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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MAY 3, 2006
CITY COUNCIL CHAMBERS**

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

COUNCILMEMBERS PRESENT

ABSENT

Nancy Clutts, Mayor
Sandy Gamble, Vice Mayor
Robert Abernathy, Councilmember
Councilmember Robert Speaks
Dennis Wilson, Councilmember

STAFF PRESENT

Dottie Keedy, City Administrator
Gary Cooney, Acting City Attorney
Aaron Mercer, Public Works Director
Nancy Barnett, City Clerk
Susan Jackson, Director of Community Development

Reverend Bill Tyson, Union Congregational Church, gave the invocation and those present recited the Pledge of Allegiance.

APPROVAL OF MINUTES

MOTION

Dennis Wilson moved to approve the minutes of the City Council Workshop of March 27, 2006 and the Regular Council Meeting Minutes of April 19, 2006, seconded by Robert Speaks. The motion carried unanimously, 5-0.

PROCLAMATION/PRESENTATIONS

Drowning Prevention Month – May 2006

Mayor Clutts read a proclamation and designated May 2006 as Drowning Prevention Month. She acknowledged the efforts of Catherine Thomas, Executive Director for Advocates for

1 Communities Learning Aquatic Safety Skills, for promoting public awareness of drowning
2 safety in Lake County. Mayor Clutts noted Ms. Thomas is the mother of Sean Thomas,
3 Reporter, Daily Commercial, who was present in the audience and asked Mr. Thomas convey
4 Council's appreciation.

5
6 **Tavares Historical Museum – Request for New Carpeting**

7
8 Bob Grenier, President of the Historical Society of Tavares, discussed some of the exterior
9 improvements that the organization had made and stated that the efforts are now being made
10 towards improving the interior. He said the carpeting was installed in the 1970's or 80's and is
11 in need of replacement. Mr. Grenier said, if possible, the Historical Society would not like to
12 have to wait until the next fiscal year to begin the interior projects. He said he plans to have
13 an open house when the projects are complete. Mayor Clutts noted that Ms. Burleigh was in
14 the audience, and that she is the main volunteer in the museum.

15
16 Mayor Clutts asked if there was any other comment in from the audience.

17
18 **MOTION**

19
20 **Sandy Gamble moved to approve the request for new carpeting for the Historical**
21 **Museum, seconded by Dennis Wilson. The motion carried unanimously 5-0.**

22
23 Mr. Grenier expressed his appreciation to Council.

24
25 **AGENDA REVIEW**

26
27 Mayor Clutts noted a request for postponement for Item #4 (Ordinance #2006-10), Item #10
28 (Ordinance #2006-11, Local Planning Agency), and Item #14 (Ordinance #2006-11) to a date
29 certain.

30
31 Attorney Cooney stated it would require a motion to continue it to a date certain so it would
32 not have to be re-advertised.

33
34 **Sandy Gamble moved to pull Items 4 (Ordinance 2006-10), 10 (Ordinance 2006-11,**
35 **Local Planning Agency), and 14 (Ordinance 2006-11) from the agenda and continue the**
36 **items to May 17, 2006, seconded by Dennis Wilson. The motion carried unanimously 5-**
37 **0.**

38
39 **CONSENT AGENDA**

1 **Robert Speaks moved for approval of the Consent Agenda Items 23 and 24 [Tavares**
2 **Commerce Preliminary Plat and Approval of Contract for On-Shore Electrical Services**
3 **for Gateway Fountain Installation], seconded by Dennis Wilson. The motion carried**
4 **unanimously, 5-0.**

5
6 **PUBLIC HEARINGS/ORDINANCES/RESOLUTIONS**

7
8 **Ordinance 2006-08 – Capital Gains V, Ltd. - Annexation - Lane Park & CR 561 – First**
9 **Reading**

10
11 Ms. Barnett read the ordinance by title only;

12
13 **ORDINANCE 2006-08**

14
15 **AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF**
16 **TAVARES BY ANNEXING APPROXIMATELY 13.34 ACRES**
17 **LOCATED ON THE NORTHWESTERN CORNER OF STATE ROAD**
18 **19 AND LANE PARK ROAD; SUBJECT TO THE RULES,**
19 **REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF**
20 **TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

21
22 Ms. Jackson stated this annexation request of 13.34 acres is located on the corner of SR 19
23 and Lane Park Road. The original request was to annex and rezone to a C-2 zoning. The
24 Planning and Zoning Board expressed concern about doing a straight rezoning to C-2 because
25 it allows for high density residential of up to twenty five (25) units per acre as well as uses
26 such as car sales. The applicant agreed to withdraw the request to rezone the property at this
27 time, but would like to move forward with annexation. Ordinance 2006-08 meets all statutory
28 requirements, staff recommends approval, and the Planning and Zoning Board voted 7-0 for
29 approval. Ms. Jackson stated the applicant will submit a planned development zoning request
30 at a later date.

31
32 Mr. Mike Rich, applicant, stated he is available for questions.

33
34 Mayor Clutts asked for comments from the audience.

35
36 Mr. Mark Cunningham, 5961 Bounty Circle, Royal Harbor subdivision, stated he was
37 concerned about the draw down on the water line that serves the area further downstream.
38 Mayor Clutts noted that the applicant has withdrawn a request for a zoning, and is only asking
39 for annexation at this time; the applicant and staff will be return at a later date with
40 recommendations for Council regarding a possible rezoning of this area.

1
2 Ms. Janet Green, Lane Park Road, inquired if the applicant will be able to come back at a later
3 date and change the C-2 zoning; noting her concern for this zoning designation.
4

5 Ms. Jackson stated the applicant will be submitting for a planned development zoning
6 designation which will include buffering adjacent to residential uses and placement of
7 different structures on the site. She noted that at any time when any property is zoned it can
8 always come back for a rezoning; this would be noticed in the newspaper, the site would be
9 posted, and property within three hundred (300) feet would be notified. Ms. Green inquired
10 how an annexation would affect septic tanks and wells, and if existing property owners would
11 eventually be required to connect to city utilities. Ms. Jackson stated the applicant will be
12 required to connect to city water and sewer when the property is developed and that existing
13 property owners on wells and septic tanks are typically allowed to maintain those until they
14 fail, and then connect to city utilities if there are water and sewer lines available.
15

16 **MOTION**

17
18 **Robert Speaks moved for approval of Ordinance 2006-08, seconded by Robert**
19 **Abernathy. The motion carried unanimously, 5-0.**
20

