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2
3 **CITY OF TAVARES**
4 **MINUTES OF REGULAR COUNCIL MEETING**
5 **APRIL 19, 2006**
6 **CITY COUNCIL CHAMBERS**
7
8

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

10
11 **COUNCILMEMBERS PRESENT**

ABSENT

12
13 Nancy Clutts, Mayor
14 Sandy Gamble, Vice Mayor
15 Robert Abernathy, Councilmember
16 Councilmember Robert Speaks
17 Dennis Wilson, Councilmember
18

19 **STAFF PRESENT**

20
21 Aaron Mercer, Public Works Director
22 Robert Q. Williams, City Attorney
23 Nancy Barnett, City Clerk
24 Susan Jackson, Director of Community Development
25 Donna Saladin, Director of Community Services
26 Lori Houghton, Finance Director
27 Lori Tucker, Human Resources Director
28

29 Denman Jones, Reverend, First United Methodist Church, gave the invocation and those
30 present recited the Pledge of Allegiance.
31
32

33 **PROCLAMATION/PRESENTATIONS**

34
35 **Dyer Riddle Mills Precourt – Update on Alfred Street Corridor**

36
37 Mr. Ralph Bove presented the results of the Alfred Street Preliminary Engineering Study; a
38 joint participation project between the City of Tavares and Board of County Commissioners
39 utilizing impact fees to provide a study that will recommend certain capacity, aesthetic
40 enhancements, and traffic circulation improvements. Mr. Bove referred to a study overview

1 and maps that represent the final concept recommended included in the Agenda packets. Mr.
2 Bove stated the August 2005 presentation previously made to Council, reflected the corridor
3 represented in three separate segments due to the land uses and existing roadway
4 characteristics. [State Road 19 to Dora Avenue – Downtown/Core Business District; Dora
5 Avenue to David Walker Road; David Walker Road to Bay Road] Several concepts were
6 provided to accommodate the travel demand in the future that included a variety of alternative
7 treatments for median separation for access to side streets, property, pedestrians, and
8 bicyclists. Mr. Bove noted this information was also provided at a public meeting on
9 November 15, 2005. He stated eleven comments were received as a result of the public
10 meeting, and DRMP has therefore refined some of the recommendations [access
11 management] based on these comments. Mr. Bove stated a draft preliminary report has been
12 submitted to Mr. Mercer for review and comments to complete this phase of the study. Mr.
13 Bove stated he is available for questions or discussion at the Council's pleasure.
14

15 Mr. Mercer stated this is the last public hearing on this design for the Tavares City Council,
16 and the next public hearing will be with the Board of County Commissioners. He stated if it
17 is approved by the Board of County Commissioners the project will then begin the design
18 phase. Mr. Mercer noted that Jim Stivender, Lake County Public Works Director, is in the
19 audience and available for questions or comments on behalf of Lake County.
20

21 Mr. Abernathy stated he would like more time to review the material, and noted his concern
22 with the design regarding improvement in traffic flow versus aesthetics.
23

24 Mayor Clutts asked Mr. Stivender for input in traffic and access management. Mr. Stivender
25 stated he spoke with some of the business owners at the public meeting, and there were mixed
26 concerns over left turns, and some saw the vision that this project would enhance the value of
27 their commercial property by making the corridor scenic. Mr. Stivender noted that restricting
28 turns increases safety including a reduced risk of t-bone type accidents. He stated the traffic
29 on Old 441/Alfred Street has stabilized at 10,000 to 12,000 cars per day in the season, with
30 less traffic in the summer. However the traffic flow needs to be separated due to the traffic
31 pattern. Mr. Stivender noted this is the City's project, and the County is here to offer impact
32 fees and guidelines associated with transportation management, and at the same time future
33 owners can utilize the project as a guide to enhance their property along their frontage. He
34 said there are a lot of things this provides as a base to utilize in the future, in addition to
35 capacity enhancement.
36

37 Mayor Clutts noted the large proposed pond is actually in existence in front of the First
38 United Methodist Church.
39

1 Mr. Stivender stated this is a preliminary engineering report and the numbers will be
2 readjusted for the final design. Mr. Bove noted the maps that have been shown depict
3 alternative pond locations. There are actually four drainage basins with two of the basins
4 having alternative pond sites. Mr. Bove said they have not made a final selection, and there
5 will theoretically be one storm water retention area in each of the drainage basins. He noted
6 the maps depict all of the alternatives that have been considered, and not the final
7 recommendation on the stormwater.

8
9 Mayor Clutts inquired if the current retention area is an FDOT right-of-way. Mr. Stivender
10 confirmed this was correct. Mayor Clutts asked where the city was with respect to providing
11 a recommendation. Mr. Stivender stated this first step is that Council would approve the
12 concept for the corridor, not necessarily all the details. Council would be approving the
13 concept including the medians, the shoulders, the curb and gutter, the location of curb and
14 gutters. He said the same presentation (once it is approved by City Council) would be made to
15 the Board of County Commissioners. The County would then need to incorporate in their
16 budget and the downtown would be the first phase which would be design only. Pond siting
17 would have to come next and then the size and exact location would be determined. He
18 discussed the general phasing schedule adding that construction at the earliest in Phase One
19 would not be until 2010.

20
21 Mr. Mercer said this request was for approval of the Preliminary Design and Engineering and
22 the next step would be for design plans which would come back to Council. He said there will
23 be more public input and hearings at that process.

24
25 Councilmember Wilson asked if the five foot median was cut in stone. Mr. Stivender
26 answered it was not. Councilmember Wilson noted this was removing area from the street that
27 needed to be wider. He said he had never known a median to be a safety issue, just a
28 beautification issue. Mr. Stivender stated with the current traffic pattern, anyone can take a
29 left turn out of any driveway. He said the problem is with the 10,000 to 12,000 cars a day
30 there is a larger chance of accidents. He said the median will help prevent this situation in
31 most cases. Mr. Stivender noted that traffic speeds naturally increase with wider lanes, and
32 recommended that a steady speed be maintained. Mr. Stivender stated this design would
33 create a good flow of traffic while maintaining safety. He used the example of the split in
34 downtown Eustis noting that the section results in a natural slowing down of traffic while at
35 the same time remaining steady.

36 .
37 Vice Mayor Gamble stated one of the proposed retention ponds currently contains mini
38 warehouses and another is vacant land but the owner has plans to build an office building at
39 that location. Mr. Gamble asked who would take this property. Mr. Stivender stated these
40 properties would be included in the right-of-way acquisition for the roadway. The county has

1 a group of attorneys, appraisers, and an acquisition professionals working together as a team
2 with the project engineers. He said this group meets regularly to discuss the pros and cons of
3 a purchase versus a nonpurchase and the reshaping of a pond to make a purchase better, is all
4 discussed. Mr. Stivender cautioned that just because the concept depicts a straight line, does
5 not mean that will be the end result. He said it is accepted that a retention pond is needed in
6 that area, however that may not be the final location for it. Mr. Gamble stated he has had
7 some negative feedback and does not want to get a lot of phone calls and emails from the
8 community similar to a previous project where a rendering depicted the possibility of a new
9 road that was not desired. Mr. Stivender said this project part of the stormwater utility that
10 the City has been attempting to retrofit in the downtown area for years; it is an urban retrofit
11 of the existing system and not ponds for expansion purposes.

12
13 Mayor Clutts stated Council has been requested to approve the concept plan. She said she
14 understood from Mr. Stivender that he will be bringing back a recommendation at the design
15 phase of the project.

16
17 Mr. Bove stated there is just one roadway concept before the Council which is a two lane
18 roadway with median separation utilizing a variety of treatments, concrete, landscaping, brick
19 texture, and two different treatments for sidewalks/bike paths as follows:

- 20
21 • SR19 to Dora Avenue – First Phase – Two twelve foot travel lanes separated by a
22 fifteen foot median; six foot wide sidewalks on both sides of roadway to accommodate
23 bicyclists and pedestrians; left turn lanes provided at open and dedicated side streets as
24 shown on the plan. The median separation would utilize a combination of concrete,
25 landscaping, and a flat brick texture/treatment.
26
27 • Dora Avenue to David Walker to Bay Road – Second and Third Phases – Two twelve
28 foot travel lanes separated by a fifteen and a half foot median; ten foot wide multi-use
29 path on south side of road.

30
31 Mr. Bove noted that median locations, left turn lanes, left turn storage can be modified during
32 the final design.

33
34 Mayor Clutts stated it had been her understanding when she received the agenda that Council
35 was looking at an update and was looking at the new conceptual plans. She said she
36 understand now that the request was for an approval of the concept plan. She asked Attorney
37 Williams for a recommendation.

