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2
3 **CITY OF TAVARES**
4 **MINUTES OF REGULAR COUNCIL MEETING**
5 **JANUARY 18, 2006**
6 **CITY COUNCIL CHAMBERS**

7 Mayor Nancy Clutts called the meeting to order at 5:00 p.m.

8
9 **COUNCILMEMBERS PRESENT**

ABSENT

10
11 Nancy Clutts, Mayor
12 Sandy Gamble, Vice Mayor
13 Robert Abernathy, Councilmember
14 Councilmember Robert Speaks
15 Dennis Wilson, Councilmember

16
17 **STAFF PRESENT**

18
19 Dorothy A. Keedy, City Administrator
20 Robert Q. Williams, City Attorney
21 Nancy Barnett, City Clerk
22 Susan Jackson, Director of Community Development
23 Lori Houghton, Finance Director
24 Lori Tucker, Director of Human Resources
25 Stoney Lubins, Police Chief
26 Donna Saladin, Director of Community Services

27
28 Pastor Lee Everleth, Church of the Nazarene gave the invocation and those present stood to
29 recite the Pledge of Allegiance.

30
31 **AGENDA REVIEW**

32
33 **APPROVAL OF MINUTES**

34
35 **December 7, 2005**

36
37 Councilmember Speaks questioned the strike throughs on the minutes of December 7, 2005.
38 Ms. Barnett stated she had inserted the corrections that the Mayor had provided as well as
39 showing the minutes as originally presented through underlining. Councilmember Speaks
40 stated he was wondering why the minutes were changed. Mayor Clutts stated a good amount
41 of the minutes were paraphrased. She said she had taken the tape of the minutes in an attempt

1 to provide sequentially what was said. Councilmember Speaks said he thought what was on
2 the tape should be represented by the minutes and changes should not be made unless they
3 were a correction or something was interpreted incorrectly. Ms. Keedy said verbatim minutes
4 have not been done in the past and when neither verbatim or action minutes are done, there
5 will always be some subjectivity in the minutes. Mayor Clutts said she was agreeable to any
6 changes that Councilmember Speaks wished to make. She asked Ms. Barnett if the strike
7 throughs would be removed after the approval of the minutes. Ms. Barnett said that was
8 correct.

9
10 Mayor Clutts asked for the following changes on the December 7, 2005 minutes:

11
12 Page 23, #41 – change “division” to “divisive”
13 Page 21, strike through all of line two

14
15 **MOTION**

16
17 **Robert Abernathy moved to accept the minutes of December 7, 2005 as corrected,**
18 **seconded by Sandy Gamble.**

19
20 Vice Mayor Gamble questioned the Mayor’s correction of page 21. Mayor Clutts stated her
21 correction was based on a verbatim statement in the minutes.

22
23 **The motion carried 4-1 as follows:**

24
25 **Nancy Clutts Yes**
26 **Sandy Gamble Yes**
27 **Robert Abernathy Yes**
28 **Dennis Wilson Yes**
29 **Robert Speaks No**

30
31 **Minutes of December 21, 2005**

32
33 Councilmember Gamble noted a correction on page 8, line #5, change “tings” to “things.” He
34 stated page 12, line 7, should be changed from “Albert” to “Alfred.”

35
36 **MOTION**

37
38 **Sandy Gamble moved for the approval of the minutes of December 21, 2005 with the**
39 **above changes, seconded by Robert Abernathy. The motion carried unanimously 5-0.**
40 **Mayor Clutts stated the minutes of January 4, 2006 would be deferred to the next**
41 **meeting.**

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PROCLAMATION/PRESENTATIONS

Renaissance Faire

Carmen Cullen, Executive Director of the Educational Foundation of Lake County stated that the Foundation serves as the direct support organization for the Lake County school system. Ms. Cullen expressed appreciation to Council for agreeing to be a partner last year and then reported on the Renaissance Faire held on November 4-6, 2005 at Hickory Pointe. She said it was a success in multiple ways. She said this year 3000 students attended Education Day. She said there was a total attendance of 12,000 which was double the attendance from previous years. The geographical draw was 60% from Lake County, 18% from Orange County, 7% from Seminole, 5% from Volusia, 2% from Sumter, 6% from other Florida counties and another 2% were out of state. She said the Lake County Tourism Council is also a partner in this event. The economic impact of the festival, based on their formula, was over two million dollars. The proceeds that benefited the Lake County teachers and students directly were \$50,951. She discussed some of the proposed changes for the festival for next year and then requested that the City provide a partnership again for next year. She asked that the City provide tents, staging, P.A., tables, chairs, traffic control, restroom facilities, assistance with trash removal, trash cans, and use of the dragonboats. She said one of the biggest events was the dragonboat rides which gave the City an opportunity to promote its upcoming festival. The dates for the next festival will be November 3, 4, and 5th, 2006. The festival will provide a sponsorship package to the City to include event tickets, invitation to the mayor’s feast, banners, booth to promote the dragonboat festival, and logo on all electronic and print medias.

Mayor Clutts complimented Ms. Cullen on her efforts in organizing the festival and the collaboration between all those who worked on the festival.

