



**TAVARES CITY COUNCIL
MEETING MINUTES
OCTOBER 7, 2020 – 4:00 PM
TAVARES CITY HALL COUNCIL CHAMBERS
201 EAST MAIN STREET, TAVARES**

COUNCIL MEMBERS PRESENT

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

STAFF PRESENT

**John Drury, City Administrator
Bob Williams, City Attorney
Susie Novack, City Clerk
Bob Tweedie, Economic Development 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.

II. INVOCATION/PLEDGE OF ALLEGIANCE

Tab 1. Pastor Eric Filkin, Bridges Covenant Church

Pastor Eric Filkin, Bridges Covenant Church, provided the invocation and led those present in the Pledge of Allegiance.

III. APPROVAL OF AGENDA

Mr. Drury said he would like to add one item under New Business: 8A, Discussion of Ten-Year Anniversary of the Seaplane Base & Marina.

MOTION

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

IV. PROCLAMATIONS/PRESENTATIONS

Tab 2. Tavares Chamber of Commerce Update

Mr. Berry said the Chamber will be hosting a scavenger hunt around the downtown over a ten-day period. The event will be held November 12 through 21, 2020. He said there is no cost to participate.

Mr. Berry provided an update on upcoming events including a virtual candidate forum on October 14, 2020.

Council Member Buigas asked when the Chamber will be back to their regular hours and days of operation. Mr. Berry said there has been no increased traffic and hopes regular hours will resume in the near future.

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

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

VI. READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD

Ms. Novack read the following Ordinance by title only:

ORDINANCE 2020-11

AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA AMENDING THE LAND DEVELOPMENT REGULATIONS; BY AMENDING CHAPTER 8, SECTION 8-12 (A)(5) DESIGN AND MAINTENANCE; REQUIRING THAT ALL FENCES BE INSTALLED IN ACCORDANCE WITH

MANUFACTURER’S INSTRUCTIONS, SECTION 8-12 (A)(6), FENCES IN RESIDENTIAL DISTRICTS; SECTION 8-12 (A)(7), FENCES IN NON-RESIDENTIAL DISTRICTS; CHAPTER 11 LANDSCAPE AND BUFFER REGULATIONS TABLE 11-A BUFFER TYPES; INCREASING THE MAXIMUM HEIGHT OF FENCES TO EIGHT FEET WHERE RESIDENTIAL DISTRICT PROPERTY ABUTS INDUSTRIAL (I) ZONING OR PUBLIC FACILITIES DISTRICT (PFD) ZONING, SUBJECT TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

VII. CONSENT AGENDA

VIII. RESOLUTIONS

IX. ORDINANCES – PUBLIC HEARING

First Reading

Tab 3. Ordinance 2020-11 – Amendment to Land Development Regulations Chapters 8 & 11 – Increasing Maximum Fence Height to 8’

No discussion at first reading.

Second Reading

X. GENERAL GOVERNMENT

Tab 4. Board appointment – Planning & Zoning Board

Mayor Boggus said the Planning and Zoning Board consist of seven seats with staggered three-year terms. Currently there is one vacant seat on the board for the remainder of a term that will expire June 2022. The city advertised the vacancy in the Daily Commercial, city website and on social media. She said the city received one application from Bruce W. Peterman.

Mr. Drury thanked Mr. Peterman for attending the City Council meeting.

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

MOTION

Lou Buigas moved to approve Bruce W. Peterman, seconded by Lori Pfister.

Council Member Stevenson thanked Mr. Peterman.

The motion carried 5-0.

Tab 5. Mayor's Youth Council Program 2020-2021 Update

Mr. Drury said previously the Council approved a revised syllabus to expand opportunities offered to the Mayor's Youth Council. Vice Mayor Pfister was assigned to coordinate with the school in its selection of participating students for the 2020-2021 program. The school notified the City that the Mayor's Youth Council program would not be offered to the students in the fall due to COVID-19. He said Tavares High School will re-evaluate the program in January, at which time staff will bring back to the Council for an update and activation of the program.

