give her support until the intersection improvements have been made. Attorney Williams asked Mr. Fitzgerald if it is a condition of the development that the road has to be improved. Mr. Fitzgerald said

there was a condition for DR Horton to make improvements to the intersection for the ordinance to be passed. DR Horton is no longer involved in the property, and Lake County has taken responsibility for making the improvements promised by DR Horton. Attorney Williams said it was his understanding the developer could not go forward with development if the intersection improvements were not made. Mr. Fitzgerald said that was the original approval, and if directed, staff would not approve any site plan unless those improvements are in place beforehand. Attorney Williams said that before Council is an extension of the ordinance, improvements will need to be made before they can plat and sell houses. He said that was Council's concern that led to the condition, and the condition is in the ordinance. Mr. Drury said he had a recent conversation with the County Manager, and Lake County is planning on improving the intersection. Attorney Williams said it should be clear to Ms. Browning and her client that if you vote to extend, the extension and ultimate development of the property is contingent on the intersection improvements.

Council Member Stevenson said he shares Vice Mayor Pfister's concerns and could not approve a five-year extension.

MOTION

Roy Stevenson moved to extend for two years contingent upon the intersection must be repaired in order for the construction to move forward.

Vice Mayor Pfister said she does not believe the corrections to the intersection will support new homes because it does not support existing traffic.

Council Member Singer said he does not feel the developer should be held accountable for an intersection that is the county's responsibility. He said he supports the two-year extension and does not support a five-year extension.

Attorney Williams said there is a motion on the floor and there should be a second before discussion is held.

Lou Buigas seconded the motion.

Council Member Stevenson said on the discussion end this is something we should really think about, I think Vice Mayor Pfister makes a compelling argument. He said not extending would have an affect on the residents on Dead River.

Council Member Buigas asked if the County has a timeline to address the intersection. Mr. Drury said Lake County is designing the intersection this year and will begin construction next year. Council Member Buigas asked if the intersection improvements would be completed in two years. Mr. Drury said that is the County's goal. Council Member Buigas asked if the County could decide not to fund due to a changing economic climate. Mr. Drury said he believes a Council or Commission can do what it wants with its dollars. He said the funds are coming out of impact fees for District 1,

and have been programmed for the intersection. He said Vice Mayor Pfister's concerns about the future are valid as a County Commission can always stop a project if they wish to redirect the funds. The County is in the design phase now, and they could theoretically stop the construction phase if they so choose. Council Member Buigas said the City would be protected with the current motion providing a two-year extension with the condition that the developer addresses the intersection before any homes receive a CO. Mr. Drury said the motion requires the intersection needs to be upgraded for the City to issue the final approvals.

Council Member Singer said if it were not for the original developer, that intersection would never have been addressed. He said if Council fails to move forward, there is a possibility the intersection may not be improved.

Mayor Boggus said her family and friends live on the road, and she would like the intersection improvements. Extending the requirement is one way to compel other vested interests to ensure the County or the private industry makes the improvements.

The motion carried 4-1 as follows:

Amanda Boggus: Yes
Lori Pfister: No
Lou Buigas: Yes
Troy Singer: Yes
Roy Stevenson: Yes

Tab 7. Debt Management Report for City Council Review

Ms. Houghton made the following presentation:

A Debt Management Report has been prepared and provided as an informational report for the City Council. This report will provide the City Council with information about City of Tavares debt obligations.

The report includes two sections with various Information that may assist Council Members.

Section I provides an overview of debt for the City of Tavares. Included information is as follows:

- An overview of City debt obligations for Governmental Activities (Governmental Funds) and for Business-Type Activities (Enterprise Funds).*
- For each debt activity type - information is provided for debt obligation type - (general obligation, revenue, special assessment, covenant to budget and appropriate, and state revolving loans)*
- Detail list of debt obligations as of 9-30-2018*
- Peer comparisons for debt obligations*

- *Years to maturity for each debt obligation*

Section II provides a debt capacity overview. Included information is as follows:

- *Comparison of Tavares debt to that of other Florida cities*
- *Operating comparisons for Florida cities with reported debt*
- *General debt capacity indicators and debt capacity for Governmental Activities debt*
- *Debt capacity indicators and debt capacity for Business-type Activities debt*

No action is needed. This is an informational report prepared for the City Council.