Councilmember Speaks said he was supportive of the city promoting the event again but that he would like to know the fiscal impact to the City.

Ms. Saladin said the costs to the city were \$6,900.00.

MOTION

Sandy Gamble moved for the City to provide in-kind services to the Renaissance Faire being held November 3, 4, and 5th, 2006 on behalf of the Education Foundation, seconded by Robert Abernathy. The motion carried unanimously 5-0.

1 **Ms. Cullen thanked Council for their support.**

2

3 **AGENDA REVIEW**

4

5 Mayor Clutts asked if Council wished to make any changes on the agenda or wished to pull an
6 item from the Consent Agenda for discussion.

7

8 Vice Mayor Gamble stated he would like to discuss Consent Agenda Item #2.

9

10 **CONSENT AGENDA**

11

12 **MOTION**

13

14 **Robert Speaks moved for approval of the consent agenda minus Item #2 [Resolution**
15 **#2006-02, Budget Amendments, Lakeview Center Phase II Preliminary Plat, and**
16 **Imperial Terrace Pagoda Demolition – Award of Bid], seconded by Sandy Gamble.**

17

18 Councilmember Abernathy questioned the Budget Amendments. He said every category
19 appeared to have increased.

20

21 Ms. Keedy stated that a few of the amendments were items approved by Council since the
22 budget was adopted but most of the amendments were carried over from the prior fiscal year.
23 She said there are no new amendments that have not come before Council.

24

25 Mayor Clutts noted that if Councilmember Abernathy had any questions on the Consent
26 Agenda, he would be welcome to pull that item from the Consent Agenda for discussion.

27

28 **The motion carried unanimously 5-0.**

29

30 **Item #2 – Approval of Leases Purchases**

31

32 Ms. Keedy stated this is the Lease Purchase list of items that were approved in the budget.

33

34 Vice Mayor Gamble questioned the amount of \$2400 for rental of a table saw and ice
35 machine for the barn area. He asked for details on the table saw at an estimated cost of \$2500.

36 Ms. Keedy said she did not have the details with her. Vice Mayor Gamble said a good table
37 saw could be purchased for less than \$1000. Ms. Keedy stated that General Services does a lot
38 of specialized work and that this issue could be deferred until she could provide further
39 information. Ms. Houghton noted that this is a budgeted amount and that the Purchasing
40 Manager will ensure that the price and the specs of the saw are competitively priced. Vice

1 Mayor Gamble said that he just wanted to ensure that the City is getting the best price for what
2 is required.

3
4 **MOTION**

5
6 **Sandy Gamble moved to approve the Lease Purchases, seconded by Robert Abernathy.**
7 **The motion carried unanimously 5-0.**

8
9 **AUDIENCE TO BE HEARD**

10
11 Jo Ann Spring, 423 Peace Road, stood to speak. Ms. Spring said she had concerns about what
12 she had been reading in the Daily Commercial regarding the Fire Department. She said she
13 had read recently that the Fire Chief had retired on full medical disability. She asked the
14 nature of the Chief’s disabilities and if he had had a pre-existing condition.

15
16 Ms. Keedy stated that federal law prohibits discussing medical conditions of employees. She
17 said that decision was granted by the Fire Pension Board.

18
19 Ms. Spring asked if the Interim Fire Chief lived near Orlando and was he driving a city car to
20 work. Ms. Keedy said that was correct and that the Interim Chief was on call 24 hours. Ms.
21 Spring said she wondered if that was the best decision and asked if someone who lived closer
22 to Tavares could have been hired. She said it seemed like many of the recent hires were
23 retirees from the Orlando Fire Department.

24
25 Mayor Clutts said that was an issue that Council could take into consideration. She said it
26 would be a policy decision, Attorney Williams stated that Council could pass an ordinance
27 that would require a department head to live in the City.

28
29 Vice Mayor Gamble said he thought years ago that it was a policy in most cities that even
30 police officers or firefighters had to live within a certain radius of the city limits. Attorney
31 Williams said he did not think that had ever been a policy in Tavares. He said when the City
32 had a volunteer staff, there may have been a volunteer response time. He said many of the
33 officers and firefighters live outside the city limits now.

34
35 Ms. Spring suggested that for a future policy, it should be required that the officers either live
36 within the City or move to Tavares within six months of hire.

37
38 Vice Mayor Gamble clarified that Ms. Spring meant only the department chief or did she
39 mean all of the employees? Ms. Spring said she meant mostly the people “in charge.”
40

1 Mayor Clutts said she had noted in the minutes of the last meeting that Council had discussed
2 scheduling another workshop regarding some planning and policies, etc. and perhaps this
3 issue should be put on this agenda. Mayor Clutts asked if others on Council wished to discuss
4 this at a workshop.

5
6 Vice Mayor Gamble asked when the workshop would be scheduled because the Fire Chief's
7 position is posted currently and if Council wished to direct Mr. Williams to prepare an
8 ordinance it needed to be done expeditiously. Ms. Keedy said the position is advertised "until
9 filled." Vice Mayor Gamble asked if Council had the authority to direct Ms. Keedy not to fill
10 this position until a decision had been made on this issue. Ms. Keedy said she would not fill
11 the position with this issue being unresolved. She said she would like a decision to be made
12 because it will restrict the pool of applicants.