38
39 Attorney Williams said that was up to Council if they wished more time to review the plans.
40

1 Mr. Stivender said Council was under no pressure from the County.

2

3 Mayor Clutts said she was hearing a couple of councilmembers stating they did not
4 understand there was an approval process being requested tonight so much as it was a
5 presentation.

6

7 Mr. Stivender stated that when Council decides to make a decision he would happy to meet
8 with Councilmembers individually or do whatever is needed to provide further information.
9 He said the reason the project was started is that the Alfred Street pavement has reached its
10 useful life. It is laid by FDOT in 1978 and then transferred to the County. He said if funds are
11 going to be put into resurfacing, it was felt important to address the drainage issue and the
12 fundamentals of a walkable community. He said the timing is right for all the above to occur
13 and another two weeks will not hurt.

14

15 Mayor Clutts asked for comments from the audience.

16

17 Ms. Sandra Miller, Lake Communications, 219 W. Alfred Street, stated Lake Communication
18 has been at their location since 1967 and is very opposed to the medians. Ms. Miller said she
19 is also speaking for Gene Smith of Triangle Construction who is also opposed to the medians,
20 and was unable to attend the meeting. She said she supported the paving, beautification, and
21 the ponds, but not the projected medians.

22

23 Mayor Clutts stated Council would direct staff as to when this topic should be brought back
24 for a future agenda.

25

26 **Performing Arts Council of Lake and Sumter Counties**

27

28 Barbara Mittermaier, President of PALS and Campaign Co-Chair, made a presentation to
29 Council regarding their proposed performing arts center to be located on the Lake Sumter
30 Community College campus. She introduced the President of the college, Dr. Charles Mojock
31 and read a letter of support for the project from George Pringle. She outlined the reasons that
32 the City of Tavares should participate in a partnership:

33

- 34 • The facility will fill the need for a meeting place for large groups
- 35 • The City would be able to utilize the building for a fraction of what it would cost to
36 build their own facility
- 37 • It will fill a void of a place to hold cultural events—there is a need to attract high wage
38 employees to the area who are looking for access to cultural events on a larger scale

39

1 Dr. Mojock spoke in support of the project noting it will be owned and maintained by the
2 College.

3
4 Mayor Clutts recommended that staff bring forward this information for consideration at
5 budget workshops so that all requests for donations can be considered at the same time.

6
7 Councilmember Wilson asked what amount of donation was being requested. Ms. Mittermaier
8 responded that the request is for \$150,000 over a three year period.

9
10 **AGENDA REVIEW**

11
12 **APPROVAL OF MINUTES**

13
14 **Robert Abernathy moved, seconded by Dennis Wilson, to approve the minutes of the**
15 **April 5, 2006 Regular City Council Meeting, with the following changes:**

- 16
17
 - Page 6, Line 11, strike “Mr. Smith responded” and add “Mr. Scott responded”
 - Page 16, Line 4, strike “if they property” and add “if the property”

18
19
20 **The motion was approved unanimously, 5-0.**

21
22 **AGENDA REVIEW**

23
24 Mayor Clutts stated that that item eleven [Request for Budget Amendment – Contractual
25 Services] has been remedied and pulled the item from the consent agenda.

26
27 Mayor Clutts pulled items eight, nine, and ten [Resolution 2006-05 – Finding of Necessity;
28 Ordinance 2006-24 – TIF Trust Fund; Resolution 2006-06 – Redevelopment Plan – CRA] and
29 deferred to the May 3, 2006 Regular City Council Meeting.

30
31 **MOTION**

32
33 **Robert Speaks moved to pull item eleven [Request for Budget Amendment –**
34 **Contractual Services] from the Agenda, and defer items eight, nine, and ten [Resolution**
35 **2006-05 – Finding of Necessity; Ordinance 2006-24 – TIF Trust Fund; Resolution 2006-**
36 **06 – Redevelopment Plan – CRA] to the May 3, 2006 Regular City Council Meeting,**
37 **seconded by Dennis Wilson. The motion carried unanimously, 5-0.**

38
39 **PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS**

1 **Ordinance 2006-22 – Residency Requirements for Fire Chiefs – Second Reading**

2
3 Ms Barnett read the ordinance by title only:

4
5 **ORDINANCE 2006-22**

6
7 **AN ORDINANCE CREATING SECTION 6-25 OF THE CITY OF**
8 **TAVARES CODE OF ORDINANCES PERTAINING TO FIRE**
9 **DEPARTMENT ADMINISTRATION; REQUIRING THE FIRE CHIEF**
10 **AND THE ASSISTANT FIRE CHIEF TO RESIDE WITHIN TEN (10)**
11 **MILES OF THE CITY LIMITS OF THE CITY OF TAVARES WITHIN**
12 **ONE (1) YEAR FROM THE DATE OF HIRING; PROVIDING FOR**
13 **VACANCIES FOR NON-COMPLIANCE; PROVIDING AN**
14 **EFFECTIVE DATE.**

15
16 Mayor Clutts asked for comments from the audience.

17
18 **MOTION**

19
20 **Sandy Gamble moved to approve Ordinance 2006-22, seconded by Robert Abernathy.**
21 **The motion carried, 4-1, as follows:**

22
23 **Nancy Clutts: Yes**
24 **Sandy Gamble: Yes**
25 **Robert Abernathy: Yes**
26 **Dennis Wilson: Yes**
27 **Robert Speaks: No**

28
29 **Ordinance 2006-23 – Cemetery Fees – Amendment – Second Reading**

30
31 Ms. Barnett read the ordinance by title only:

32
33 **ORDINANCE 2006-23**

34
35 **AN ORDINANCE AMENDING ARTICLE IV, SECTION 18-85 OF THE**
36 **CITY OF TAVARES CODE OF ORDINANCES RELATING TO**
37 **CEMETERY FEES, AS PREVIOUSLY AMENDED BY ORDINANCE**
38 **2001-05; PROVIDING FOR A MODIFICATION OF FEES; AND**
39 **PROVIDING FOR AN EFFECTIVE DATE.**

1 Mr. Mercer stated Ordinance 2006-23 passed first reading on March 15, 2006 with discussion
2 on pass-through cost for sub-contract cemetery services, as well as the increase on plots. Mr.
3 Mercer noted a data sheet is included in the agenda packet which provides information on
4 cemetery lots that have been sold.

5
6 Vice Mayor Gamble inquired about the number of total lots; Councilmember Speaks noted
7 that page 2 showed 1708 lots are available. Ms. Saladin noted there is approximately ten
8 acres for additional lots that has not been surveyed or irrigated. Mr. Gamble stated it was his
9 understanding that Council approved irrigation five or six years ago; Mr. Mercer said he
10 would research this information. Mr. Gamble inquired if the brick wall would replace the
11 entrance shrubbery. Ms. Saladin stated the proposal will be to place an aesthetically pleasing
12 brick wall at the entrance, sod from the brick wall to the road/sidewalk, and additional new
13 landscaping and irrigation in the next fiscal year budget.

14
15 Mayor Clutts noted that she met with Ms. Keedy regarding interest from individuals who wish
16 to be involved in donations for specific budgeted items such as large trees, memorials, and
17 benches.

18
19 Vice Mayor Gamble stated there is a misprint (page 4-4) in Ordinance 2006.23 (page 2, line
20 12 – B, 2), and inquired which amount is correct; Mr. Mercer stated the correct amount is
21 seven hundred dollars (\$700.00)

22
23 Mayor Clutts asked for comments from the audience.

24
25 **MOTION**

26
27 **Robert Speaks moved for approval of Ordinance 2006-23, seconded by Robert**
28 **Abernathy. The motion carried 3-2 as follows:**

29
30 **Nancy Clutts: Yes**
31 **Robert Speaks: Yes**
32 **Robert Abernathy: Yes**
33 **Sandy Gamble: No**
34 **Dennis Wilson: No**

35
36 **Ordinance #2006-15 –Anderson Property, South of U.S. 441 and East of David Walker**
37 **Drive – Second Reading**

38
39 Ms. Barnett read the ordinance by title only:
40

1
2
3 **ORDINANCE 2006-15**

4 **AN ORDINANCE OF THE CITY OF TAVARES REZONING**
5 **APPROXIMATELY 13.5 ACRES LOCATED ON THE SOUTHERN**
6 **SIDE OF US 441, WEST OF DILLARD ROAD AND NORTH OF DORA**
7 **AVENUE FROM CITY OF TAVARES PD (PLANNED**
8 **DEVELOPMENT) TO CITY OF TAVARES C-2 (HIGHWAY**
9 **COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND**
10 **OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;**
11 **PROVIDING AN EFFECTIVE DATE.**

12 Ms. Jackson stated that this is the second reading of Ordinance 2006-15, which is a rezoning
13 request of 13.5 acres located on US 441 from PD (Planned Development) to C-2 (Highway
14 Commercial). Ms. Jackson stated Council approved this ordinance at first reading on April 5,
15 2006 with a vote of 4-0 subject to a Developers Agreement which would prohibit the use of
16 the property for new or used care sales. Ms. Jackson noted the Developers Agreement is
17 included in the agenda for review; the applicants and owners of the property are in agreement
18 but have not had time to sign the Developers Agreement prior to this meeting. Ms. Jackson
19 stated Staff recommends approval.