Mayor Boggus asked for comments from the public.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, asked the following questions:

1. Why are all Lake County cities reflected in the pie charts and comparisons of city data.
2. Why were comparisons made focusing on total dollars and not metrics like cost per citizen or cost per housing unit.
3. The section showing sales tax and other revenues for 2020 and later totals, is the report before the pandemic?

Mr. Jochim commented that he did not see any discussion of effects on reduced revenues of all types caused by the pandemic, nor were adjustments made in forecasts to show expected impacts of a reduced economy. He said he did not believe the report should be used for decisions related to the upcoming budgets.

Mr. Drury said Mr. Jochim is correct, the report was developed before COVID-19, and the report's intent was not to address COVID-19. The report was to identify the City's debt service levels compared to other cities in the state of Florida so Council could use it as a benchmark for future debt. The report does an excellent job of giving an overview of where debt levels for cities that have gone through ten years of renaissance and made conscious decisions to invest in themselves to spawn economic growth. In Tavares, the tax burden has shifted from the residents paying 90% of the tax down to 65%, with the business community picking up the remainder. The City has invested in itself over the past ten years and has taken some debt for roads, waterfront, infrastructure, and a train station. The report shows how much debt the Tavares has compared to other cities. Tavares has an average amount of debt for a city this size, given that it has invested in itself over the past ten years. Forecasting the future due to the pandemic and the economic impacts of COVID-19 will be presented during the normal budget process beginning in July. We will be using forecasting data on the short term effects that the pandemic may have on the economy based on information received from the state of Florida.

Mayor Boggus asked for comments from Council.

Council Member Singer said it is important for residents and businesses to know the city's financial health, and it appears Tavares is doing as well, if not better than our peers. He thanked Ms. Houghton and the Finance Department for providing the information.

Council Member Buigas said it was a helpful document to review.

Mayor Boggus thanked Ms. Houghton and the Finance Department for providing the information.

Ms. Houghton thanked the Council as well as the Finance Department Staff for their contributions to the report.

Tab 8. Approve Update to FY 2020-2021 Budget Workshop and TRIM Calendar

Ms. Houghton made the following presentation:

Due to the COVID-19 Pandemic Emergency, adjustments to many scheduled events, meetings, and proceedings have been needed nationally, statewide, and locally. Local budget calendars have also experienced some updates to scheduling. An updated Budget/Trim Calendar is attached.

The updated budget 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. July 1, 2020 - ~~June 17, 2020~~ - Budget Workshop with Regular City Council Meeting to present the proposed FY 2021 General Fund Budget.*
- 2. July 15, 2020 - ~~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 29, 2020 - Budget Workshop to set the Tentative Maximum Millage Rate.*

4. ~~August 5, 2020~~ ~~July 15, 2020~~ - Budget Workshop - Present Five-Year Capital Improvement Plan (CIP). Workshop to discuss the FY 2020-2021 Maximum Tentative Millage Rate.
5. August 19, 2020 - City Council Budget Workshop (Same Date as Regular Council Meeting).
6. 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).
7. September 16, 2020 - Final Public Hearing to adopt 2020-2021 Budget and Millage Rate (same date as regular City Council Meeting).

Staff recommends approval of Option 1 – Move to approve the Updated Fiscal Year 2021 TRIM Calendar as submitted which meets the requirements of TRIM.

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

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

MOTION

Lou Buigas moved to approve Option 1 [Approve the Updated Fiscal Year 2021 TRIM Calendar as submitted which meets the requirements of TRIM], seconded by Troy Singer. The motion carried unanimously 5-0.

XI. CITY COUNCIL ADJOURNS AND RECONVENES AS THE COMMUNITY DEVELOPMENT AGENCY (4:50 p.m.)

Tab 9. Approval of COVID 19 Small Business Relief Grant

Mr. Tweedie made the following presentation:

At the previous meeting, Council approved a comprehensive COVID-19 Economic Recovery Plan (attached). One of the four major components of that plan is a Downtown CRA Small Business Relief Grant providing businesses a one time relief grant to mitigate the expenses necessary to meet the requirements of creating a safe, clean and healthy environment for themselves, employees and patrons per the Federal and State guidance and mandates.

Based on that approval, staff has developed the attached resolution (and application), temporarily amending the existing CRA facade grant and providing a funding mechanism within the current FY 20 approved budget allocation. Under this program eligible businesses would receive a fifty percent (50%) matching grant for improvements to meet social distancing and sanitation requirements necessary to meet Federal and State guidance and mandates. The Economic Development Director will provided an overview of the plan including a Tavares Downtown CRA Small Business Relief Grant, Consumer Confidence Campaign, Creating a Safe

Space in Tavares Square, and Chamber of Commerce, Business Membership Assistance.