13
14 Councilmember Speaks said there could be a qualified candidate living on the edge of
15 Tavares and he would not want to lose a good candidate. He said it is hard to find qualified
16 candidates as is and to add the requirement of living in the City could make it more difficult.
17 He said this is an issue that would bear further discussion.

18
19 Councilmember Abernathy said he would like to encourage the policy of hiring from within
20 for all positions and that encouragement should be made for the education and training for
21 those individuals who aspire to be promoted and that in the future if it can be avoided, the
22 City never hire outside of the people that have been trained. Councilmember Speaks noted
23 that the City could become a training ground for other agencies who could pay a higher
24 salary.

25
26 Ms. Keedy stated that the city has a strong policy of hiring from within and providing a
27 generous budget for education and certifications. She said the City has an excellent retention
28 rate in part because the Councils have been very cognizant of the need to do salary surveys
29 which has made the City fairly competitive. She noted the Police Chief was promoted from
30 within.

31
32 Mayor Clutts said there seemed to be options that Council would like to discuss and this
33 would be a viable issue for a workshop. She said she had heard the suggestion of a radius that
34 would not exclude the Eustis and Mt. Dora areas as possibility. She asked if this would be an
35 option to provide this language legally in a contract. Attorney Williams responded that it
36 could be a matter of disclosure; but that if staff believes there will be a requirement that the
37 [department head] live in the City or within a certain radius, that should be disclosed to the
38 pool of applicants from the outset.

39
40 Councilmember Wilson stated he had heard of the provision to either live within a certain
41 radius or the option to move into the City within one year. Ms. Keedy said the advertising

1 process has just started. Mayor Clutts suggested that Ms. Barnett and Ms. Keedy work with
2 Council to determine a date for a workshop. She said she was not sure what was mentioned at
3 the last meeting that was of interest to be discussed but asked that Council let Ms. Keedy
4 know if there were other agenda items that needed to be discussed at a workshop.

5
6 Freddie Belton owner of a bail bond business at 322 W. Main Street, stood to speak. Mr.
7 Belton discussed a potential eminent domain situation with the County having to do with his
8 property on Sinclair and Main. He said the owner [Mr. Holloway] of the Beef O’Brady
9 property was also affected and was present to speak. He said initially there had been
10 discussions with the County regarding a parking garage about a year and a half ago. He said
11 there had been three meetings at Attorney Williams’ office with Ms. Keedy and Mr. Minkoff,
12 the County Attorney, and his attorney. He asked if Council was aware of these meetings.
13 Mayor Clutts stated that Mr. Belton was asking Council if they had been involved in or did
14 they know of information that had been ongoing about his property and a parking garage. Mr.
15 Belton said it did not matter to him however he had the feeling that the County is only letting
16 out limited information. He said what the County is saying in meetings versus what they are
17 stating in public are different. He said he would like to know the feeling of Council on this
18 matter. He said he has been in business in Tavares for approximately 30 years. He said he had
19 purchased the property from 1980 through 2001 to make up the half block. He said there had
20 been some environmental problems with the property on the corner and this past Wednesday
21 he had received a report from Handex stating the part of the property that was affected by
22 gasoline had been cleaned up and they had requested the State to issue an order saying
23 remediation was complete. Mr. Belton said he did know what kind of support he had from the
24 City. He said he was frustrated and felt that the County did not respect the City of Tavares
25 and did not respect him.

26
27 Mr. Belton added he had renewed a lease with Land America at 122 Sinclair for two more
28 years based on his understanding that the parking garage would not be built for two more
29 years.

30
31 Mayor Clutts stated that she had heard there was a possibility of a mixed use parking garage
32 facility with retail. She said she had never been part of any type of meetings or negotiations.
33 She said the first she had known there was anything moving forward on it, was in a recent
34 newspaper article. She said although she did not understand all of the aspects of the issue, she
35 knew it was a very valuable piece of property based on what she had read in the newspaper
36 and what she knew of the City of Tavares. She said she did not know what all uses could be
37 involved with respect to a joint venture or the legal ramifications. She said she would prefer
38 that type of facility because that would afford the residents an opportunity to patronize a
39 business and it brings back more tax dollars to the citizens.

1 Mr. Belton said the bottom line is that he [and Mr. Holloway] were willing to work with the
2 County but the County has apparently gotten to the point where they would rather take the
3 property. He said there is no amount of money that would make it worth him leaving that
4 location. He said he did not think the County was willing to work with him in a retail project.
5 He said the County has contracted to have an appraisal done of his property.

6
7 Councilmember Wilson said he would support Mr. Belton 100%. He said he did not believe in
8 eminent domain except perhaps for a hospital, but not for a parking garage.

9
10 Councilmember Speaks said he also supported Mr. Belton. He said the City is trying to
11 promote the downtown and support economic development through the streetscape and other
12 efforts. He said he thought at one time the County was going to lease the space above Mr.
13 Belton and leave the lower level for retail. He said there are alternate locations and the prime
14 location would be in their judicial center parking lot.