20
21 Bruce Duncan, Potter, Clement, Lowry, and Duncan, Mount Dora, stated that the applicant
22 has requested a straight zoning to conform to the current building and design standards. Mr.
23 Duncan noted that the contract with the movie theatre company has fallen through, but are
24 currently negotiating with another company and actively marketing the property for a theatre.

25
26 Mayor Clutts asked for comment from the audience.

27
28 **MOTION**

29
30 **Dennis Wilson moved to approve Ordinance 2006-15, seconded by Sandy Gamble. The**
31 **motion carried unanimously, 5-0.**

32
33 **Robert Speaks moved to approve a Developers Agreement, seconded by Sandy Gamble.**
34 **The motion carried unanimously, 5-0.**

35
36 **Ordinance 2006-16 – Dora Canal Plaza – Rezoning from Mixed Use to General**
37 **Commercial – Second Reading**

38
39 Ms. Barnett read the ordinance by title only:

40
41 **ORDINANCE 2006-16**

1
2 Ms. Jackson stated Ordinance 2006-21 is the associated Future Land Use Amendment with
3 the rezoning that Council previously approved in Ordinance 2006-16. The amendment will be
4 from mixed use land designation to commercial future land use designation. Ms. Jackson
5 noted that Council approved this ordinance at first reading, 3-0, on April 5, 2006.
6

7 Mayor Clutts asked for comments from the audience.
8

9 **The Public Hearing was closed.**

10
11 **MOTION**

12
13 **Robert Speaks moved for approval of Ordinance 2006-21, seconded by Robert**
14 **Abernathy. The motion carried unanimously, 5-0.**
15

16 **CONSENT AGENDA**

17
18 **MOTION**

19
20 **Robert Speaks moved, seconded by Dennis Wilson to approve the Consent Agenda,**
21 **Items 12 – Lane Park Ridge Utility and Pioneer Agreement; Item 13—Resolution #2006-**
22 **10 – Utility Agreement with FDOT for Wooton Park Tav Lee Trailhead; and Item #14 –**
23 **Bid Award for Royal Harbor Capital Line Extension.**
24

25 **The motion carried unanimously 5-0.**
26

27 **AUDIENCE TO BE HEARD**

28
29 Ted Robbins, 3576 Tropical Seas Loop, stood to speak. Mr. Robbins stated the [water]
30 pressure at Royal Harbor has dropped dramatically since early March, mostly early in the
31 morning. He said he recognized the intent is to install a line onto Eichelberger Road. He said
32 Mr. Ern's original recommendation had been to bring the line in over Frankie's Road and
33 given the cost, the secondary option was chosen which is to bring the line off SR 19 onto
34 Eichelberger Road. He said he remained concerned that the line on Eichelberger Road will
35 correct the problem. He said no one has offered assurance that the pressure problem starts
36 south of where the Eichelberger Road exit is located. He noted a comment in an email from
37 Mr. Ern stating that he believed there remained a problem in the line somewhere between the
38 plant and Royal Harbor. Mr. Robbins asked what had been done to ensure there is not an issue
39 north of Eichelberger Road. He also asked for a time frame for when the water line will be
40 connected and operational on Eichelberger Road.

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Mayor Clutts asked Mr. Mercer to respond.

Mr. Mercer stated that Mr. Robbins is correct about the drop in pressure and staff still does not know the source of the problem. He said staff and Mr. Ern have stated their option but have also stated there is no guarantee. He said staff has had four professional engineers review the problem. The consensus was to move on towards a secondary feed down Eichelberger Road. He said his staff along with the engineering staff identified a location at South Eichelberger on the current line feeding Royal Harbor, took some significant water pressure tests, and determined that the flow rate was sufficient to feed directly into the top of Lighthouse area where most of the pressure problems are occurring. He said staff is confident the proposed project will resolve the pressure problems in the specific area. He acknowledged that there may be pressure problems throughout the subdivision still to be addressed, but the worse pressure problems are at the top of the hill where the gradient between the lighthouse and the entrance is about 80 feet in elevation. He said in terms of the timeline, Council has now approved the contract, the contract will need to be signed and reviewed by the city attorney, the bonds will need to be in place, there will be a notice to proceed, materials will be ordered (he noted he did not know how long it will take to get the material as there is a demand for PVC pipe). He said once the contractor starts they have an 80 day contract but he did not anticipate them needing all 80 days. He said the FDOT permits had been received for the crossing at south Eichelberger and the FDEP permit is anticipated shortly.

Mayor Clutts said she was hearing a worst case scenario of two months.

Mayor Clutts noted she had tried to organize past emails to set up a timeline from what was going on from March to the current date to find out in a systematic manner to see if there is something in the pipes that is moving around. She said if a camera might be available to locate the obstruction that would ensure that the city is not just putting a band aid on the problem.

Mr. Robbins said the problem is no longer just on the hill, it is now on the north side of the lighthouse and it is going down the hill to the lower points. He said the line off the SR 19 connection almost feeds directly into this section. He said he has walked when the water pressure has been low and he has not observed an exorbitant amount of irrigation occurring. He said they still have the same problem on Sundays and there is overall no irrigation occurring on Sunday. He said he is concerned regarding the fire hydrants. He said the Fire Department has done flow checks but they need to come out at 3:00, 4:00, and 5:00 a.m. and do these checks.

1 Mr. Mercer said staff had noted in previous meetings that staff is working with the Florida
2 Rural Water Association in Tallahassee. He said a meeting has been set up on April 24th with
3 their engineering staff. They will review the water models that that have been developed to
4 date and all the data that has been collected for the last 10 months. He said staff is hoping a
5 different set of eyes will shed some light on the problem. He stated he is equally frustrated
6 and that he takes ownership in the utilities. He said Council has supported staff in their efforts
7 to resolve the problem and the hope is that this project will resolve the issue, but it will not be
8 known for another 80 days. He said staff is not done checking the existing line and there are
9 two valves left to be checked. He reiterated that staff is not giving up and he did not want the
10 Royal Harbor residents to give up on the city either. He said staff will continue to do what can
11 be done with the current resources and personnel.

12
13 Mayor Clutts said she had brought forward the question, that if this is an emergency would it
14 be prudent to look into an immediate resolution such as a booster pump. She said Mr. Mercer
15 had responded that it would still require permits and would need to be rented. \

16
17 Mr. Robbins said there are many more homes coming on line—12 to 15 homes a month
18 which has exacerbated the problem. He said if this solution does not work, is the city looking
19 ahead to the Frankie Road water line extension? He said this option was Mr. Ern's first
20 choice.

21
22 Mr. Mercer said staff has discussed some preliminary development with the property owner
23 and they are are aware that connection will be required. He said the city typically allows
24 developers to put those lines in because of the expense. He said although the line needs to be
25 put in, with some placement of some different pressure reducing valves, staff believe the plant
26 pressure can be boosted up to 20 lbs. per square inch which should help significantly. This
27 would be much cheaper than putting half a million dollars of 12 inch pipe all the way to
28 Frankie's Road. He said staff is anticipating that the line on South Eichelberger will work but
29 if not, phase II is to come back to the City Council to install the valve. Phase III will be
30 Eichelberger—however that phase would be pose a significant cost to the city when it is
31 earmarked to be put in by the developer.

32
33 Mayor Clutts stated that if there is still a problem once these pipes are in the ground, would
34 the city consider an emergency request for a rental of a booster pump before the next phase is
35 explored. She asked if a booster pump would resolve the problems if there really is an
36 obstruction in the lines. Mr. Mercer said he could not answer that. He said booster pumps are
37 a bit intrusive; they are noisy and have to be put in a common area somewhere in the
38 neighborhood. He said he believed it was premature to make that decision and the next two
39 steps should be focused on first.

40

1 Mayor Clutts added she did not think it would be a wasted effort as the lines are needed and if
2 that does not correct the problems, there are other options available.

3
4 Councilmember Wilson asked Mr. Mercer if the four professional engineers that were hired
5 have been paid and are gone.