21 **Ordinance 2006-12 – Fancy Farms II – Annexation – North of Dead River Rd., W of**
22 **SR19 – 28.42 Acres – First Reading**
23

24 Ms. Barnett read the ordinance by title only;
25

26 **ORDINANCE 2006-12**
27

28 **AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF**
29 **TAVARES BY ANNEXING APPROXIMATELY 28.42 ACRES**
30 **LOCATED ON THE NORTHERN SIDE OF DEAD RIVER ROAD,**
31 **APPROXIMATELY 0.8 MILES WEST OF THE INTERSECTION OF**
32 **DEAD RIVER ROAD AND STATE ROAD 19; SUBJECT TO THE**
33 **RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE**
34 **CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**
35

36 Ms. Jackson displayed a map depicting the annexation area. She stated Ordinance 2006-12 is
37 currently Fancy Farm’s PUD, which was previously brought before council for a revision to
38 the buffer requirement adjacent to dead river road. Council approved a one hundred (100)
39 foot buffer. They want to expand the PUD to include an adjacent property that is currently in
40 the county, and this is a request to annex that property into the city. Ms. Jackson stated

1 Ordinance 2006-12 meets all statutory requirements, the property is adjacent to city
2 boundaries, and city utilities are available. Staff recommends approval and the Planning and
3 Zoning Board recommended approval, 7-0.

4
5 Tiffany Kapner, LPG, representative for the applicant, stated she was available for any
6 questions.

7
8 Mayor Clutts asked for comments from the audience.

9
10 Mr. Gene Johnson, Fox Run subdivision, inquired if anyone has done a traffic analysis on
11 Dead River Road with all of the new housing additions.

12
13 Vice Mayor Gamble inquired about Captain Haynes Road; Ms. Keedy stated it will be going
14 out to bid within a month. Mr. Gamble noted this may create some traffic relief.

15
16 Mr. Mercer noted Council prioritized their 2006/2007 impact fees projects in February where
17 the intersection at SR19 and Dead River Road was ranked number one and submitted to the
18 county.

19
20 Vice Mayor Gamble inquired if the traffic analysis for the project was being completed during
21 the fall or the winter; Ms. Kapner stated the analysis was being currently being completed.
22 Mr. Mercer noted the annual traffic counts provided by the county, which includes peak hour
23 traffic during the peak time of year, will be utilized in the analysis.

24
25 **MOTION**

26
27 **Robert Speaks moved for approval of Ordinance 2006-12, seconded by Sandy Gamble.**
28 **The motion carried 4-1 as follows;**

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

35
36 **Ordinance 2006-13 – Fancy Farms II, PD Rezoning – 75.29 Acres – First Reading**

37
38 Ms. Barnett read the ordinance by title only;

39
40 **ORDINANCE 2006-13**

1
2 **AN ORDINANCE AMENDING ORDINANCE 2005-31 OF THE CITY**
3 **OF TAVARES FOR PROPERTY LOCATED ON THE NORTHERN**
4 **SIDE OF DEAD RIVER ROAD, APPROXIMATELY 0.3 MILES WEST**
5 **OF THE INTERSECTION OF DEAD RIVER ROAD AND STATE**
6 **ROAD 19; AMENDING THE ORDINANCE 2005-31 TO INCLUDE**
7 **TERRITORY ANNEXED UNDER ORDINANCE 2006-12, SUBJECT TO**
8 **THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY**
9 **THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN**
10 **EFFECTIVE DATE.**

11
12 Ms. Jackson stated Ordinance 2006-13 is a request to rezone the property that was just
13 previously annexed by Council (Ordinance 2006-12) to PD (Planned Development) and
14 combining it with the PD called Fancy Farms. The original Fancy Farms PD is called Fancy
15 Farms I, and the proposed addition is to be called Fancy Farms II. Ordinance 2006-13
16 provides for the rezoning of Fancy Farms I to PD by amending the rezoning ordinance for
17 Fancy Farms I to include the new property. All development criteria that apply to Fancy
18 Farms I will also apply to Fancy Farms II unless specifically stated within the ordinance
19 including setbacks and buffers. Ms. Jackson stated this rezoning will provide one cohesive
20 development and that staff recommends approval. The Planning and Zoning Board
21 recommended approval, 7-0.

22
23 Vice Mayor Gamble inquired about utilities and the affects at the split towards Royal Harbor.
24 Mr. Mercer stated that no problems were anticipated. Mr. Mercer noted this project was
25 located between both water plants; the water plants are hydraulically balanced so any
26 additional demands for water for this project could be met by the main street plant. Mr.
27 Mercer stated the project is located in a reuse area which will create less demand for potable
28 water. Dry lines will be included in one of the project phases. Mr. Mercer stated the reuse
29 lines are being constructed with Captain Haynes Road.

30
31 Mayor Clutts asked for comments from the audiences.

32
33 Mayor Clutts stated Captain Haynes Road is intended to alleviate some of the traffic at SR19
34 and Dead River Road that will be turning right to the south and noted her concern that this
35 may create additional traffic at the intersection with no guarantees that the capital
36 improvement plan will actually be funded by the county even though he city ranked this as
37 their number one project. Ms. Jackson stated the county typically addresses the city's impact
38 fee requests for improvements, and noted this is an intersection improvement on SR 19 which
39 will help the traffic flow in the entire area as well as Captain Haynes Road. Ms. Jackson said

1 this is a county roadway, the county asks for additional right-of-way, and they also look for
2 improvements for traffic flow to ensure services are not degraded.

3
4 Mayor Clutts asked for confirmation that by rezoning to City of Tavares PD (planned
5 development) there will be a greater ability to influence the property than what currently exists
6 in our future land use; Ms. Jackson confirmed and stated that by approving this planned
7 development, and a request further in the packet for a future land use amendment to suburban,
8 the allowable uses will be reduced considerably. Mayor Clutts asked for clarification that the
9 development rights that currently exist are at a much higher density than what Council would
10 be approving; Ms. Jackson confirmed.