Tab 6. Press Release on Lower Property Tax Millage Rates

Mr. Drury made the following presentation:

Council Member Roy Stevenson has made a request to discuss with the Council its approval to issue a press release on the City Council's action to lower the tax rates at its September 16, 2020 Council meeting, due to the following:

The State of Florida Statutes on Taxation and Finance (Title XIV 200.065) required Tavares to place a Notice in a newspaper of "general paid circulation in the County'." which the city did in the Daily Commercial which was headlined:

"NOTICE OF PROPOSED TAX INCREASE" followed by "The City of Tavares has tentatively ADOPTED a measure to increase its property tax levy"

The Florida Statute on Taxation and Finance section 192.001 (9) "Definitions" defines "Levy" as: "Levy means the imposition of a tax, stated in terms of "millage," against all appropriately located property by a governmental body authorized by law to impose ad valorem taxes" City Council voted to DECREASE the property tax millage (levy) yet the public advertisement stated "increase the property tax levy" which could mislead some people who were not able to attend the meeting.

In particular, he seeks approval for the City to issue the following press:

TAVARES PRESS RELEASE

On September 16th the Tavares City Council voted to again lower the City's property tax millage rates as follows:

- Lowered the property tax rate from 6.9500 down to 6.9000 mills*
- Lowered the debt service tax rate from 0.2932 down to 0.2623 mills*
- This is the second year in a row the City Council has lowered the property Tax Rate*
- This is the lowest City property Tax Rate in five (5) years*
- Reserve appropriations for the city budget was increased*
- Lowered the City Budget for next year*

- *Additional taxes were collected to offset the increased cost of maintaining a similar level of service for Police, Fire, Parks, Library and other services.*

For questions you may attend a City Council meeting or obtain direct contact numbers or e-mails for each City Council member by calling City Hall at 352-742-6209.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, said taxes are based on millage rate and property valuations. He said the city was valued at 7% this year, and 10% last year. When Council reduces the millage rate this year, the tax bill for those with valuation increases will go up. He said he would be acquiring selected TRIM notices from the County Property Tax Appraiser that reflect tax increases in Tavares. He said the press release does not discuss valuation increases and noted he is not in support.

Mayor Boggus asked for comments from the Council.

Council Member Stevenson advised Mr. Jochim that his phone number is available on the city website if he would like to discuss further. He said citizens should pay their fair share to live in Tavares. He said the tax increase is calculated by the county property appraiser evaluating the value of property and has nothing to do with the City Council. Once the calculation of the value of property is made a multiplier (millage rate) is added to balance the budget. He said the state required legal advertisement is misleading and not what the City Council passed. City Council did not and cannot raise taxes by itself. Any increase is in the property value. He said an increase in property value should reflect that property owners made a good investment in Tavares as the value of property increased resulting in more equity and value. The Council lowered the millage rate, and the County Property Appraiser increased the value of property. As a result, and despite the fact that the Council lowered the millage rate, the actual tax burden increased. An increase in the amount of \$24 equates to \$2 per month to live in a slice of paradise. Council Member Stevenson said some of the talking points are misleading that say the Council raised taxes. He said the truth is the City Council lowered the millage rate and the citizens should know what the Council did so misinformation cannot be spread as the truth.

Council Member Singer said the proposed advertisement is true, transparent, and tells the public what the City of Tavares has done this past year. He said the city is mandated by the state that there is a notice in the paper saying we raise taxes. Council Member Singer said the ad provides the truth and more information and said the City should be proud of what we have done and noted his support.

Council Member Buigas asked for the date the original ad stating the city had a tax increase appeared in the newspaper. Ms. Houghton said the City is required by statute on the exact language that is advertised and published before the Council approves the budget and millage rate resolutions.

Vice Mayor Pfister said Council lowered the millage rate and because of property values increased property owners will pay more. She said she likes transparency without a play on words.

Mayor Boggus inquired about the verbiage. Mr. Drury provided the language. Vice Mayor Pfister asked where the City collected additional taxes as stated in the press release. Mr. Drury said the taxes were collected from the property owners who had property that increased in value. Mayor Boggus asked that language be added to make it clear that the millage rate decreased but property values increased so additional taxes were collected. Council Member Stevenson recommended the verbiage "...because the value of your property increased, additional taxes were collected."

Mayor Boggus asked for confirmation that this is a press release and the city is not incurring the cost of publication. Mr. Drury confirmed.