6
7 Mr. Mercer noted of the four professional engineers, three are on a continuous services
8 contract (Riddle-Newman Engineering, Farner-Barley Engineering, and Griffey Engineering);
9 the fourth engineer was former Mayor Ted Wicks who is a professional engineer and he
10 donated his time. Mr. Mercer said it was correct that those engineers had not been able to
11 identify the problem in the line and that is why staff opted to cut the line, video the line, and
12 make sure all the valves were working (a few are left to cut in). He said the city has done a
13 number of interruptions of service and boil water notices to the Royal Harbor residents but
14 had decided to wait to continue checking the existing line, until the new line is installed.

15
16 Mr. Robbins said construction is starting across from Royal Harbor on SR 19. He said that
17 area will receive water first and it does not bode well for Royal Harbor. He said he is troubled
18 by the possibility that there is a problem before the Eichelberger connection. He said no one
19 has stated that there is no issue between the plant and Eichelberger. He said that Council
20 should have assurances that at least in that area everything is o.k.

21
22 Mayor Clutts said it sounded like the meeting with the Florida Rural Water Association would
23 be a good step. She said the Council is not involved in providing the answers but those who
24 have been providing Council with recommendations will be able to look at this in a new way.
25 She said she has met several times with Mr. Mercer and Ms. Keedy and has spent many hours
26 responding to emails from the residents. She said she takes the problem very seriously and
27 that the city has a duty to provide a certain level of service to the subdivision. She said she
28 believed that the staff is taking that very seriously as well. She said she is hearing Council say
29 that this is a priority.

30
31 Mayor Clutts asked those in the audience who wished to come forward to speak regarding the
32 water pressure to raise their hands.

33
34 George Libby, 5620 Gulfstream came forward.

35
36 Mr. Libby stated that when staff started working on the problem, he had since then found out
37 that one of the things they pulled out of the water pipe was 25 yards of duct tape.

38
39 Mr. Mercer said he had not heard that.

1 Mr. Libby stated he questioned what else was in the pipe. He said there is obviously a
2 blockage. He asked if there wasn't a camera or a system to find the blockage. He said he did
3 not mean to degrade the city's efforts.

4
5 Mayor Clutts asked if there was anyone in the audience who wished to address Council on an
6 issue other than the water pressure problem.

7
8 Mayor Clutts asked the audience members who were present regarding the water pressure
9 problem to raise their hands again.

10

11 Norman Hope, 3221 Myakka River Road

12

13 Mr. Hope said he was in law enforcement for 30 years. He said Captain Luckock had come
14 out to Fox Run to speak to the residents about the upcoming hurricane season and preparing
15 for potential emergencies.

16

17 He said he had read the newspapers regarding the problems with the Fire Chief and the
18 Assistant Fire Chief and noted the city is looking for a new Fire Chief. He asked what is being
19 done about selecting a new chief and who has input into that decision.

20

21 Mayor Clutts asked Attorney Williams to respond.

22

23 Attorney Williams said he believed the applications have been received and that the City
24 Administrator has interviewed three applicants who meet the new residency requirement and
25 the job qualifications. He said he did not know if she has made a selection. He said under the
26 charter, the City Administrator hires the Fire chief, there is no committee. The resumes and
27 applications have been open; they have been provided to the Fire Department and to the Fire
28 Union.

29

30 Mr. Hope said with the track record, he had a question of the authenticity or the proper
31 procedure for that decision making because the City has had a Fire Chief who has retired, and
32 an Assistant Fire Chief who is now, and the leadership is gone. He recommended that other
33 people who are professionals in the area, have some input in to that decision, so that the city
34 does not get itself into the same position in the future, where it has found itself in the past,
35 because the city becomes a laughing stock to the community and to the county and the state
36 with these kinds of situations.

37

38 Vice Mayor Gamble said he understood the City Administrator does the hiring but could the
39 Council not put together a committee or a process, or did a charter change have to be done?

40

1 Attorney Williams responded that under the charter, the manager does all hiring and firing.
2 Vice Mayor Gamble noted that the City of Leesburg had had a committee for their police
3 chief. Attorney Williams said that they may have had a committee, but the City of Leesburg
4 has a similar charter to Tavares—the city manager makes the final call. He said the City of
5 Tavares has had hiring charettes in the past for police chiefs or similar offices.

6
7 Mayor Clutts asked for a two minute recess.

8
9 The meeting reconvened after two minutes.

10
11 Mayor Clutts stated Vice Mayor Gamble had asked if it was within the realm of the Council
12 to request a committee. She said technically what she had heard from Mr. Williams is that the
13 City Administrator does all the hiring of all personnel. She asked if a committee could act as
14 an advisory board to the City Administrator to go help with the hiring process. She said she
15 also heard Mr. Williams specify that all three of the final applicants meet the current
16 residential requirements. She asked if that meant the city did not solicit any applicants outside
17 of the city limits of the 10 mile radius. Mr. Williams answered that applications were received
18 from other areas. He said these were the three top applicants without regard to residency but
19 in the interview process the manager had determined that they met the requirement or they
20 were willing to meet the requirement.

21
22 Attorney Williams noted that the city manager can create a committee to review applications.

23
24 Vice Mayor Gamble said that by having a committee other professionals could be brought in
25 who would have better insight than someone who has never been a firefighter. He said he felt
26 this kind of system needed to be used for either the Fire Chief or the Police Chief. He said it
27 might require a charter revision. The hiring provision of the City Administrator would still be
28 there but this system would also be in place. He said the Police Chief and the Fire Chief are
29 the two main positions in the city other than the City Administrator that he felt needed more
30 input.

31
32 Attorney Williams said he did not think Council could require the City Administrator to hire
33 by Committee. He said a committee could be created and make the top three
34 recommendations, however the city administrator could still hire whoever they wished to hire.

35
36 Mayor Clutts said this would be more of a public relations process. Attorney Williams stated
37 he felt it reflected a management philosophy regarding how people are hired. He noted that
38 past managers had had input by committee review and that he was not sure Ms. Keedy would
39 be opposed or in favor of that process. He said she has not employed that process to date.

40

1 Mayor Clutts said she needed direction from Council if they wished to see something like this
2 in the charter. Attorney Williams responded that from a legal standpoint, he did not think that
3 should be in the charter, he believed Council should hire a manager who follows Council's
4 direction. He said if the current manager is not doing what Council wishes, they should get
5 another manager. He said Council controls the manager and the manager controls the
6 employees. That is the current system under the charter.

7
8 Councilmember Abernathy noted a part of that is in the personnel function of going back and
9 getting a recommendation of past history of individuals coming to the city and that he did not
10 think the city had adequately done that. He said a good personnel policy will solve that.

11
12 **OLD BUSINESS**

13
14 **Garbage Rates for Mobile Home Parks – Discussion of Data Analysis**

15
16 Mr. Mercer noted that the previous discussion had been held regarding the vacation rates and
17 how they apply across the board. He noted Mr. Abernathy had brought in a number of
18 alternate ways of implementing the vacation holds, master meters, the impact financially to
19 the city, and down to the collection practice. He said he had brought back a synopsis of the
20 four alternatives that were discussed at the previous council meetings. He said staff is looking
21 for direction on how to proceed. He said Ms. Houghton had provided extensive research on
22 the financial impacts of vacation holds and what it costs to collect and dispose of the garbage
23 as it relates to master meters. He said the four issues were #1) to create a separate garbage
24 account for each master unit which meant a mobile home park on one unit could have a
25 garbage account for the exact number of units in the park.; #2) based on Mr. Gamble's
26 comments that the previous parks receive a \$3.00 cut in the rate based on some previous
27 history, to reduce the rate back by \$3.00 and also reduce the collection back to one time per
28 week based on comments by the residents, #3) the option of allowing the park owners to
29 report the number of units collected and charge them accordingly and #4) make no current
30 changes to the existing ordinance.

31
32 Councilmember Abernathy said he was ready to make a motion but that he would rather hear
33 comments first.

34
35 Mayor Clutts asked for comment from the audience.