11
12 **MOTION**

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

16
17 **Ordinance 2006-17 – Classique Bowling Center – 15026 Classique Lane, South Side of**
18 **US 441 – Annexation & Rezoning – First Reading**

19
20 Ms. Barnett read the ordinance by title only;

21
22 **ORDINANCE 2006-17**

23
24 **AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF**
25 **TAVARES BY ANNEXING APPROXIMATELY 3.46 ACRES**
26 **LOCATED AT 15026 CLASSIQUE LANE, COMMONLY REFERRED**
27 **TO AS CLASSIQUE BOWLING CENTER; REZONING THE**
28 **PROPERTY FROM LAKE COUNTY CP (PLANNED COMMERCIAL)**
29 **TO CITY OF TAVARES C-2 (GENERAL COMMERCIAL); SUBJECT**
30 **TO THE RULES, (GENERAL COMMERCIAL); SUBJECT TO THE**
31 **RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE**
32 **CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.**

33
34 Ms. Jackson stated the existing Classique Bowling Alley would like to annex into the city to
35 expand their facility for additional bowling lanes. The applicant is currently connected to city
36 water, and will need to connect to sewer for expansion; creating a need for annexation,
37 rezoning, and a Future Land Use Amendment. The property is contiguous, meets statutory
38 requirements, and staff recommends approval. Ms. Jackson noted the applicant has requested
39 a rezoning to C-2 (general commercial), which is the designation that a bowling alley is
40 allowed. The Planning and Zoning Board recommended approval, 7-0.

1
2 Mayor Clutts asked for comments from the audience.

3
4 Sharon Farrell, Wicks Consulting, representative for the applicant, stated she had no
5 additional comments.

6
7 **MOTION**

8
9 **Robert Abernathy moved for approval of Ordinance 2006-17, seconded by Robert**
10 **Speaks. The motion carried unanimously, 5-0.**

11
12 **Ordinance 2006-20 – Tarmac Cement Plant – Annexation & Rezoning – 21.40 Acres –**
13 **1500 Feet South of CR-448 – First Reading**

14
15 Ms. Barnett read the ordinance by title only;

16
17 **ORDINANCE 2006-20**

18
19 **AN ORDINANCE AMENDING HE BOUNDARIES OF THE CITY OF**
20 **TAVARES BY ANNEXING APPROXIMATELY 21.40 ACRES**
21 **LOCATED ON THE SOUTHERN SIDE OF LAKE INDUSTRIAL**
22 **BOULEVARD, APPROXIMATELY 1500-FEET SOUTH OF THE**
23 **INTERSECTION OF COUNTY ROAD 448 AND LAKE INDUSTRIAL**
24 **BOULEVARD; REZONING THE PROPERTY FROM LAKE COUNTY**
25 **HM (HEAVY INDUSTRIAL) TO CITY OF TAVARES I**
26 **(INDUSTRIAL); SUBJECT TO THE RULES, REGULATIONS AND**
27 **OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;**
28 **PROVIDING AN EFFECTIVE DATE.**

29
30 Ms. Jackson stated Ordinance 2006-20 is an annexation and rezoning request to an industrial
31 designation. Ms. Jackson noted the property is located in the industrial corridor. The
32 applicant, Tarmac America, is purchasing the property to construct a cement block and batch
33 factory. The applicant will be connecting to city water; sewer is not available at this time.
34 The property is contiguous, meets statutory requirements for annexation, and the rezoning is
35 from a county heavy manufacturing to city industrial. Ms. Jackson stated staff recommends
36 approval, and the Planning and Zoning Board voted for approval, 7-0.

37
38 Ms. Kathy Allison, Paralegal, Akerman Senterfit, representing the applicant, stated the
39 proposed land use is consistent and compatible with the surrounding area. Ms. Allison stated
40 Al Townsend, Development of Real Estate and Development, Tarmac America, Cindy Burns,

1 Project Manager, and Dave Tillman, Project Engineer, are in the audience and available for
2 questions.

3
4 Mayor Clutts asked for comments from the audience.

5
6 **MOTION**

7
8 **Robert Speaks moved for approval of Ordinance 2006-20, seconded by Robert**
9 **Abernathy. The motion carried unanimously, 5-0.**

10
11 **CITY COUNCIL ADJOURNS AND RECONVENES AS THE LOCAL PLANNING**
12 **AGENCY**

13
14 Ms. Barnett announced that there is a form at the podium for anyone in the audience to sign
15 who wishes information from the Department of Community Affairs regarding the matters
16 that are discussed by the Local Planning Agency.

17
18 **Ordinance 2006-09 – Capital Gains Partners V, Ltd. – Large Scale Future Land Use**
19 **Amendment – NW Corner of SR19 and Lane Park Cutoff – 13.34 Acres –**
20 **Recommendation to Council**

21
22 Ms. Barnett read the ordinance by title only;

23
24 **ORDINANCE 2006-09**

25
26 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**
27 **AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE**
28 **LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE**
29 **LAND USE DESIGNATION FROM LAKE COUNTY URBAN**
30 **EXPANSION TO THE CITY OF TAVARES COMMERCIAL FOR**
31 **PROPERTY LOCATED ON THE NORTHWEST CORNER OF STATE**
32 **ROAD 19 AND LANE PARK ROAD; PROVIDING FOR**
33 **SEVERABILITY AND CONFLICTS; PROVIDING FOR**
34 **TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

35
36 Ms. Jackson stated annexation was just previously approved by Council, and the applicant is
37 requesting a future land use amendment to a commercial designation. A PD (Planned
38 Development) zoning will be requested by the applicant in the future. Ms. Jackson stated a
39 commercial designation is compatible to the surrounding area. Ms. Jackson stated staff
40 recommends approval and the Planning and Zoning Board voted for approval, 7-0.

1
2 Mike Rich, applicant, stated he is available for questions.

3
4 Mr. Rich stated the future land use is currently Lake County commercial.

5
6 The Mayor asked for comments from the audience.

7
8 **MOTION**

9
10 **Robert Speaks moved for approval of Ordinance 2006-09, seconded by Dennis Wilson.**
11 **The motion carried unanimously, 5-0.**

12
13 **Ordinance 2006-14 – Fancy Farms II – Large Scale Future Land Use Amendment –**
14 **Recommendation to Council**

15
16 Ms. Barnett read the ordinance by title only;

17
18 **ORDINANCE 2006-14**

19
20 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**
21 **AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE**
22 **LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE**
23 **LAND USE DESIGNATION FROM LAKE COUNTY URBAN**
24 **EXPANSION, CITY OF TAVARES LOW DENSITY RESIDENTIAL,**
25 **CITY OF TAVARES MOBILE HOME, AND CITY OF TAVARES**
26 **MEDIUM DENSITY TO THE CITY OF TAVARES SUBURBAN FOR**
27 **PROPERTY LOCATED ON THE NORTHERN SIDE OF DEAD RIVER**
28 **ROAD, APPROXIMATELY 0.3 MILES WEST OF THE**
29 **INTERSECTION OF STATE ROAD 19 AND DEAD RIVER ROAD;**
30 **PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING**
31 **FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE**
32 **DATE.**

33
34 Ms. Jackson stated this is the future land use amendment that goes with the annexation of the
35 Fancy Farms II property. Ms. Jackson noted this ordinance brings the density down to 3
36 dwelling units per acre. Ms. Jackson stated staff recommends approval and the Planning and
37 Zoning Board recommended approval, 7-0.