Council Member Buigas said it is important for the Council to identify who designates the property values. The Council does not designate the property values as it comes from the Lake County Property Appraiser's office. Mr. Drury said the following verbiage could be added to reflect "...because the values of property increased, as determined by the County Property Appraiser, additional taxes were collected." Attorney Williams said it is not just the value of properties increased. He said each year when the Property Appraiser calculates the city's tax base, he looks at annexations and changes in the status of properties. If someone had a vacant lot in 2019, and in 2020 there is now a home, the taxes will increase. He said properties annexed in the past year will be placed on the tax roll. Mr. Drury noted the following verbiage "...property values increased as determined by the County Property Appraiser and/or annexations occurred, additional taxes were collected."

MOTION

Roy Stevenson moved to approve as revised, seconded by Lou Buigas.

Mr. Drury said when people comment about other city's going to the roll-back rate, he asks if their budgets increased or decreased. He said across Florida many cities that adopt a rollback rate raise their budget and spend more monies than the prior year. He said Tavares lowered the millage rate and lowered the budget. He noted Marco Island went to the roll-back rate and increased their budget. He said the roll-back rate should be paired with the budget.

The motion carried unanimously 5-0.

Tab 7. Mid Florida Homeless Coalition Proclamation to the Lake County Board of County Commissioners

Mr. Aldrich made the following presentation:

The Mid Florida Homeless Coalition, a non-profit lead agency for homelessness representing Citrus, Hernando, Lake and Sumter Counties, is planning to present a proclamation to the Lake County Board of County Commissioners, declaring the week of November 15-22, 2020 as National Hunger and Homelessness Awareness Week in Lake County, FL at their regularly scheduled board meeting on Tuesday, November 10, 2020.

Attached is a draft of the proclamation that will be submitted for approval by the Lake County Board of County Commissioners. In partnership with the Mid Florida Homeless Coalition, staff is seeking approval from council to have the City of Tavares listed with other agencies in Lake County on the official proclamation.

Staff recommends Council approve Option 1 - List the City of Tavares on the proclamation going before the Lake County Board of County Commissioners, proclaiming the week of November 15-22, 2020 as National Hunger and Homelessness Awareness Week in Lake County, Florida

Mr. Aldrich said one of his roles as Community Services Director is to work closely with local groups and community organizations to attempt to identify and help develop programs to prevent homelessness in Tavares. He said one of the organizations is the Mid Florida Homeless Coalition. Mid Florida Homeless Coalition represent four counties in the region and highlight the need for awareness of the homeless and hungry.

Mr. Drury said he asked Mr. Aldrich to incorporate homelessness into Community Services as it is one of the areas that all cities are making efforts to address homelessness in their communities. He thanked Mr. Aldrich for taking the additional responsibility.

Mayor Boggus asked for comments from there audience. There were none.

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

MOTION

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

Tab 8. Request Council's Approval for Equipment for Auction

Ms. Houghton made the following presentation:

The City has various equipment including vehicles, street sweeper, fire truck, garbage truck claw truck, tanker trailer, tandem axle tractor, pontoon boat, loader, van, generator, mower, and electric cart that has been identified for disposal due to age, wear, non-performance, repair costs, or has been obsolete for operations.

These items are currently stored at the Caroline Water Plant location and has presented storage deficiencies for operation equipment as well as safety concerns, thus this request to present these items for public auction.

Generally, the City utilizes Gov Deals on-line auctions for surplus equipment. This method generally works well, but due to COVID-19 and limited staff available to allow equipment inspections by prospective bidders, staff requests Council's approval to piggy-back on the Lake County Contract with George Gideon Auctioneers, Inc., located in Zellwood, Florida. Once all items have been auctioned off, funds will be deposited to the fund reserves of the fund owning the equipment.

Florida statutes section 274.07 states that equipment and property disposals shall be included in the minutes of the governmental unit.

Staff recommends approval of Option 1 - Approve the attached listing of surplus items and authorize these items for sale through normal auction channels.

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

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

MOTION

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

XI. NEW BUSINESS

8A. Discussion of 10 Year Anniversary of the Seaplane Base and Marina

Mr. Drury said when he first came to Tavares the citizens were meeting to discuss the future of Tavares. He said at the time there was one restaurant and the back of the buildings were faced toward the waterfront. Tavares was a government city with many county buildings scattered throughout the downtown. The citizens asked the Council to change the city to a city you drive to rather than drive around with a good quality of life, clean water, restaurants, and more events. Mr. Drury said he listened to the residents, and Council heard the residents. Each Council to follow has been implementing the plan and moving the city forward the way the residents wanted the community to change, and the results were amazing. Restaurants and hotels came to Tavares, jobs were created, and property values increased. County offices were moved to a government campus at the west end of Main Street and punctuated by the American flag.