36
37 John Tanner, 317 S. Lake Avenue stood to address Council. He said he owns a seniors mobile
38 home park. He said there is another solution. He said his park has a dumpster. He said starting
39 May 1st he going to one trip per week rather than three which will save money. He said this
40 however would not save money for the parks that have trash pickup at the curb. He said the

1 other problem is water. He said one way to monitor the sanitation would be to look at the
2 water usage. He said if the garbage rates were scaled to the amount of water usage, then the
3 garbage rates could be adjusted to the amount of gallons of water used.
4
5 Mr. Mercer said that Mr. Tanner is one of the sole mobile home park owners on master meters
6 who implements the dumpster service at a cost savings.
7
8 Councilmember Speaks asked if there are any other cities who price their sanitation according
9 to water usage.
10
11 Mr. Mercer said that was a new concept but he could look into it.
12
13 Vice Mayor Gamble said the comment he had made originally was that some parks might not
14 have the place or the facility to put the dumpsters but he wanted them to have the option.
15
16 Mr. Mercer said the way the ordinance was approved they have that option.
17
18 Vice Mayor Gamble said he would still like to see a reduction of rate for the master metered
19 parks.
20
21 Mr. Mercer noted that a lot of discussion had been regarding vacation holds and the inequity
22 that parks do not have that option. He said before the rates were raised based on the
23 equipment, fuel costs, etc., the parks had a \$3.00 benefit. He said he would recommend that
24 the city give the parks back the \$3.00 benefit. He said he had asked Ms. Houghton to provide
25 an analysis on how much that would cost the city and it is roughly \$17,000 which would have
26 to be subsidized. He said he did not think that would break the city and it would put this issue to
27 rest.
28
29 Mayor Clutts said that with the \$3.00 cut was Mr. Mercer also recommending to cut back to
30 once a week?
31
32 Mr. Mercer responded that he was not recommending that and he felt the park residents would
33 benefit from the additional pickup now that spring and summer seasons are here which will
34 produce extra foliage.
35
36 Councilmember Speaks asked about the vacation holds. Mr. Mercer said they will not get a
37 vacation hold but they will get a \$3.00 discount in lieu of the vacation hold. Councilmember
38 Speaks said originally Council wanted to make the service fair and equitable and he said that
39 was the reason the ordinance was drafted accordingly.
40

1 Councilmember Abernathy said that in Holiday and El Red they do their own service. He said
2 there is a tremendous inequity in the parks such as the one next to Vice Mayor Gamble; in
3 that park they expect by May to only have seven residents for the rest of the summer.
4

5 **MOTION**
6

7 **Robert Abernathy moved that staff be instructed to adopt an optional procedure to**
8 **single metered mobile home parks that stops garbage charges when residents are gone**
9 **for more than one month and that for each water bill, the manager, or responsible payer**
10 **will report in writing, the number of residents who used garbage service during any part**
11 **of the previous month. This number will be the basis for garbage charges for the**
12 **succeeding month's bill. If at its inception a mobile home park opts for this procedure**
13 **they will also agree to once per week service.**
14

15 **The motion was seconded by Dennis Wilson.**
16

17 **The motion failed 3 to 2 as follows:**
18

19 Nancy Clutts	No
20 Dennis Wilson	Yes
21 Robert Abernathy	Yes
22 Sandy Gamble	No
23 Robert Speaks	No

24

25 **MOTION**
26

27 **Sandy Gamble moved to approve the presentation made by Mr. Mercer regarding the**
28 **\$3.00 cut back at a cost of \$17,000 to the city, seconded by Robert Speaks. The motion**
29 **carried 3 to 2 as follows:**
30

31 Nancy Clutts	Yes
32 Sandy Gamble	Yes
33 Dennis Wilson	No
34 Robert Abernathy	No
35 Robert Speaks	Yes

36

37 Mayor Clutts noted that although the motion did not cut back the service to once per week,
38 the residents always have the option of only putting out their garbage once per week.
39

40 Mr. Mercer said an ordinance will have to come back to amend the rates.

1
2 Vice Mayor Gamble noted that staff had discussed doing away with vacation holds city-wide.
3 Mr. Mercer confirmed that and noted that the vacation holds are costly. He said the city's
4 costs are 90% fixed whether residents are on vacation or not.

5
6 Mayor Clutts said she would entertain a motion to address the vacation holds.

7
8 **MOTION**

9
10 **Sandy Gamble moved to address the issue of eliminating vacation holds city-wide in**
11 **ordinance format, seconded by Robert Speaks. The motion carried unanimously 5-0.**

12
13 Mr. Mercer said there are a number of accounts that do not fit perfectly in the current matrix
14 such as home occupation businesses that may have a business account. He said some of these
15 businesses are asking for twice a week service and currently the city does not have the ability
16 to provide that service. He said this would also apply to church parsonages that are on
17 commercial accounts. He said he would like to bring back an amendment to allow the single
18 family home use associated with a business, twice a week collection.

19
20 **Consensus to bring back these issues in ordinance format.**

21
22 Vice Mayor Gamble said the reason he wanted to bring back the vacation holds issue is that if
23 this will be eliminated in the master metered parks, it should be considered city-wide.

24
25 **Proposed Charter Amendments – Discussion of Draft Ordinances on Terms, Pay,**
26 **Vacancies, Seats**

27
28 Attorney Williams noted there were two different versions of draft ordinances that had been
29 provided. Ordinance A has to do with election seats and terms and Ordinance B has to do with
30 council pay which has four options.

31
32 **Ordinance B**

33
34 The four different options are all identical in that it would delete the existing council pay of
35 \$100 per month and would provide that council pay is established by the city council by non-
36 emergency ordinance, passed by a supermajority (4/5 majority) and then the difference
37 between the four options are the effective dates. They range from being effective immediately
38 to being effective based on the council terms. #1 – One year future effective date; #2 –
39 Provision that would not apply to any existing councilmembers who voted on it; #3 – Would

1 not become effective until after the next municipal election; and #4 – It would become
2 effective whenever it was passed.

3
4 Councilmember Speaks said he liked the non-emergency ordinance provision and the 4/5
5 requirement.

6
7 Attorney Williams said if this ordinance is adopted it will not become effective until it is
8 approved by the voters. It would go into effect November 7, 2006. If all five councilmembers
9 are still present after the 2006 election, Council could vote itself a raise but it would not take
10 effect until the next general election which would be November 2008. Councilmember Speaks
11 noted he was looking at option 3. Mayor Clutts quoted this option stated “by non-emergency
12 ordinance adopted by less than 4/5ths of the majority of all Councilmembers provided that
13 any such ordinance shall not become effective until after the next general municipal election.”
14

15 Attorney Williams stated that #1 would delay the effective date for one year. #2 would not
16 apply to the councilmember for the remainder of their current term of office; since council is
17 on staggered terms each person would get a different pay increase based on term of office. #3
18 is simply tied to the next General Municipal Election, and #4 removes all of those restrictions
19 and simply has to be a 4/5 majority approval and can become effective immediately or at any
20 date specified in the ordinance. The general rule under state law is that ordinances become
21 effective 10 days after adoption unless provided differently in the ordinance.
22

23 Vice Mayor Gamble stated that he felt the first three options defeat the purpose of what was
24 suggested to him by some residents when he was running for council. He said he was
25 encouraged to consider increasing the compensation by the public who have noted that
26 Tavares has one of the lowest pay schedules for its council.
27

28 Attorney Williams noted there are other formulas that can be used; i.e. by tying it to the salary
29 rates of school boards, county commissioners, population, etc. Attorney Williams said since
30 he has been city attorney the compensation provision has gone to the voters at least twice and
31 been defeated both times.
32

33 Mayor Clutts said she speaks to the homeowners associations on a regular basis and she said
34 she is hearing a lot of support for this Council, including increasing compensation to allow
35 individuals who do not have the ability to incur the costs for the travel that Council is required
36 to take on. She said she is in favor of expanding the pool of people who are interested in the
37 actions of the community. She said she had no problem with either option 3 or 4.
38

39 Councilmember Wilson questioned the 4/5 majority. He said since he had been on Council all
40 decisions had been by 3/5 majority. Attorney Williams said there is no requirement for 4/5

1 and that he had taken that language from other compensation ordinances he had reviewed. He
2 said this is not required by law although there are other issues that do require supermajority.

3
4 **Consensus to go with 3/5 majority and option #3.**

5
6 Attorney Williams then discussed Ordinance A. He noted on page 1 of 6, Section 3.01, the
7 first change is to provide that Council will be elected to one of five seats. The city will vote at
8 large for seat 1, 2, 3, 4, or 5. They will still be staggered terms: in one year it will be seats 1,
9 3, and 5 and in the other year, seats 2 and 4.

10
11 Page 2 of 6 – Election terms are being extended from two years to four years.

12
13 Vacancies provision – This is a provision to allow for forfeiture if a member missed four
14 consecutive council meetings (paragraph 3.05).

15
16 Page 3, Section 10.02 – Instead of qualifying to run at large, candidates will qualify for a
17 particular council seat (only one seat in a given election).

18
19 Section 10.04 – Discusses how the elections will take place.