38
39 Mayor Clutts asked for comments from the audience.
40

1 **MOTION**

2
3 **Robert Speaks moved for approval of Ordinance 2006-14, seconded by Robert**
4 **Abernathy. The motion carried unanimously, 5-0.**

5
6 **Ordinance 2006-18 – Classique Bowling enter – Small Scale Future Land Use**
7 **Amendment – Recommendation to Council**

8
9 Ms. Barnett read the ordinance by title only;

10
11 **ORDINANCE 2006-18**

12
13 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**
14 **AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE**
15 **LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE**
16 **LAND USE DESIGNATION FROM LAKE COUNTY URBAN TO CITY**
17 **OF TAVARES COMMERCIAL FOR PROPERTY LOCATED AT 15026**
18 **CLASSIQUE LANE, COMMONLY REFERRED TO AS CLASSIQUE**
19 **BOWLING CENTER; PROVIDING FOR SEVERABILITY AND**
20 **CONFLICTS; PROVIDING FOR TRANSMITTAL; AND PROVIDING**
21 **FOR AN EFFECTIVE DATE.**

22
23 Ms. Jackson stated this is a future land use amendment request that corresponds with the
24 annexation and rezoning just previously approved by Council for Classique Bowling Alley.
25 Ms. Jackson noted the commercial land use designation is compatible with the surrounding
26 area, staff recommends approval, and the Planning and Zoning Board recommended approval,
27 7-0.

28
29 Mayor Clutts asked for comments from the audience.

30
31 **MOTION**

32
33 **Robert Speaks moved for approval of Ordinance 2006-18, seconded by Sandy Gamble.**
34 **The motion carried unanimously, 5-0.**

35
36 **LOCAL PLANNING AGENCY ADJOURNS AND RECONVENES AS THE CITY**
37 **COUNCIL**

38
39 **Ordinance 2006-09 – Capital Gains Partners V, Ltd. – Large Scale Future Land Use**
40 **Amendment – NW Corner of SR19 and Lane Park Cutoff – 13.34 Acres – First Reading**

1
2 Ms. Barnett read the ordinance by title only;

3
4 **ORDINANCE 2006-09**

5
6 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**
7 **AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE**
8 **LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE**
9 **LAND USE DESIGNATION FROM LAKE COUNTY URBAN**
10 **EXPANSION TO THE CITY OF TAVARES COMMERCIAL FOR**
11 **PROPERTY LOCATED ON THE NORTHWEST CORNER OF STATE**
12 **ROAD 19 AND LANE PARK ROAD; PROVIDING FOR**
13 **SEVERABILITY AND CONFLICTS; PROVIDING FOR**
14 **TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE DATE.**

15
16 Ms. Jackson noted the Local Planning Agency voted for approval, 5-0.

17
18 Mayor Clutts asked for comments from the audience.

19
20 **MOTION**

21
22 **Robert Speaks moved to approve ordinance 2006-09, as approved by the Local Planning**
23 **Agency, seconded by Sandy Gamble. The motion carried unanimously, 5-0.**

24
25 **Ordinance 2006-14 – Fancy Farms II – Large Scale Future Land Use Amendment –**
26 **First Reading**

27
28 Ms. Barnett read the ordinance by title only;

29
30 **ORDINANCE 2006-14**

31
32 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**
33 **AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE**
34 **LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE**
35 **LAND USE DESIGNATION FROM LAKE COUNTY URBAN**
36 **EXPANSION, CITY O TAVARES LOW DENSITY RESIDENTIAL,**
37 **CITY OF TAVARES MOBILE HOME, AND CITY OF TAVARES**
38 **MEDIUM DENSITY TO THE CITY OF TAVARES SUBURBAN FOR**
39 **PROPERTY LOCATED ON THE NORTHERN SIDE OF DEAD RIVER**
40 **ROAD, APPROXIMATELY 0.3 MILES WEST OF THE**

1 **Resolution 2006-01 – Vacate of Rights of Way – Lake Region Packing Association**
2 **Property**

3
4 Ms. Barnett read the resolution by title only;

5
6 **RESOLUTION 2006-01**

7
8 **A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF**
9 **TAVARES, FLORIDA, TO VACATE CERTAIN PORTIONS OF**
10 **PUBLIC STREET RIGHTS-OF-WAYS LOCATED SOUTH OF RUBY**
11 **STREET, EAST OF SINCLAIR AVENUE AND WEST OF NEW**
12 **HAMPSHIRE AVENUE, TAVARES, FLORIDA; RESERVING AN**
13 **EASEMENT FOR AN EXISTING STORMWATER PIPE AND**
14 **STRUCTURE WITHIN THE JOANNA STREET RIGHT-OF-WAY;**
15 **SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY**
16 **THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN**
17 **EFFECTIVE DATE.**

18
19 Ms. Jackson stated this is a request to vacate old rights-of-ways at the property formerly
20 known as the Lake Region Packing Plant. These rights-of-ways were located under the
21 packing plant, portions have been vacated, and there may be some slivers left such as at the
22 railway right-of-way. The only one containing utilities is a stormwater pipe at Joanna Street;
23 this revised resolution provides an easement over the top of this stormwater pipe utility. Staff
24 recommends approval subject to the easement and there are no objections to vacate from any
25 utility providers. The Planning and Zoning Board voted in favor, 7-0.

26
27 Mr. Cooney stated a motion would need to include an amendment to the title.

28
29 Sharon Farrell, Wicks Consulting, representative for the applicant, thanked staff for all of
30 their efforts over the past year.

31
32 Mayor Clutts asked for comments from the audience.

33
34 **MOTION**

35
36 **Robert Speaks moved to approve Resolution 2006-01 with the amendment to the title as**
37 **presented, seconded by Sandy Gamble. The motion carried unanimously, 5-0.**

38
39 **Resolution 2006-08 – Variance – 529 Reserve Drive – Setback to Rear Yard**

1 Ms. Barnett read the resolution by title only;

2
3 **RESOLUTION 2006-08**

4
5 **A RESOLUTION OF THE CITY OF TAVARES GRANTING A**
6 **VARIANCE TO THE REQUIRED REAR YARD SETBACK AT 529**
7 **RESERVE DRIVE; SUBJECT TO THE RULES, REGULATIONS AND**
8 **OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;**
9 **PROVIDING AN EFFECTIVE DATE.**

10
11 Ms. Jackson was sworn in by Attorney Cooney.