Mr. Drury said one of the most important parts in the visioning of Tavares was working with the community to identify a brand. The citizens developed a Master Plan and

rebranded itself America's Seaplane City. To punctuate the brand a ribbon cutting was held that included the Governor of Florida. Mr. Drury said 2020 is the 10th anniversary of the opening and ribbon cutting of the Tavares Seaplane Base & Marina. He said he would like to update the ribbon cutting photograph with the current Council on this 10th anniversary. He noted Hurricane Irma destroyed the first Seaplane Base & Marina and the city received insurance proceeds and the docks are currently being replaced. He said he would like to celebrate the new Seaplane Base & Marina to punctuate the 10-year anniversary. He said this Council is taking what their predecessors and citizens wanted, preserving it, and are making it better. Mr. Drury proposed the Council meet at the new marina to update the photograph and ribbon cutting.

Mayor Boggus asked for comments from the audience.

Christy Ferman, 204 N. Rockingham Avenue, thanked Mr. Drury and the Council for their efforts and hard work. She said the citizens unable to attend meetings are aware of the selfless time and effort Council puts in to hear the citizens voices to move forward and make Tavares a better place.

Diana Aten, 714 N. St. Clair Abrams, thanked Council and Mr. Drury. Ms. Aten said she grew up in Tavares and it is nice to see downtown flourish – job well done.

Mayor Boggus asked for comments from the Council.

Discussion was held regarding Council's availability for a photograph and ribbon cutting. Mr. Drury said the Council will be contacted for a photograph and ribbon cutting to be held on Thursday, October 15, 2020.

Council Member Stevenson asked for an update on a recent fire in Tavares. Mr. Drury said there was a fire in an older building. The Tavares Fire Department responded. The building remains and no lives were lost nor injuries. Council Member Stevenson thanked and commended the Tavares Fire Department for their efforts and said they were impressive with their response.

XII. OLD BUSINESS

Vice Mayor Pfister asked for an update on the US441/St. Clair Abrams golf cart crossing. Mr. Drury said the City has contracted with Griffey Engineering to update the study. He said the study will be completed in the near future. Mr. Fitzgerald is waiting for the study, and it will accompany a letter to FDOT asking for the golf cart crossing to be re-evaluated based on the updated engineers report.

XIII. AUDIENCE TO BE HEARD

Mike Watkins, 805 Summerall Avenue Tavares, commended the Council for their work on the budget. He said he appreciates Council Member Stevenson asking for the truth to get out to the citizens, and the Council for approving the press release.

Vance Jochim, 12619 Milwaukee Avenue, Lake County, commended Mr. Drury for the city's efforts on homelessness. He noted a concern that elders are harassed in mobile home communities. He said Palm Gardens pays the city \$12,000 in taxes. He asked if the city has the ability to come up with a cost for code compliance check, police incidents, and police calls to determine if there needs to be an intervention. He said the homeless force elders out of their homes.

XIV. REPORTS

Tab 10. City Administrator Report

Mr. Drury said October 10, 2020 is the ten-year anniversary of Jones Brother Seaplanes & Adventures. He said they will be providing seaplane rides for \$10.

Mr. O'Keefe said he has the scissors signed by Governor Charlie Crist ready for the ribbon cutting.

Tab 11. City Council Member Reports

Council Member Buigas

Council Member Buigas thanked Mr. Clark for the progress in Lake Francis Estates. She said she went on a tour of the community and the progress and project is impressive.

Quote of the Day: "Correction does much, but encouragement does more." ~Johann Wolfgang von Goethe

Council Member Singer

- Said he enjoyed the Lake County Museum of the Arts fundraiser.
- Said he is looking forward to the Jones Brothers ten-year anniversary.
- Said he grew up in Tavares and is proud of the city and can not wait for what the future holds.
- Said October is Breast Cancer Awareness Month.

Vice Mayor Pfister

Vice Mayor Pfister said Buster Tubbs sold and asked for payers for the new owners fifteen-year-old son who has health issues. She said the new owner is working hard and asked those present to keep an eye out for their opening.

XV. ADJOURNMENT

There was no further business and Mayor Boggus adjourned the meeting at 5:02 p.m.

Respectfully,

Susie Novack, MMC, FCRM
City Clerk