20
21 Section 10.04B – Candidate who receives the highest votes cast is declared elected. The only
22 issue is if there is a tie.

23
24 Attorney Williams stated the transitional provision is more difficult. He noted there are two
25 different charter provisions that will be on the ballot. He said it can be done as an all or
26 nothing amendment or as options. He said the current draft ordinance is written with the
27 optional provision. The voters may approve seats and four year terms, or they may choose
28 seats and stay with two year terms, or vice versa. He reiterated that this is not written in stone
29 and council can choose not to offer options. He said the questions themselves that the electors
30 will be faced with will not be that complicated, but the outcome of the vote affects the
31 transition provision. He said if both issues pass, the City will go onto an even election cycle
32 congruent with either the governor or president election cycle. He noted that if the ballot
33 questions are presented as “all or nothing” then it would remove a lot of the transitional
34 issues. Vice Mayor Gamble asked if this were the option would a candidate be elected for four
35 terms or two? Attorney Williams said if the referendum passes there would still need to be
36 some transition because of the need to transition to the presidential year election. Attorney
37 Williams suggested Council may want to hold another workshop on the topic.

38
39 Councilmember Abernathy said he would also like Council to consider whether the meetings
40 should continue to be held on Wednesday because this presents a hardship to him.

1
2 Vice Mayor Gamble said it had been a hardship to him, however he had changed his midweek
3 service to another night.

4
5 Mayor Clutts commented that she thought attendance had been very good at the Council
6 meetings. She recommended that Council hold off on making a decision on the charter issues
7 until Council had had more time to study the information.

8
9 Attorney Williams commented that Mt. Dora had held a charter workshop and had publicized
10 it and gotten a lot of public input. He said he could prepare a visual for the workshop that will
11 illustrates the various implementation issues regarding how the elections would be phased in.

12
13 Mayor Clutts noted that she would like the workshop to be advertised on the web and
14 newspaper.

15
16 **Consensus to hold a Charter workshop on Monday, May 8th at 5:00 p.m.**

17
18 **Summerall Park – Request to Re-Open Boat Ramp**

19
20 Councilmember Abernathy asked Mr. Mercer why the boat ramp was blocked off.

21
22 Mr. Mercer stated that staff had received a report from a resident a few weeks ago who was
23 loading a small boat who stated he had damaged his trailer because the left side of the ramp
24 was damaged. Initially it was suggested this would result in an insurance claim, however, the
25 person has yet to submit the paperwork. Mr. Mercer said staff had inspected the ramp and
26 confirmed it is damaged and has probably reached the end of its usability. He said he had
27 recommended to close the ramp temporarily so there is no further damage to vehicles until
28 discussion had been held regarding a decision for this facility—i.e. should it be repaired,
29 closed, etc. He said at this time probably the right half of the ramp can be opened and
30 barricades can be installed to restrict access to the left side that is causing the damage to the
31 trailers and in the meantime staff can move forward on permanent repairs if so directed.

32
33 Councilmember Wilson asked how large the boat was that was launched. Mr. Mercer said he
34 did not know as he had not met with the gentlemen and had not seen the boat.

35
36 Councilmember Wilson said he had not launched a boat there in some time but he used to
37 launch at 16 foot bass boat at that location regularly.

38
39 Councilmember Abernathy said he would advocate the program that Mr. Mercer had outlined
40 and that he would like part of it to be re-opened immediately.

1
2 Mr. Mercer noted that the City had acquired this ramp from the County some years ago and
3 he did not recall if the County had had plans to improve the ramp. Councilmember Abernathy
4 said it did not appear it would take a lot of work to repair it. Mr. Mercer said it would require
5 a dredge and fill permit from FDEP as it is a body of the water of the State. He said it will be
6 an expensive repair.

7
8 Mayor Clutts said she had asked Attorney Williams to look into this from a legal point of
9 view.

10
11 Attorney Williams said he had discussed this with Mr. Mercer. He said if the boat ramp is not
12 safe it should not be open. He said the City can put up warning signs however the signs do not
13 preclude the City from being sued if people are injured. He said he understood however from
14 Mr. Mercer that half the ramp can be utilized safely and if the damaged half can be blocked
15 off, it should be acceptable. Attorney Williams recommended still putting up signage
16 however.

17
18 Mr. Mercer said staff should be able to open that part of the ramp by the weekend.

19
20 Councilmember Speaks asked how many boat ramps are in the city. Mr. Mercer answered
21 there are three-- Summerall Park, Lake Eustis and Lake Dora. Councilmember Speaks said
22 the signage could include reference to Lake Dora as the closest available ramp.

23
24 Vice Mayor Gamble said he had been contacted by a resident about the second boat ramp in
25 Tavares that is blocked off and had discussed this with Ms. Keedy about two months ago. Mr.
26 Mercer asked for clarification on the location of the ramp. Vice Mayor Gamble said the
27 floating dock is blocking access to the other ramp and Ms. Keedy was going to have it moved.

28
29 Mr. Mercer noted a petition had been received from the residents in the Summerall park area
30 regarding re-opening the boat ramp.

31
32 Jessie Johnson, 895 Mansfield Road, Apt. 3, Tavares, addressed Council. He said currently
33 the water level is so far down that the problem with the ramp is visible. He said there is only
34 one ramp. Mr. Mercer noted it is a wide ramp and it is the left half that is damaged. Mr.
35 Johnson said the same problem occurred at the Wooton Park ramp recently and there is a
36 similar problem at the U.S. 441 park.

37
38 Mayor Clutts confirmed that corrective action has been taken. She noted that all too often in
39 government there tends to be a cease and desist response to problems which affects everyone
40 and that this is the value of having a City Council who can take another look at the problem.

1
2 Councilmember Wilson noted that as Mr. Johnson had pointed out, the water level is an issue
3 at this time which cannot be helped.
4

5 **Discussion of Recreational Facilities Planning**
6

7 Mayor Clutts said she had discussed this issue with Mr. Mercer and Ms. Keedy the previous
8 week during agenda review. She said the point had been made that a lot of the planning that
9 had been brought before Council did not move forward for lack of Council direction. She said
10 she had suggested that the Administration should provide this Council with options for
11 consideration. She said since that was brought to Council last year, there have been a number
12 of things that have come up just in the last couple of months that would not have been
13 provided to Council last year as options.
14

15 She said Ralph Smith had contacted her regarding a letter of support from the City for a grant
16 application that he is applying for on behalf of Liberty Baptist Church for a shared use
17 recreational complex. She said the shared use that he had presented was a partnership of
18 shared uses with the City and with Tavares High School. She said in conjunction with this,
19 she and Ms. Keedy had met with the YMCA in January and she had provided a summary of
20 that meeting to Council. She said the YMCA was looking for some partnerships which
21 included a monetary compensation from the City. She said Mr. Smith had not requested
22 financial compensation. (She noted Mr. Smith was in the audience and was indicating that he
23 only required a letter of support.)
24

25 Mayor Clutts said the City now has some creative shared uses that could potentially assist the
26 City with its recreation needs. She said Ms. Keedy had expressed that in order for her to apply
27 for grants; she needed to understand what type of financial commitment this Council will be
28 willing to provide for those grants. She said she had responded that Council did not know
29 what kind of commitment it needed to make, if it did not know what type of matches the
30 grants require. She said Council may need to know what type of grant options are available,
31 while considering the option of partnering with the YMCA to provide ballfield or possibly
32 passive park opportunities with the understanding that the City would have to work out an
33 agreement with the YMCA to provide access to the residents. (i.e. access for a minimal fee or
34 none at all). She said she would like Attorney Williams to look at the legal aspects. She noted
35 that the City of Avalon Park has a joint use facility with the public schools and there are a
36 couple of other areas with the YMCA's where there is a public entity involved with a faith-
37 based entity. Mayor Clutts said Ms. Keedy was reluctant to formulate a letter of support for
38 the Liberty Baptist grant application without knowing if this would involve a financial
39 commitment from the City. She asked Mr. Smith if he would like to speak regarding this.
40

1 Mr. Smith clarified that the church is not asking for any financial support; just a letter of
2 support based on their past participation, supporting the Babe Ruth program, etc. He said the
3 church intends to build two baseball fields as well as two soccer fields with or without grant
4 support

5
6 Mayor Clutts said she would approve staff drafting a letter of support.

7
8 Mayor Clutts said another option that she discussed with Ms. Keedy, was that some of the
9 matching funds required for the grants would be so large that it might take up the entire
10 capital improvement budget; i.e. this would preclude a public works facility and a couple of
11 other capital expenses planned four years ago. Any of the preliminary engineering work that
12 has been done on these projects would therefore be shelved if the larger grant opportunities
13 were chosen for recreation. She asked Ms. Rogers to comments on the grant opportunities.