12
13 Ms. Jackson stated Resolution 2006-08 is a variance request to a rear yard setback to property
14 located on Reserve Drive and abuts the canal. The rear setback zoning is RSF (residential
15 single family) and normally twenty (20) feet. The applicant is requesting a reduction to ten
16 (10) feet to build a porch. The applicant stated there are many existing homes with the same
17 setback or closer and he owns the property into the middle of the canal. Staff finds this a
18 reasonable request and recommends approval even though there is no evidence of a hardship.
19 Ms. Jackson provided a graphic of the site plan and noted that it will be a since it will be a
20 covered patio it falls under setback requirements of the principle structure. The Planning and
21 Zoning Board recommended approval, 7-0.

22
23 Vice Mayor Gamble inquired if the patio will contain a pool; Ms. Jackson stated it is just a
24 covered patio at this time. Mr. Gamble asked Attorney Cooney if the city has any liability if
25 the patio falls into the canal in ten years; Mr. Cooney stated the applicant would be
26 responsible for the correct engineering.

27
28 Mayor Clutts asked for comments from the audience.

29
30 **MOTION**

31
32 **Sandy Gamble moved for approval of Resolution 2006-08, seconded by Robert Speaks.**
33 **The motion carried unanimously, 5-0.**

34
35 **Resolution 2006-09 – Vacate of Right of Way – NW of Mt. Homer Road, Intersecting**
36 **Huffstetler Drive**

37
38 Ms. Barnett read the resolution by title only;

39
40 **RESOLUTION 2006-09**

1 **AUTHORITY OF THIS REDEVELOPMENT AGENCY; DEFINING A**
2 **TERMINATION DATE OF THIS AGENCY; PROVIDING AN**
3 **EFFECTIVE DATE.**
4

5 Ms. Jackson stated the Community Redevelopment Advisory Board has determined that the
6 city should expand the Community Redevelopment Area District. State statutes (Chapter
7 163.340) require Council to make a Finding of Necessity in order to expand or adopt a CRA.
8 Certain criteria must be found prevalent in an area for a Finding of Necessity including a
9 predominance of defective or inadequate street layout, parking facilities, and/or roadways.

10 Ms. Jackson noted some alleys are not paved, drainage ditches are located where a stormwater
11 system should be in place, and some of the roadways are not paved. Ms. Jackson stated staff
12 does not feel the area is severely blighted. However, due to dilapidated housing, deteriorated
13 site conditions, and a somewhat higher crime rate in the area, those three items were utilized
14 to produce the Finding of Necessity which will allow the CRA area to expand. The
15 Community Redevelopment Advisory Board and Planning and Zoning Board recommended
16 approval of expanding the Community Redevelopment Area. Ms. Jackson noted this is the
17 first step to target funding into the area utilizing increases in the tax base for improvements
18 such as street, sidewalk, lighting, and signage.

19
20 Councilmember Wilson inquired if the Belton property and Beef O’Brady’s were in the area
21 described as blighted; Ms. Jackson stated they are in the existing CRA area. Mr. Wilson
22 inquired if the county used blighted conditions to obtain their properties. Ms. Jackson she
23 was unaware of the county position and stated the city has no intentions of utilizing eminent
24 domain for any property with this action. Ms. Clutts noted this allows the city to move in a
25 direction to add some retrofitted stormwater upgrades, lighting improvements, aesthetic
26 improvements, and address code enforcement issues. She noted that if Council chooses to
27 adopt this resolution, from this point forward and as the property values increase, the monies
28 that are generated from the increase will go into a TIF fund that helps for redevelopment
29 issues in the expanded area. Ms. Clutts stated this is not intended to be a tool to use for
30 eminent domain, but instead to be utilized as a tool to use the taxable increment funds to help
31 finance some of the projects the Community Redevelopment Advisory Board will bring
32 forward in the future, grant projects for downtown, and possible improvements to St. Clair
33 Abrams. Mayor Clutts noted the residents at Lake Francis have voiced their desire for
34 upgrades to that corridor.

35
36 Attorney Cooney stated the city should act on this or be subject to the new legislation which
37 becomes effective on June 1st.

38
39 Mayor Clutts asked for comments from the audience.
40

1 **MOTION**

2
3 **Robert Speaks moved for approval of Resolution 2006-05, seconded by Robert**
4 **Abernathy. The motion carried unanimously, 5-0.**

5
6 **Ordinance 2006-24 – TIF Trust Fund To Establish the Redevelopment Trust Fund for**
7 **the Expanded Community Redevelopment Area – First Reading (Deferred from April**
8 **19 Meeting**

9
10 Ms. Barnett read the ordinance by title only;

11
12 **ORDINANCE 2006-24**

13
14 **AN ORDINANCE ESTABLISHING THE REDEVELOPMENT TRUST**
15 **FUND; ESTABLISHING THE REVENUE AND EXPENDITURE**
16 **AUTHORITY OF THE FUND; PROVIDING AN EFFECTIVE DATE.**

17
18 Ms. Jackson stated Ordinance 2006-24 is required to establish a trust fund. Ms. Jackson noted
19 there is already a fund established for the existing CRA (Ordinance 95-14). The city has to
20 provide administration (Council) for the trust fund. Staff recommends approval, the
21 Community Redevelopment Area Advisory Board recommends approval, and the Planning
22 and Zoning Board recommended approval, 7-0.

23
24 Mayor Clutts noted the CRA Board operates in an advisory board capacity and Council has
25 not provided the board autonomy over any issues over money issues, legislative issues, or
26 eminent domain.

27
28 Councilmember Speaks inquired if the trust fund will be separate from the existing fund; Mr.
29 Cooney stated the boundaries would be expanded and part of the same fund. Ms. Jackson
30 stated the old fund was granted for thirty (30) years in 1995 (to expire in 2025), and the new
31 expansion will be granted for forty (40) years (to expire in 2046) and the funds can be
32 commingled until the year 2025 when the old CRA will then expire.

33
34 Mayor Clutts asked for comments from the audience.