15
16 Mr. Belton said he asked the County how they were going to maintain the parking garage; i.e.
17 would they charge for parking, etc. and that the County's response had been that they had not
18 thought about it. He said he had been thinking about this since he started buying property in
19 Tavares in 1979.

20
21 Mr. Abernathy said he did not know anything about the meetings. He said he was disturbed
22 because Mr. Belton had met with Attorneys to create a deal and if the deal had passed Council
23 would not have known anything about it. Mr. Belton said the meetings were not held to create
24 a deal but were held for discussion. He said Mr. Minkoff's office had called the meeting about
25 a year ago. Mr. Abernathy said he supported Mr. Belton wholeheartedly as a business owner
26 and added that the City should have some say about what is going to happen. He said he was
27 totally in Mr. Belton's corner.

28
29 Vice Mayor Gamble said Council had held a workshop on Saturday and the parking garage
30 had come up in the discussion. He said it was his understanding that the City was going to try
31 to have a workshop or meeting with the County with their planning staff in order to provide
32 the City's opinion of its vision for the downtown. He said he did not like the idea of eminent
33 domain.

34
35 Mayor Clutts said she felt Mr. Belton had received support from all of Council and that she
36 did not understand the reasoning behind not being able to use the Judicial Center parking lot
37 for a parking garage. She said she too would question the process.

38
39 Ms. Keedy said the suggestion on Saturday had been to invite the County to come to Council
40 to make a presentation regarding their plans. She said she could draft a letter to the County

1 Manager to invite them to make a presentation. Mayor Clutts said in the letter a concern might
2 need to be expressed on behalf of the City with respect to that property.

3
4 Mr. Belton said the County has plans drawn up now for some of the buildings.

5
6 Randy Holloway, owner of Beef O’Brady’s at 121 North Texas Avenue, stood to speak. He
7 said he believed the City knew as little as the owners knew. He said in the first meeting that
8 Attorney Williams had offered the suggestion that if a joint venture were to be done, it should
9 be done right, He said the comments were made at that meeting regarding losing the tax base.
10 He said he felt the City’s comments were appropriate and that no one realized how far along
11 the process had gone. He said he has been told that once the appraisals are done, that the
12 matter can go before a judge and the owners can technically be forced to leave within 51 days.
13 He said he is disappointed with the County because ideas were presented that would have a
14 positive impact on the County. He said they had originally gotten involved because it would
15 have been a joint venture between government and private enterprise. He said Attorney
16 Williams had suggested what kinds of funds might be available publicly to accomplish this.
17 He said unfortunately at the second and third meeting, none of the suggestions made at the
18 first meeting appeared to have been explored by the County. He said he is disappointed with
19 the County and does not have a complaint against the City. He said he was not aware of how
20 rapidly the process could occur. He said his business has been an active community partner
21 and he had envisioned being a part of the community forever. He said the last comments
22 about a joint venture from the County was that it was cost prohibitive.

23
24 Mayor Clutts asked if the County had requested any input from the City.

25
26 Attorney Williams said that the City’s involvement has been very limited. He said the only
27 reason the County included he and Ms. Keedy in the meetings was because at every
28 opportunity they have stressed downtown improvements and the downtown streetscape to the
29 County and the City’s objection to the County buying private businesses and property. He
30 said the property at Sinclair and Main was a featured corner of the current City streetscape
31 plan. He said the City’s communication to the County has been that it did not want to see
32 anything done that would remove the business frontages on Main Street and Sinclair. He said
33 Ms. Keedy had been aware of other public-private partnerships that had worked in other
34 cities. He said that was the only reason that he and Ms. Keedy were at the meetings and that
35 there was no “back room deal.” He said he agreed with Mr. Belton and Mr. Holloway that that
36 was where the meetings started but that the County focus appears to have changed at the last
37 meeting.

38
39 Mayor Clutts summarized that the City has offered to draft a letter and have a workshop to
40 have all of the entities together to discuss what the actual vision is for the City based on the
41 input from the CRA and the input that Council has given through the recent Visioning

1 Session. She said she believed that Ms. Keedy will include in her letter some of the thoughts
2 that have been expressed at this meeting.

3
4 Vice Mayor Gamble asked for clarification on the appraisal process. Mr. Holloway said the
5 appraisals are taking place the next day and he has been advised from that point the County
6 can take it before a judge and within 30 days he can condemn the property and they can be
7 removed within 21 days. Vice Mayor Gamble stated this would have to be taken back to the
8 County Commission for approval first. Mr. Belton stated the appraiser said he has 45 days.

9
10 Attorney Williams said he did not think it was an eminent decision and that Council had time
11 to request a joint meeting. Mayor Clutts said phone calls to the County Commission were a
12 good option too. Ms. Keedy said she was not sure the property is zoned for a parking garage.
13 Ms. Jackson said the County has requested a meeting with staff to present what they are
14 considering.

15
16 Mr. Holloway thanked Council for their time.