Staff recommends approval of Option 1 - Approve the attached resolution and funding authorization for the temporary facade grant expansion. No additional funding is required within the current approved FY20 Community Redevelopment Agency (CRA) Tax Increment Financing (TIF) budget. The \$40,000 program budget would be funded through the following re-allocation of currently appropriated funds including unencumbered travel and per diem, unencumbered sponsored events, and FY2020 façade grant unencumbered balance.

Mayor Boggus asked for public comment. There was none.

Mayor Boggus asked for comments from the Council.

Council Member Buigas noted the \$40,000 grant is only for the small business relief grant within the CRA. The allocation does not include the Tavares Square, Consumer Confidence, or Chamber Membership programs. Mr. Tweedie said Council previously approved the other items in the Economic Recovery Plan. He stated the \$40,000 program budget would be funded through the following re-allocation of currently appropriated funds:

- Unencumbered Travel & Per diem = \$3,500
- Unencumbered Sponsored Events = \$30,600
- FY 2020 façade grant unencumbered balance = \$5,900

Council Member Singer commended Mr. Tweedie. He asked for clarification that the grant is a 50% match with a \$5,000 cap. Mr. Tweedie confirmed. Council Member Singer asked how the grant opportunity would be advertised to the business community. Mr. Tweedie said the City would work with the Tavares Chamber of Commerce, advertise on the city website, and through social media platforms.

MOTION

Lou Buigas moved to approve Resolution 2020-11, seconded by Troy Singer. The motion carried unanimously 5-0.

XII. COMMUNITY REDEVELOPMENT AGENCY ADJOURNS AND RECONVENES AS THE CITY COUNCIL (5:00 p.m.)

XIII. NEW BUSINESS

None.

XIV. OLD BUSINESS

None.

XV. HISTORICAL PERSPECTIVE

XVI. AUDIENCE TO BE HEARD

David Serdar, 66 Wintergreen Drive, Fruitland Park, noted he attended public meetings throughout the county. He noted concern regarding current events in the Country.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, commended Council for their questions and in recognizing action is need for the Dead River Road intersection. He also commended Ms. Houghton and her staff for their work on the debt report. He recommended the Council include providing video of City Council and Planning & Zoning Board meetings during the budget process.

XVII. REPORTS

Tab 10. City Administrator Report

Mr. Drury noted a peaceful march had been scheduled to be held in Wooton Park following the meeting, and a prayer vigil at the County Historical Museum on Friday, June 5, 2020. On June 17, 2020, City Hall and the Tavares library will open. The next scheduled City Council meeting is June 17, 2020, and will be held in the City Hall Council Chambers. He thanked the city's first responders who kept the City safe during COVID-19, peaceful marches that pop up in our various communities and during the upcoming hurricane season. He also thanked all city employees who have returned to open up the City buildings and get Tavares back to normal in the next 30-60 days.

Chief Keith said hurricane season began June 1st, and reminded everyone to review storm plans.

Tab 11. City Council Member Reports

Council Member Buigas

- Thanked Mr. Tweedie for his efforts on the business relief program. She said Tavares is one of the first cities to implement a program.
- Thanked Mr. Dillon and Ms. Rogers for their efforts on the Tavares Square banner program for the Tavares High School graduates. She said she has received many wonderful texts and comments.

Quote of the day: "We are more alike, my friends, than we are unlike." ~Maya Angelou

Council Member Stevenson said the banners in Tavares Square look great.

Council Member Singer

- Congratulated the Tavares High School graduates. He thanked Tim Totten for donating banners to all of the Lake County students. He said the banners in Tavares square look great.
- Looks forward to the next City Council meeting to be held in the City Hall Council Chambers, and looks forward to the City and State opening back up.
- Wished for all to be safe, stay healthy, and be kind.

Vice Mayor Pfister said she has received nothing but positive remarks about the banners in Tavares Square, and she has enjoyed watching students, parents, and families taking pictures next to them. She thanked all who were involved in implementing the program.

Mayor Boggus said she is looking forward to the next City Council meeting to be held in the City Hall Council Chambers, and wished all to be safe and kind.

XVIII. ADJOURNMENT

There was no further business and Mayor Boggus adjourned the meeting at 5:14 p.m.

Respectfully,

Susie Novack, MMC/FCRM
City Clerk