35
36 **MOTION**

37
38 **Robert Speaks moved for approval of Ordinance 2006-24, seconded by Dennis Wilson.**
39 **The motion carried unanimously, 5-0.**

1 **Resolution 2006-06 – Redevelopment Plan – CRA (Deferred from April 19 Meeting)**

2
3 Ms. Barnett read the resolution by title only;

4
5 **RESOLUTION 2006-06**

6
7 **A RESOLUTION ADOPTING A COMMUNITY REDEVELOPMENT**
8 **PLAN UPDATE FOR A PORTION OF THE DOWNTOWN**
9 **IDENTIFIED IN RESOLUTION 95-09, AND IN CONJUNCTION WITH**
10 **PROPERTIES IDENTIFIED IN RESOLUTION 2006-05, AS SLUM AND**
11 **BLIGHTED; FINDING THIS PLAN CONSISTENT WITH THE CITY**
12 **OF TAVARES COMPREHENSIVE PLAN; PROVIDING A**
13 **PROCEDURE TO AMEND AND IMPLEMENT THIS PLAN;**
14 **PROVIDING AN EFFECTIVE DATE.**

15
16 Ms. Jackson stated this is the revised redevelopment plan to address both the old and new
17 community redevelopment area which outlines the objectives, priorities, and provides a guide
18 for the future development to eliminate some of the existing conditions the city considers
19 blighted; while at the same time creating conditions for continued private investment in the
20 downtown. A list was created taking into consideration a list the Mayor provided to the
21 Community Redevelopment Advisory Board for consideration. Ms. Jackson stated the list is
22 extensive and includes any type of project that the city may wish to bring forth utilizing TIF
23 funds. Ms. Jackson noted a list of policies provided in the agenda packet. Both staff and the
24 Community Redevelopment Advisory Board recommends approval.

25
26 Mayor Clutts asked for comments from the audience.

27
28 **MOTION**

29
30 **Robert Speaks moved for approval of Resolution 2006-06, seconded by Robert**
31 **Abernathy. The motion carried unanimously, 5-0.**

32
33 **AUDIENCE TO BE HEARD**

34
35 Mr. Gene Johnson thanked Council and Aaron Mercer for all of the work provided at Fox Run
36 and stated he wished him well.

37
38 Mr. Mark Cunningham, 5961 Bounty Circle, expressed the appreciation of Royal Harbor
39 residents to Council and Aaron Mercer for all efforts and expeditious handling in the water
40 pressure issue. Mr. Cunningham stated there are one or two developments across from Royal

1 Harbor which will have a draw down on the water. He noted a blockage between 556 and
2 Royal Harbor and requested Council to focus on this concern; making all resources necessary
3 to be available to staff. Mayor Clutts noted the city was taking a systematic approach to
4 solving the water pressure issue in Royal Harbor, and have not found the origin of the
5 problem to date. Ms. Clutts stated the discussion has been made to install pipes at
6 Eichelberger Road, however it has been noted this does not guarantee that the problem will be
7 resolved. Council has to be prepared, in the event that does not solve the problem, to take
8 steps necessary to finding the next step of solutions. Ms. Clutts noted all solutions will be
9 taken into consideration by staff.

10
11 Ms. Keedy stated there is a plan to continue looking for the problem. Once the line is laid at
12 Eichelberger, then the city will continue to look for the blockage and systematically approach
13 it until it is found.

14
15 Mr. Charles Mose, stated he would miss Mr. Mercer, and stated he appreciated always
16 receiving prompt return calls.

17
18 Mr. Bill Powell, a lifelong resident of Tavares, member of the Church of Tavares, stated he
19 believes that alcohol is being sold twenty five (25) feet from the point of business to the point
20 of the church, when the law states six hundred (600) feet. He would like to see the ordinance
21 rescinded or clarified, and feels the sales are too close to a worship center.

22
23 Ms. Jackson stated the Community Redevelopment Advisory Board recommended that there
24 not be a separation requirement for a restaurant establishment to be proposed city wide;
25 however, Council approved the amendment to the old regulations and dropped the separation
26 requirement in the downtown area only for the purpose of promoting, redevelopment and
27 business interest downtown.

28
29 Vice Mayor Gamble noted he voted against the ordinance in a 4-1 vote.

30
31 Councilmember Wilson stated his concerns regarding alcohol sales was that O'Keefe's meets
32 any distance requirements and also that he is against alcohol sales on Sunday. Mr. Wilson
33 said he has recently understood that there are no distance requirements for churches
34 downtown; he thought there was. Mayor Clutts noted the change was made to reflect the state
35 statutes which only reflect educational facilities.

36
37 Mr. Hawkins stated he has been a resident of Lake County since 1958 and a member of the
38 First Baptist Church since 1961, and said he could provide a petition with four hundred (400)
39 signatures. Mayor Clutts stated she did not know that the state statutes did not include
40 religious institutions and apologized to Mr. Hawkins.

1
2 Vice Mayor Gamble clarified that the Community Redevelopment Advisory Committee made
3 the recommendation; Ms. Jackson confirmed. Vice Mayor Gamble stated Council could
4 rescind the ordinance, but that he wondered if the establishment in question would be
5 temporarily grandfathered in. Mr. Gamble asked if the establishment meets all building code
6 requirements. Ms. Jackson discussed the current owner’s occupational license.

7
8 Mr. Hawkins stated the church was interested in purchasing the property but did not because
9 of the upgrades that that were told would need to be made.

10
11 Mr. Gamble inquired if a sign has been placed to state that unauthorized vehicles will be
12 towed at the owner’s expense at the parking area to the side which is city right-of-way. Ms.
13 Jackson stated she will look into the issue.

14
15 Mr. Ralph Smith thanked Council and Tamera Rogers for assistance with the recreation grant.
16 Mr. Smith stated he is a deacon at Liberty Baptist Church, and although the church is not
17 located within the CRA district, they are in complete agreement with the First Baptist Church
18 of Tavares regarding the rescinding of the ordinance.

19
20 **OLD BUSINESS**

21
22 **Award of Resurfacing of Roads Contract – Capital Improvement Project**

23
24 Ms. Keedy stated this is a recommendation to award a bid for the road paving and resurfacing
25 project that staff has been working on for the past year and a half. There has been a lot of
26 difficulty receiving bids due to the contractor’s busy schedules. Staff recommends awarding
27 the bid to Superior Asphalt, which was the low bidder, for a total of \$1,100,329.00. Ms.
28 Keedy noted this will be paid out of infrastructure sales tax. Ms. Keedy stated one change to
29 the original bid is to take Hibiscus Avenue off the list due to right-of-way issues as it is not a
30 public right-of-way.

31
32 Mr. Charles Mose, 810 Magnolia Avenue, stated his concern that the roads between SR 19
33 between Citrus and Palm Avenue would not be included in the project. Ms. Keedy stated
34 there are eleven roads and Magnolia Avenue is included in the project.