17
18 Jack Rayburn, 510 Barrow Avenue, stood to speak. He said one of his complaints involved
19 part of Mr. Belton's property which is behind his property on Sinclair Avenue. He said there
20 are five or six families who are trashing their property and the alleyway. He said he has
21 contacted the City Code Enforcement Officer but is not getting any results. He said he has had
22 to install an alarm system and there had been break ins at the property across from him on
23 Ianthe and in a car next door and thefts from his own vehicle. He said he has lived in his
24 house since 1966. He said he did not have a problem with Mr. Belton buying and renting
25 properties, but that he felt the owner needed to have responsibility in seeing that his tenants
26 keep the places cleaned up.

27
28 Ms. Keedy suggested that Mr. Rayburn needed to speak to the Police Chief. Mayor Clutts
29 agreed and noted that Mr. Belton was present and had heard his presentation.

30
31 Mayor Clutts asked if anyone else in the audience wished to address Council.

32
33 Attorney Williams stated he had reviewed the LDR's and it appeared that public parking
34 garages were a Special Use in the commercial downtown which means that it is not a
35 permitted use but a use with conditional uses and would require an appearance before
36 Council.

37
38 **PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS**

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40 **DEPARTMENTAL TOPICS FOR COUNCIL ACTION OR DISCUSSION**

1 **COMMUNITY DEVELOPMENT**

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3 **COMMUNITY SERVICES**

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5 **POLICE DEPARTMENT**

6
7 **FIRE DEPARTMENT**

8
9 **PUBLIC WORKS/GENERAL SERVICES**

10
11 **FINANCE**

12
13 **ADMINISTRATION**

14
15 **Request by Lake County to Temporarily Locate Fire Rescue Unit at Station 2**

16
17 Ms. Keedy stated that the City has had a request from Lake County Fire Rescue to
18 temporarily locate a county shift of firefighters at Fire Station 2. The County has purchased
19 property in the Lake Jem area where they are going to build a fire station. She said they are
20 looking for assistance from the City to provide coverage in that area. Currently they have to
21 come out of Yalaha. She said she had brought the request to Council to determine if there is
22 an interest in the idea of providing the space. If so, an interlocal agreement would have to be
23 developed. She said it appeared to be a good option to get some additional fire rescue services
24 for the City at no cost to the taxpayers.

25
26 Councilmember Abernathy said he believed that with the Lake County Emergency Services
27 already located at the station, it may be crowded enough. He suggested that the City volunteer
28 to take care of their problem until their station is built. Vice Mayor Gamble added that it
29 should not be done voluntarily but at a fee. Councilmember Abernathy agreed.

30
31 Ms. Keedy stated that the City has made that offer to the County several times over the years
32 although it has never been offered at no cost. She said the County has not been interested and
33 has chosen to move forward with the Lake Jem station. She said that Fire Station 2 was built
34 to accommodate four firefighters on shift however.

35
36 Councilmember Speaks said he thought it was worthwhile to explore the idea and to draft an
37 interlocal agreement for Council's consideration.

38
39 Councilmember Abernathy asked if the City already furnished water to that area. Ms. Keedy
40 replied that the City has water and some hydrants at Deer Island.

1 Mayor Clutts stated she would feel more comfortable exploring this type of option with a new
2 Fire Chief. She said on the surface the idea looked good, however, there will always be the
3 opposite point of view and she did not know those points of view. She said she was more
4 inclined to lean in Mr. Abernathy's direction and propose that if it is an option that the City
5 cover that area and be compensated.

6
7 Councilmember Speaks asked if the area of coverage was known. Ms. Keedy asked Chief
8 Pearce to comment. Chief Pearce said the current area that is involved goes out to CR 448 and
9 the proposed station site is approximately four miles from the current location of Station 2. He
10 said it is a viable option to contract for service whether they pay a set amount per month per
11 year or per call. He said the City has a Mutual Aid agreement with Lake County, not Joint
12 Response, and this would require Joint Response in order for the City to go on an automatic
13 call into their areas.

14
15 Mayor Clutts stated that the County may not be interested in allowing the City to cover their
16 territory and asked if the City would then be interested in the County covering the City's
17 area? Chief Pearce answered that the County would like the City to cover their area at no cost;
18 the stumbling block would be contracting for service. He said the City pretty much handles a
19 vast majority of all calls in the City with its own resources with the exception of large scale
20 incidents. The City has an Interlocal Agreement with Mt. Dora for major incidences for
21 automatic response and also has the option, which has been used on occasion, to request Lake
22 County for assistance.

23
24 Vice Mayor Gamble asked for clarification on Council's direction to staff: a joint agreement
25 with the City covering or a joint agreement with the County joining the firefighters?
26

27 Mayor Clutts stated she is not in favor of the current interlocal agreement for housing the
28 Lake County Fire Department in Station 2 at this time however the option on the table is to
29 allow the co-location to occur until the Fire Station is built in the Lake Jem area.
30

31 Councilmember Speaks stated he thought both options should be looked at.
32

33 Mayor Clutts stated it sounded like the recommendation was to look at all of the options and
34 what would be in the best interest of the City and the City's Fire Department; whether the
35 County would allow the City to cover that area and be compensated for it, along with a couple
36 of other options. She said it sounded like Council would not be making a decision on this
37 based on Mr. Abernathy and Mr. Speaks' comments.
38

39 Mayor Clutts asked if a motion was needed. Attorney Williams stated he would like to hear
40 formal direction. He said he was hearing one path was to propose an interlocal agreement to
41 provide service at a reimbursement. He said he thought he had heard three councilmembers

1 express that they were not in favor of the proposed co-location.