14
15 Tammy Rogers stated that the most current grant opportunity is money provided by Lake
16 County for a regional park partnership grant. It is in the amount of \$150,000 with an equal
17 commitment from the city of \$150,000. She said it is the same grant that Mr. Smith is
18 applying for and there will probably be other cities applying for it as well. She said the city
19 should have an excellent chance of obtaining the grant so long as there is a clear defined plan
20 for the vision and goals for the park complex. She said that aspect is made very clear in the
21 criteria. Another issue to be considered is that a larger park will require more maintenance
22 and more staffing. She said the grant application also requires the entity to demonstrate it has
23 the ability to maintain and staff the additional park. She said there is also a county grant
24 available for \$40,000. It would also require a \$40,000 match from the city. She said the
25 FRDAP (Federal grant) cycle will begin in July. She said the city has acquired FRDAP
26 funding previously. They have a \$200,000 grant opportunity with a \$200,000 match. She said
27 the grant application for the county project is due June 2 and the funds will be awarded
28 October 1, 2006.

29
30 Vice Mayor Gamble asked how many grants for \$150,000 are given out. Ms. Rogers
31 answered that one is given out. Vice Mayor Gamble stated he thought there were more
32 \$40,000 grants given out. Ms. Rogers replied that only one per district is awarded.

33
34 Vice Mayor Gamble said the mayor had mentioned there were some grants that would wipe
35 out the capital funds but he would still like to have that information of what that amount is.
36 He questioned without something to look at, how could a decision be made?

37
38 Ms. Rogers said she thought the procedure to follow is to decide what the city wants, what it
39 is going to cost and then look at what funding is available. She said once a comprehensive
40 plan is developed, the costs to build and the recurring costs can be calculated.

1
2 Vice Mayor Gamble said he did not remember the plan that has been given to Council in the
3 agenda, as being the same plan that was done last year.
4

5 Mr. Mercer said this is the only plan that Mr. Griffey had done for the city.
6

7 Vice Mayor Gamble said he did not remember the concession stand being moved. Ms.
8 Saladin said it might have changed after the one meeting it was presented because it was
9 discovered the ballfields are in the right of way. Vice Mayor Gamble said there is only one
10 field that is in the right of way and he could not see changing everything else because of the
11 one field.
12

13 Mr. Mercer said this was a concept plan that was put together for consideration. He said
14 previous Councils had not considered recreation as a highest priority. He said the city lacks a
15 defined master plan similar to water and sewer. He said a master plan has a 10 year horizon; it
16 has expenditures each year, and what will be done each year. He said he believed Ms. Saladin
17 is working with the consultant on the recreation impact fee study which should be underway
18 soon which will be a funding source.
19

20 Mayor Clutts said when she met with Ms. Keedy, she had suggested the possibility of asking
21 the high school if they are interested in purchasing Stover. All of the assets could be levered
22 into the Woodlea complex and the high school would take over the Stover complex. She said
23 she did not know if this was an interest of the council or the high school. Vice Mayor Gamble
24 said Ms. Keedy had brought this to the principal's attention but said she had not been directed
25 formally. She said the principal is waiting for further information and then she will go further
26 to find out if the school board will purchase it or try to get private agencies to help support the
27 purchase. He said he remembered reading in the staff report a reference to seven extra fields,
28 however, he said it would not be seven extra fields, it would be four extra fields because there
29 will still be the three existing fields at Woodlea. He said if the city loses Stover the four new
30 fields will not be enough.
31

32 Mayor Clutts said with the involvement of Liberty Baptist there may be additional resources.
33

34 Vice Mayor Gamble said there will not be enough fields because of the needs of the private
35 leagues.
36

37 Ms. Saladin said ideally staff would like to have 10 fields. She said that is what the pricing so
38 far has been geared towards and the costs are very high.
39

1 Vice Mayor Gamble asked Mr. Smith if the Liberty Baptist Church fields would be lighted?
2 Mr. Smith said theirs would not be lighted. Vice Mayor Gamble added he did not think the
3 YMCA could light their fields they are planning to build because of an agreement they have
4 with the people from whom they purchased their property.
5

6 Mayor Clutts said the Central Florida Sports Commission is interested in doing something in
7 this direction. She said she has a meeting scheduled with John Saboor who was an integral
8 part of the Sleepy Hollow Complex in Leesburg. She said it might be worth investigating to
9 see how the City could partner with the Central Florida Sports Commission with John Saboor
10 and what they might look at in exchange with the city working with them. She discussed the
11 Commission's past efforts to land contracts that did not work out because of not having
12 enough fields. She said it might be possible for staff to meet with Liberty Baptist and the
13 YMCA regarding their master plans and then make a recommendation to Council so that
14 Council could evaluate the options and whether it is feasible to even consider selling Stover.
15 She said she realized there is a lot invested in Stover and she did not know if the city would
16 recoup even half of what it is worth. She said if Council does not know the value of Stover it
17 could not direct staff. Ms. Saladin said staff have been pricing fields recently and could
18 provide the replacement cost. Mayor Clutts said that information could be combined with
19 what the city could use the Woodlea property for; i.e. is the site constrained, etc. She asked
20 that staff provide a menu of options.
21

22 Councilmember Speaks said the entity that would be interested would be the Lake County
23 School Board. He said he did not think they would want to purchase it since they can use it
24 for free.
25

26 Vice Mayor Gamble stated that unofficially a contact has been made and they are willing to
27 look at it.
28

29 Ms. Saladin said that fields cost \$200,000 now and the lighting for ten fields would be \$1.2
30 million. The complex that is being considered with 10 fields would cost about \$4.5 million.
31 She said that would include new bathrooms, a concession, a playground, etc. She said she
32 would recommend it being done in phases which a master plan would address. Vice Mayor
33 Gamble noted the basketball courts and the racquetball courts could be in the later phase. He
34 said the original plan for Woodlea had basketball courts, tennis courts, etc.
35

36 Mr. Mercer recommended that staff move forward with a master plan because without that it
37 will be difficult to secure grants. He said the input on this will drive what is done with
38 partnering with the YMCA and the church and how many fields the city ends up building. He
39 said he had not spoken with Ms. Keedy on this, however, he felt it was awkward to be
40 competing with Mr. Smith for the same grant. He suggested that the City back the church on

1 their endeavor and in the meantime the city would focus its attention on a master plan and
2 working with the other entities to decide what is needed and what the school board is willing
3 to do. The grant funding would be pursued the following year after the master plan is in place.
4

5 Mayor Clutts said that is the direction she was going as well. She noted she remembered
6 seeing what she had thought was a conceptual master plan before that included tennis courts.
7

8 Councilmember Abernathy commented that the Woodlea property would be conducive to an
9 overall recreation park.
10

11 Vice Mayor Gamble said he did not think the City should request the County grant this year
12 without a master plan in hand. He said if the City would like to have 10 fields, that should be
13 the goal and it should be phased in. He added that he was present and involved with the
14 Woodlea project when it got off the ground and when it was first presented to the Council the
15 cost was not that much compared to the finished costs and it was because the City went after
16 the \$20,000 grants from the County each year with city matching funds. He said he took five
17 years from the first day that dirt was turned to finish it and with no more than what exists
18 currently it should not have taken that long to raise the money. He said it was because Council
19 was not as supportive towards recreation as he believes the city should be now, to try to keep
20 the youth off the streets and into better activities.
21

22 Mayor Clutts stated staff could move forward with this and bring back recommendations for
23 consideration.
24

25 **NEW BUSINESS**

26 **Approval of Contract with Steve Lewis – Document Imaging Assessment**

27
28
29 Ms. Barnett said that this is a request to hire a consultant who has assisted the City in the past
30 in setting up the records program. She said many of the city's documents are not on line; i.e.
31 older ordinances, resolutions, minutes, and contracts. She said that record documents and
32 research requests have increased in the last three years from 100 to about 700 requests
33 annually in the current fiscal year. She said this would enable staff to have a more efficient
34 way of retrieving documents and records. She said she receives constant solicitations from
35 document imaging companies and would like Mr. Lewis to provide assistance in doing a
36 thorough assessment of the city's needs overall. This information would then be bid out.
37

38 Vice Mayor Gamble asked the source of the funding. Ms. Barnett responded that it would be
39 from contractual services. Vice Mayor Gamble noted that request had been pulled from the
40 agenda earlier [request for budget amendment]. Ms. Barnett answered that was correct. Vice

1 Mayor Clutts noted she had made a recommendation to the Council to appoint Mr. Joseph
2 Mabry as the City’s representative MPO Bicycle Pedestrian Committee. She said this position
3 had been advertised. She said Mr. Mabry is an avid cyclist and also is an assistant principal in
4 Lake County.