35
36 **MOTON**

37
38 **Sandy Gamble moved to approve the bid award for resurfacing of roads to Superior**
39 **Asphalt, seconded by Robert Abernathy. The motion carried unanimously, 5-0.**
40

1 **NEW BUSINESS**

2
3 **REPORTS**

4
5 Mayor Clutts deferred to Ms. Keedy for recommendation for reappointments that will be
6 vacant upon Mr. Mercer’s departure.

7
8 Ms. Keedy made the following recommendations for staff board appointments:

- 9
10 • Water Alliance Technical Committee – Robb Brown
11 • Lake County Solid Waste Committee – Lori Houghton

12
13 **MOTION**

14
15 **Robert Speaks moved for approval of staff board appointment recommendations,**
16 **seconded by Sandy Gamble. The motion carried 4-1 as follows:**

17
18 **Nancy Clutts: Yes**
19 **Sandy Gamble: Yes**
20 **Robert Speaks: Yes**
21 **Robert Abernathy: Yes**
22 **Dennis Wilson: No**

23
24 **Councilmember Wilson**

25
26 **City Administrator Evaluation**

27
28 Councilmember Wilson stated he has Ms. Keedy’s evaluation prepared but has not turned it in
29 yet.

30
31 **Expense Reimbursements**

32
33 Councilmember Wilson stated that he would like to see the Mayor and Vice Mayor receive a
34 gasoline and/or car mileage reimbursement from the city. Ms. Keedy stated there is a Council
35 budget that provides for meals and travel for city business; she noted that this can be
36 submitted to Ms. Barnett for reimbursement.

37
38 **Councilmember Abernathy**

39
40 No report.

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Vice Mayor Gamble

Agenda's on CD

Vice Mayor Gamble inquired if the agendas would be available on CD instead of paper in the future. Ms. Barnett stated that is where technology is going, and that she will be suggesting changes in the Council Chamber audio system to provide for the ability tape to on CD.

Assistant Fire Chief

Vice Mayor Gamble inquired if the Assistant Fire Chief notified whoever was covering for him during his scheduled time off that their services were no longer needed if he returned for work earlier than anticipated; Ms. Keedy stated she did not know, but that Buddy Luckock covers for the Assistant Fire Chief and is on duty whether he is present or not. Mr. Gamble inquired if the Assistant Fire Chief was off for elective surgery; Ms. Keedy stated HIPPA prohibits the city from discussing or investigating health issues. Mayor Clutts asked if the validity in the time sheets that have been submitted has been ascertained. Ms. Clutts stated that she submitted an information packet to Attorney Williams and asked him to take the necessary steps to substantiate the information that was received.

MOTION

Sandy Gamble moved to direct the City Administrator to look into the discussed information and further investigate for verification, seconded by Dennis Wilson, 5-0.

Councilmember Speaks

Aaron Mercer/Banning Beach

Councilmember Speaks wished Mr. Mercer luck on his new adventure, and thanked him for painting the lions on Banning Beach. Mr. Speaks noted the pedestrian crossing sign to the north is missing and a twenty five (25) mile per hour speed limit sign was needed at the curb where the crosswalk is located.

Vice Mayor Gamble and Councilmember Wilson thanked Mr. Mercer for opening the boat ramp at Summerall Park, and noted some of the citizens have called regarding their appreciation as well. Mr. Wilson thanked Mr. Mercer for solving drainage problems in front of his home.

1 **City Administrator**

2
3 **Aaron Mercer**

4
5 Ms. Keedy stated Mr. Mercer has done a wonderful job for the city for the past eight years,
6 has made many improvements in the Public Works Department, and will be missed.

7
8 **Richard Keith, Fire Chief**

9
10 Ms. Keedy introduced the new Fire Chief, Richard Keith. Mr. Keith stated he and his family
11 are excited about coming to Tavares and being a part of the community. He provided
12 personal and professional background information including his twenty five (25) years of
13 service at Reedy Creek Utility District.

14
15 **Mayor Clutts**

16
17 **Downtown Streetscape Project**

18
19 Mayor Clutts asked Ms. Keedy for an update on the downtown beautification plans, including
20 information on the roundabout in front of the Lake County Administration building. Ms.
21 Keedy stated that roundabout was put on hold and taken out of the bid award for the
22 streetscape project because the county had not solidified their plans in the block area. Ms.
23 Keedy noted there is a meeting scheduled within the next few weeks with the county to
24 discuss their plans; she stated the city is hoping the county will substantially or completely
25 fund the project.

26
27 Mayor Clutts inquired where she can direct citizens to see concept plans and renderings of the
28 Downtown Streetscape Project. Mr. Mercer noted the renderings from the public meeting are
29 on a display board located in conference room one. Mayor Clutts asked for Council to vote
30 on display areas for the conceptual plans and renderings within city hall, the city newsletter,
31 and on the web site for citizen access.

32
33 **MOTION**

34
35 **Sandy Gamble moved to approve displaying the Downtown Streetscape conceptual**
36 **plans and renderings on the city web site, in the city newsletter, and a location within**
37 **city hall for citizen access, seconded by Dennis Wilson. The motion carried**
38 **unanimously, 5-0.**

39
40 **Cemetery Plans**

1
2 Mayor Clutts stated some of the residents have approached her regarding making anonymous
3 donations to the city for benches and memorial gifts for the cemetery. Mayor Clutts asked for
4 a motion to direct staff to prepare a memorial plan for gifts donated to the city for the
5 cemetery to be brought back to Council for final approval.
6

7 **MOTION**
8

9 **Dennis Wilson moved to approve staff direction per the discussion, seconded by Robert**
10 **Abernathy. The motion carried unanimously, 5-0.**
11

12 Ms. Jackson noted the city has a park plaque program in place for remembrances, or any
13 purposed desired at a cost of two hundred sixty dollars (\$260.00). The plaques are placed on
14 benches along Main Street and in Wooton Park and this program can be extended into the
15 cemetery. Mayor Clutts noted a budget would be needed with listed items and master plan for
16 the donation program to be developed.
17

18 **Parks and Recreation Master Plan – RFP for a Consultant**
19

20 Mayor Clutts stated she would like to direct staff with a motion to begin a RFP (Request for
21 Proposal) process for a consultant to provide a Parks and Recreation Master Plan. Ms. Clutts
22 asked Mr. Cooney if it was necessary to advertise before a motion is made or if the RFP
23 would become its advertisement. Ms. Keedy stated staff was currently working on an RFP
24 and plan to place on the agenda with a request to advertise. Mayor Clutts noted she requested,
25 during the April 19, 2006 City Council Meeting, that any consultant be allowed to do an
26 investigation and make a recommendation regarding shared facilities and potential shared
27 programming, collaboration and efforts with the Golden Triangle YMCA, Liberty Baptist
28 Church and Tavares High School. Ms. Keedy confirmed that would be within a consultant's
29 scope of work.
30