2

3 Councilmember Speaks said he was in somewhat in favor of the co-location.

4

5 Ms. Keedy clarified that Council wished her to ask the County if they would be interested in
6 the City providing the service and if not, then she would return for further direction from
7 Council. She asked if the idea of co-locating was off the table. Mayor Clutts said if she had to
8 go on record with that option now she would say no.

9

10 Vice Mayor Gamble said he felt Council's direction was to bring back both options.

11

12 Ms. Keedy stated she could ascertain first if the County was interested in the City providing
13 the service and bring that back to the next meeting.

14

15 Mayor Clutts stated she felt Council was all in agreement with taking that approach.

16

17 **City Logo**

18

19 Ms. Keedy stated she had brought back the logo that had been presented some time back with
20 the new web site. She said she was looking for direction from Council as to whether to use
21 this logo, go back to the old logo, or start over.

22

23 Councilmember Speaks said he liked the design of the bar and the fact that it could be
24 changed to fit the department. He said he liked the color of blue, the sun and water theme, and
25 the year of the City's establishment of 1882.

26

27 Mayor Clutts said she is in support of a logo change. She said the comments she had made at
28 the previous meeting were concerns that the logo had been published on posters and in the
29 newspaper for a series of several months and she was not aware that this Council had made
30 final approval of that logo. She said she would support whatever direction Council wanted to
31 go with respect to adopting a logo. She said a previous Council had directed staff to work
32 with her to come up with some additional options. She said she had had one of her senior
33 classes from Lake Sumter Community College submit designs to the City. She said they had
34 done a good job and some of the designs were outstanding; some may have had more detail
35 than necessary but they were to be commended for their efforts. She said she was not sure that
36 Council received copies of those designs but Lake Sumter Community College students did a
37 good job.

38

39 Councilmember Wilson said he liked the logo and the theme of Discover our Waterways.

40

1 Mayor Clutts said she believed staff was looking for direction and that it would be to adopt
2 the three waves as the overall logo which would then be manipulated to fit whatever format is
3 needed.

4
5 **MOTION**

6
7 **Dennis Wilson moved to adopt the new City Logo, seconded by Robert Speaks.**
8 **Mayor Clutts asked Chief Lubins if he was the artist who created the logo. Ms. Keedy**
9 **answered in the affirmative.**

10
11 Mayor Clutts said that she teaches logo design and different forms of design. She said she had
12 raised the concern of its similarity to the Leesburg Chamber of Commerce, the City of
13 Clearwater’s logo, and a couple of license plates that have recently been developed. She said
14 the cool hues change it enough so it is not quite so similar. She said people tend to duplicate
15 what they like.

16
17 **The motion carried unanimously 5-0.**

18
19 **REPORTS**

20
21 **Mayor Clutts**

22
23 **Appointment of Lake County Library Advisory Council**

24
25 Mayor Clutts referred to the letter in the agenda packet from Wendy Breeden, Lake County
26 Library Services Director. She said the request is to either reappoint or ask if any of the
27 councilmembers would like to serve on this board.

28
29 Ms. Keedy said she would be willing to serve again with Beth Sindler, Library Director as the
30 alternate. She said Ms. Sindler usually attends the meetings.

31
32 Mayor Clutts stated she would be appointing Ms. Keedy as the representative and Ms. Sindler
33 as the alternate to this Board.

34
35 **MOTION**

36
37 **Robert Speaks moved for approval of the Mayor’s recommendation, seconded by**
38 **Robert Abernathy. The motion carried unanimously 5-0.**

39
40 **School Concurrency Update Interlocal Agreement**

1 Mayor Clutts stated that the first draft of the Interlocal Agreement was in the packet. She said
2 the last joint meeting on school concurrency took place on January 9th and at that meeting, the
3 enclosed draft agreement was presented. She said the members were informed that this was
4 the first draft and that none of the members would be agreeing to any particular language nor
5 were they indicating they would abide by that language. She said the County was looking for
6 approval from all of those in attendance so that they could submit it to the State in order to
7 obtain funding. She said they were then asked to put any specific comments in writing that
8 related to the agreement and to submit that prior to the next meeting. The next meeting takes
9 place next Monday January 23 at 10:00 a.m. At that time the interlocal agreement will be
10 adopted as a final agreement. She said just prior to her arrival at this meeting she had received
11 a draft that was rewritten by the School Board. She asked Ms. Keedy to discuss some of the
12 details.