5
6 **MOTION**

7
8 **Sandy Gamble moved to approve the Mayor’s recommendation, seconded by Dennis**
9 **Wilson. The motion carried unanimously 5-0.**

10
11 **Councilmember Speaks**

12
13 Councilmember Speaks noted that the Joint Meeting of the Penny Sales Tax Committee is
14 scheduled for Tuesday, April 25, 2006 at 8:30 in the County Commission Chambers. He
15 thanked Ms. Houghton for her report.

16
17 Councilmember Speaks asked Mr. Mercer if there was any further information on the
18 crosswalk at Banning Beach. Mr. Mercer responded that he has requested a price from Lake
19 County Public Works but they have not responded as yet. He said he spoke to them regarding
20 the issue on St. Clair Abrams with the left turn. He said staff is still looking at some different
21 alternative designs to prohibit that left turn.

22
23 **Councilmember Wilson**

24
25 Councilmember Wilson said that Attorney Williams had stated that per the code, Council
26 must meet once per month. Attorney Williams confirmed that that is in the charter.
27 Councilmember Wilson asked if Council had to meet every first and third Wednesday in June,
28 July, and August? He said he had plans to travel with his family this summer.

29
30 Mayor Clutts stated that was understandable and that partially why it is necessary to meet is
31 that there are people who have applications and zonings that are contingent upon decisions
32 that this Council makes.

33
34 Attorney Williams answered that it is possible legally to only meet once per month however
35 as much notice as possible would need to be given. He said there have been times in the past
36 when Council has elected not to meet two times in a particular month. Mayor Clutts noted
37 that there are several budget meetings in the summer months and usually the goal is to adopt a
38 budget by August. Attorney Williams noted that the tentative [millage] has to be submitted
39 by August 1. Mayor Clutts said it would probably result in some lengthy meetings. She said it
40 could be done but she was not in favor of it. Mayor Clutts noted that she understood

1 Councilmember Wilson's concern and that if he was on vacation, Council would understand
2 that as well.

3
4 **Vice Mayor Gamble**

5
6 Vice Mayor Gamble stated that he thought everyone had received a letter from Mr.
7 Simalenski but he said he did not think that had to do with the City but with Sumter Electric
8 regarding their transformer. Mr. Mercer said he would place a call to SECO.

9
10 Vice Mayor Gamble asked if a firefighter had gone home the previous day with health
11 problems? Captain Luckock answered it was last Sunday night. Vice Mayor Gamble asked if
12 the firefighter was now on disability or on workman's comp or just out? Captain Luckock
13 answered that he is being assessed and that was the most information he could provide. Vice
14 Mayor Gamble asked if this was being done by the workman's comp doctor? He asked if this
15 was resulting in overtime? Acting Chief Luckock answered in the affirmative.

16
17 Vice Mayor Gamble said he had noticed that the [assistant fire chief's] vehicle has been
18 returned. He asked if it was being used by the firefighters now. Captain Luckock answered
19 that currently it has been secured in vehicle maintenance until the Chief begins. Vice Mayor
20 Gamble asked why this was done. Mr. Mercer answered that it was partially for security
21 reasons however the car is available if it is needed. He said Acting Chief Luckock is aware of
22 its location and if it is needed, it can be provided. Councilmember Speaks asked if the acting
23 fire chief should be able to use the car. Mr. Mercer answered that he can; he added that Acting
24 Chief Luckock has a vehicle but that is his choice.

25
26 Vice Mayor Gamble asked if it was known how many miles was on the odometer when it was
27 returned. He said something that Council may need to look at, is that some of the vehicles
28 may be getting excessive miles because they are being driven home and it will cause the City
29 to have to replace them more often. Mayor Clutts stated she believed the city just has a
30 problem with one person who used the system excessively and in her opinion is continuing to
31 use the system against Council and the City. She said she did not think the City needed to
32 have a one size fits all solution when there is just one person who is abusing the City's
33 benefits and willingness to work with him.

34
35 Vice Mayor Gamble said he had one other issue but he did not want to make it public as yet.
36 He said it had to do with Mr. Mercer's department. Mr. Mercer asked which department. Vice
37 Mayor Gamble said he would speak with Mr. Mercer later.

38
39 **Councilmember Abernathy**

1 No report.

2

3 **Mayor Clutts**

4

5 **Cemetery**

6

7 Mayor Clutts stated she had received some expressed interest by some of the residents who
8 very interested in the cemetery and one resident in particular who was interested in making an
9 anonymous donation which would involve setting up a financial plan. She said she would like
10 Council's input on whether or not there is interest to garner support for the cemetery in the
11 form of some type of memorial or if Council would like to allow churches to do that. This
12 would be a program where residents would be allowed to buy a tree or a bench similar to
13 Wooton Park.

14

15 Councilmember Speaks and Vice Mayor Gamble indicated their support.

16

17 Mayor Clutts asked Ms. Saladin if she would look into that and see if this has been done in
18 other cities; i.e. see if a tentative budget can be developed and how this would be publicized,
19 etc.

20

21 **Regional Leadership Academy**

22

23 Mayor Clutts stated that each person who attended and graduated from this academy was
24 asked to make some commitments on behalf of the areas they represented. She said she
25 represented the arts community as well as the Lake County region. She said she had
26 distributed an invitation to each councilmember and would be sending it as well to 40 other
27 community members. She said these are invitations regarding regional planning initiatives
28 that are about to happen to Central Florida. She said the Department of Community Affairs
29 and the Florida Department of Transportation partnered to award a substantial grant to
30 MyRegion.Org to put together a visioning session and the session is being done with an
31 interactive component. She said Harris Interactive was contracted out by FDOT to provide a
32 high tech system. The session will be held on April 27th at the Hyatt Hotel Airport and will be
33 attended by 5,000 people to be involved in an immediate data analysis of input about the
34 Central Florida Region.

35

36 **City Pins**

37

38 She said she and Vice Mayor Gamble were asked to attend the Babe Ruth Opening Day
39 program and it caused confusion to know which one was the Mayor and which was the Vice
40 Mayor. She said she had spoken to Ms. Barnett regarding having name tags. She said Ms.

1 Barnett was looking into this and discovered there was additional expense because of the logo
2 change and was apprehensive to move forward because of the cost and wanted direction from
3 Council. She asked for input from Ms. Barnett. Ms. Barnett answered that the new logo had to
4 be ordered and the company that the city has traditionally used has a minimum order of 100
5 which is about a \$300 cost in addition to the name tag itself. The issue is the cost of redoing
6 the logo part on the pin.

7
8 **Consensus to move ahead and order the new pins with new logo.**

9
10 Chief Lubins added that all elected officials should also have photo I.D. and to just let him
11 know and he could make those available to Council.

12
13 **Lake County Summit**

14
15 Mayor Clutts stated that all of the city mayors and city managers were invited to a summit to
16 discuss the information regarding the CDC and the potential of a flu pandemic. She said what
17 she had understood from the meeting was that people are in an era where behaviors need to be
18 changed; i.e. people need to be practicing better measures in personal hygiene. She said there
19 was not a “sky is falling” approach to the meeting; it was more a matter of when it will
20 happen and what the ramifications were to a city and a county. She said in the event of a
21 pandemic, each city would be basically on its own. She asked Assistant Chief Luckock to
22 comment.

23
24 Assistant Chief Luckock stated that staff is still in the learning process as well and that he
25 would be attending a meeting on Friday. He said the CDC and the Emergency Management
26 Department is still putting together the things that will need to be done. He said the key point
27 that has been made is whether an entity can be ready if half of the work force is gone. He said
28 as things progress he will be providing further information.

29
30 Mayor Clutts said at the meeting it was requested that the cities work towards developing an
31 information network.

32
33 Chief Lubins stated that the Police Department has been working on its plan which would
34 allow the Police Department to go down towards 15% of the workforce and still be able to
35 provide police services in conjunction with the Sheriff and surrounding agencies.

36
37 Mayor Clutts noted that last year Craig Fugate of the state emergency services had provided
38 information at a seminar last year that she had attended. He said he had requested all of the
39 mayors and vice mayors to stand up and only three persons stood up. She said his point had
40 been that the Mayors and Vice Mayors are the officials who sign the declaration of emergency

1 and that they needed to understand their role. She added that she felt it was important for
2 Council to be better informed and do more than just set policy.

3

4 There was no further business and the meeting was adjourned at 7:42 p.m.

5

6

7

8

9 Nancy Barnett
10 City Clerk