31 Vice Mayor Gamble inquired if the RFP would be to redo or go with the plan that is already
32 in existence; Ms. Keedy stated this would refine, with direction from Council, the current
33 conceptual plan. She stated the consultant will provide a plan that can be given to an engineer
34 for design. Discussion followed regarding the Central Florida YMCA's existing joint uses
35 and partnerships, and Mayor Clutts noted the consultant should be able to piggy back and/or
36 obtain information from entities currently working with them.
37

38 **Stover Field**
39

1 Mayor Clutts asked for a motion to direct staff to obtain an appraisal for Stover Field to see if
2 there would be interest in a master plan or sale. Ms. Keedy suggested staff develop a
3 replacement cost rather than an appraisal because selling will not benefit the city if the fields
4 can not be replaced at another location. Mr. Gamble noted the field was constructed from
5 funds provided by county recreation grant funds which may require any monies obtained in a
6 sale to be utilized to build another field.

7
8 City Administrator
9

10 Mayor Clutts recommended the city begin the advertisement process to fill the vacancy of the
11 City Administrator after receiving calls from the media and community leader calls indicating
12 the City Administrator is seeking alternative employment; Attorney Cooney stated the
13 position would need to be vacated before advertising can be done. Attorney Cooney
14 discussed some of the options for recruitment. Vice Mayor Gamble inquired who would be
15 assisting when Ms. Keedy is on vacation; Ms. Keedy stated it would probably be Ms. Barnett.

16
17 Alfred Street Corridor Study Concept Plan
18

19 Mayor Clutts noted that Jim Stivender presented the Alfred Street Corridor Study Concept
20 Plan during the April 19, 2006 Regular City Council Meeting asking Council to approve a
21 multitude of concepts that would return to Council for additional input at the design phase.
22 Ms. Clutts inquired if the concept plan should be placed on the next agenda to ensure the city
23 does not lose funding for the project. She noted the concern regarding access and
24 ingress/egress for the left turn lanes. Ms. Clutts stated she and Ms. Keedy have discussed
25 contacting some of the concerned residents and showing them the updated concept plan; the
26 new concept plan takes into consideration concerns expressed during the November 2005
27 public meeting. Mr. Mercer stated the city is not in jeopardy of losing funding but needs to be
28 expeditious in Council's review. He noted the next phase is funded, and if it is not utilized by
29 the city it will go to someone else. Mr. Mercer stated a vote was not required at the last
30 meeting, just an endorsement on the concept. As the county moves to the final design, they
31 will have public meetings and then back to Council for refinement which will take over a
32 year. Right-of-Way acquisition follows with construction slated in 2012.

33
34 Vice Mayor Gamble stated the residents would like a continuous third lane instead of the
35 medians. Mr. Mercer noted this is called a "suicide lane" that is unsafe and would not
36 beautify the corridor. Mr. Mercer noted this project is being funded through the county
37 impact fees to channel traffic down Alfred Street in an expeditious way. Councilmember.
38 Abernathy stated he has received negative input. Mayor Clutts stated she wanted to make a
39 concerted effort that the revisions are available for review and invite people to attend the next

1 meeting for a general consensus. Mr. Mercer stated the consultants can facilitate another
2 public meeting with the property owners for additional input.

3
4 Mr. Cooney noted any public meetings with more than one councilmember in attendance
5 would have to be noted in the advertisement per the Public Records Law. He stated it would
6 be best to take minutes if councilmember's are present.

7
8 **There was consensus for Council to hold a public input meeting on this issue.**

9
10 Water Tower

11
12 Mayor Clutts inquired if there was a time line in place for removal of the water tower. Mr.
13 Mercer stated the RFP is currently being generated and should be published within the next
14 two weeks. Mayor Clutts requested the city provide information regarding the water tower to
15 be added to the city's web site.

16
17 **Consensus from Council to add information on the water tower to the web site.**

18
19 Mobile Home Parks

20
21 Mayor Clutts requested a letter be sent to mobile home park managers to inform them of the
22 effort being made on behalf of the City Council so that they are informed in the direction
23 regarding the reduction of rates.

24
25 CRA Resignation – Nick Magrone

26
27 Mayor Clutts noted the city has received notification from Nick Magrone that he is resigning
28 from his position on the Community Redevelopment Area Board. Ms. Barnett has been
29 advised to advertise the vacancy. Ms. Keedy noted Mr. Gross accepted his resignation by
30 email.

31
32 Art Show

33
34 Mayor Clutts noted the opening of the art show is on Friday, and stated Tamera Rogers has
35 done an amazing done bringing talent in.

36
37 Evaluation

38
39 Mayor Clutts noted Ms. Keedy will need evaluations turned in the Friday before the next
40 meeting.

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Jasko

Evelyn Andrews stated she owns the home on the corner of Alfred and Sinclair. She stated the property is zoned mixed use residential; her business is in the front of her house, with her living quarters in the rear. Ms. Andrews stated she has one water bill charged at commercial rates, and twice a week garbage collection rates. Ms. Andrews stated she asked to have an additional meter put in, but was advised to come to Council to find out what her best options are since her business does not utilize the city utility/garbage collection as much as her personal home space.

Mr. Mercer stated Jasko is a very unique situation with a residential blended commercial use. He stated commercial accounts are actually required to have a dumpster. Mr. Mercer stated the new changes will provide twice a week collection.

Mayor Clutts stated commercial establishments are not the ones who generate water use or necessarily tax the sanitation department, but carry the city in revenues. She stated the city is lacking commercial establishments needed to offset some of the need to help offset some of the revenue needs. Mr. Mercer stated that if an additional meter is installed, Ms. Andrews water rates will double due to having two base charges per month and he believes the commercial rate would be to her advantage. Mr. Mercer asked Ms. Andrews to contact Lori Houghton, Finance Director, to review the consumption per month and provide an analysis/estimate which each bill would generate.

Name Tags

Mayor reminded staff that she would like to have nametags ordered.

Mr. Cooney thanked Council for having him in attendance.

Mayor Clutts adjourned the meeting at 8:10 p.m.

Respectfully submitted,

M. Sue Novack-Wilson
Deputy City Clerk