13
14 Councilmember Speaks asked how Jerry Cox had gotten appointed to be the City's advisor?
15 Ms. Jackson said she thought that Attorney Lewis Stone, City of Eustis had made that contact
16 and brought him in for the city planners group. She said he is assigned to be the Cities'
17 consultant. Mayor Clutts said she thought the thinking was that the cities are supposed to be
18 experts on the cities' business and there are a lot of nuances in the education arena that the
19 cities do not understand, e.g. how capacity is calculated and why the numbers move so often.
20 She said Mr. Cox was suggested to be the expert to help the cities through this process.
21 Councilmember Speaks said he wondered who he was actually representing but that he had no
22 problem with working with Mr. Cox personally. He said he had found it ironic that the School
23 Board would appoint someone to represent the cities.

24
25 Councilmember Abernathy said that many groups such as the MPO, the Chambers, etc. invite
26 elected officials to participate, to go around them in a way. He said in this case the City
27 should stand very firmly for home rule. He said the School Board should have done what they
28 were supposed to do and the City should do what it is supposed to do. He said he hoped the
29 City is conveying that kind of message in any of the discussions. Mayor Clutts said she felt a
30 lot of what is being conveyed is confusion at this point. Councilmember Abernathy said he
31 had sat for four hours Saturday in a meeting that was very nicely arranged but that it had not
32 accomplished anything. He said he had questions for Attorney Williams on the value of a
33 CRA.

34
35 Mayor Clutts said she was under the impression that the League of Cities had contracted with
36 Mr. Cox and that she did not think the School Board had input on that.

37
38 Mayor Clutts said the working group of the School Concurrency group would be meeting the
39 next day at the Tavares Civic Center at 9:00 a.m. to get into the details of this agreement. She
40 said two major issues will be discussed: one will be Joint Dispute and how those are resolved

1 and formation of an Oversight Committee—who will serve on those committees and how will
2 they serve. She said she felt time was well spent in the working group meetings.

3
4 Ms. Keedy said the meeting is in the Tavares Council Chambers. She said on page 9-4, third
5 paragraph, it refers to a statement that the County and the Cities agree to modify their
6 comprehensive plans and LDR's to make public schools an allowable use in all zoning
7 districts so long as a school site advisory board has approved the site. She said this is very
8 different than the current process. She said schools are zoned in their own public facilities
9 district and there is a public hearing and a process to locate schools. This language would
10 totally change that and probably not require a public hearing. The School Site Advisory Board
11 is to be created by Lake County Board of County Commissioners Ordinance and consist of
12 three members: one School Board member, one County Commissioner, and one City
13 Commissioner. She said it states there may be more than one board within the County based
14 on geographic regions. She said she was not sure what was intended with that language but
15 she felt the City would want a seat on a school proposal within the City.

16
17 Attorney Williams said the School Board is pushing for a contractual agreement that sets forth
18 all of the criteria in the agreement and then they want to back into the land use that would
19 allow them to use the site automatically without going through a public rezoning hearing. One
20 of the criteria could be that the public gets noticed and is involved however he said he thought
21 their preference was to stay out of the traditional zoning approval process.

22
23 Ms. Keedy said the only other issue she had seen was on page 9-5 having to do with co-
24 location and shared use of facilities. She said it says the School Board agrees to adopt a
25 countywide policy which will require that all school buildings be made available for use by
26 other governmental units when not being used for school purposes. It also says that each
27 municipality and the county agree to adopt entity wide policies requiring all public facilities
28 to be made available for use by other governmental units when not being used for their
29 primary purpose. The School Board language specifically says "school buildings" but the City
30 and County language says "all public facilities." She said she felt that a lot of cities had the
31 concern that what they really wanted to use are the fields not just the buildings. She said it
32 also goes on to say that an agreement would be needed for each instance of co-location. She
33 said that issue might need clarification on what would fall under that criteria.

34
35 Mayor Clutts discussed the approval process of the agreement. Ms. Jackson said she thought
36 that at the last joint meeting, the request was to acknowledge the agreement so that it could be
37 submitted to the State but that she did not know when the formal agreement would take place.

38
39 Mayor Clutts said she would support putting some of these concerns in writing. She asked
40 Ms. Keedy if she had seen any other items that needed to be discussed. Ms. Keedy said she
41 had not seen anything else at this point. Mayor Clutts asked for Council's comment.

1
2 Attorney Williams

3
4 No report.

5
6 Councilmember Abernathy asked Attorney Williams to explain the value of CRA and its legal
7 powers that the Council does not have.

8
9 Attorney Williams asked Councilmember Abernathy if he meant the CRA Committee?
10 Councilmember Abernathy answered in the affirmative.

11
12 Attorney Williams said the CRA Committee is an advisory committee only. He said all of the
13 statutory CRA powers; i.e. the expenditure powers, are retained to the City Council. He said
14 the City Council is the CRA for Tavares. He said when the CRA Advisory Committee was
15 created by a previous Council there was a thought to include downtown business people with
16 special skills to assist in the downtown planning as an advisory board only.

17
18 Councilmember Wilson

- 19
- 20 • Stated on Friday December 23rd around 2:00 p.m. he had stopped by City Council to
21 check his mail. He said there was a lady standing outside her car door and he said it
22 appeared that she had been crying. He said he had asked her if he could help her and
23 she responded that a city officer was supposed to meet her but that she had been
24 waiting for several minutes. He said he had explained to her that the offices were
25 closed during the holidays but that there were people on duty and he would contact
26 someone. (He said a lot of people do not know that the offices close and the Sheriff
27 [dispatch] takes over.) She said her bank had told her to go to the Tavares police
28 department. He said a sheriff's deputy had responded and told him he would stay with
29 the woman until an officer came. He said he had then spoken with the Police Chief
30 who had responded that he was sorry it had happened and that he would like to have
31 that desk staffed 24-7 but that he not only could not afford to have the desk staffed 24-
32 7 but that he also needed four new officers. He said if Chief Lubins needs four new
33 officers he needed to bring that proposal to City Council and that Council should
34 consider that instead of a new fountain or shrubbery or boat races.
 - 35 • He said he had read recently a letter to the editor from Gene Smith. He said he would
36 have liked to call Mr. Smith and tell him he agreed with him but that as a
37 councilmember he was prohibited from that. He said some people are proposing one
38 way traffic coming into Tavares and one way traffic going out of Tavares. He said he
39 knows from past statistics that one way traffic does not slow down traffic, if anything
40 it speeds up traffic. He said some people are proposing a five and six foot median and
41 medians cause accidents. He said in the past he had been appointed and served two

1 years on the Governor’s highway safety commission and was also elected and served
2 two, two year terms as president of the Florida Driver Safety Education Association.

- 3 • He said he had received a call on January 6, 2006 from a gentleman who said there
4 was a Tavares City truck going through the drive through window at McDonalds in
5 Eustis. He asked that if staff had to be sent to Eustis for auto parts or plumbing, that
6 they be instructed to not stop at an eating establishment on the way back.
- 7 • He said he had received nine calls yesterday from 4:00 p.m. to 8:00 p.m. on garbage
8 pickup. He said he had not had an answer for the callers and he did not like receiving
9 these calls.

10
11 **Vice Mayor Gamble**

- 12
13 • Asked the status of the water tower being removed. Ms. Keedy said staff are obtaining
14 bids on removing it.
- 15 • He said at the last meeting, Councilmember Wilson had commented about having old
16 business and new business and asked if the agenda could be reformatted.

17
18 Attorney Williams said the agenda is put together by staff but the format of the agenda is put
19 together by the Mayor. Mayor Clutts said she had not done anything on the agenda and she
20 was not going to give direction. Vice Mayor Gamble asked to defer this to Councilmember
21 Wilson. Mayor Clutts asked that Councilmember Wilson meet with Ms. Keedy to explain his
22 preferences.

- 23
24 • Asked if staff would research the two department head microphones to get better
25 amplification. Mayor Clutts added that Council needs to speak clearly into the dais
26 microphones as well.
- 27 • Stated he had had a meeting with Ms. Keedy regarding a comment that was made at a
28 Chamber meeting. He said Ms. Keedy has stated that if Council would like her to step
29 down as the liaison to the Chamber Board she would be willing to do so. He
30 questioned whether the City needed a city representative on the Board.

31
32 Councilmember Abernathy said he did not think it was necessary for a city official to sit on
33 every board.

34
35 Attorney Williams said there was no legal requirement for the City to serve on the Chamber
36 Board.

37
38 Mayor Clutts stated she wanted to continue supporting the Chamber and felt it was an
39 important partner in economic development. She said she wanted to keep the lines of
40 communication open.

1 Ms. Keedy said she would keep in contact with the Chamber and continue to work with them
2 as needed.

3
4 **Councilmember Abernathy**

- 5
6 • Stated that he felt there needed to be a rezoning of the area from Lake Dora and the
7 Dora Canal to U.S.441 to Mixed Use, so that offices and homes can be put together
8 • Stated he would like to do away with “factory housing” i.e. 800 sq. foot homes and to
9 require any new buildings to have at least 13,000 square feet (or somewhere in that
10 range) of land to build upon
11 • Recommended that the City purchase one “bad” house every year, demolish it, and put
12 that property up for bid to a person who will build no less than a 2000 square foot
13 home on it.
14 • Noted there are some properties on the west side of St. Clair that will probably need to
15 be zoned for condos, but in the city proper area it should not be zoned for condos. He
16 said it was intent to revitalize downtown over a period of years. He said he hears a lot
17 of discussion but doesn’t see any action on this issue.
18

19 Mayor Clutts noted that the workshop on Saturday was a visioning session or conceptual in
20 nature, absent the details. She said Councilmember Abernathy was suggesting to have another
21 meeting to give details. Councilmember Abernathy said that he wished to give staff direction
22 to start moving towards the regulations to cause things to happen.
23

24 **Mayor Clutts**

25
26 Mayor Clutts thanked everyone who attended her father-in-law’s funeral and sent cards, and
27 said their support was appreciated by her family.
28

29 **Adjournment**

30 There was no further business and the meeting was adjourned at 7:10 p.m.
31

32 Respectfully submitted,
33
34
35

36 Nancy A. Barnett, C.M.C.
37 City Clerk