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**CITY OF TAVARES
MINUTES OF REGULAR COUNCIL MEETING
MAY 7, 2008
TAVARES CIVIC CENTER**

Mayor Clutts called the meeting to order at 4:00 p.m.

COUNCILMEMBERS PRESENT

ABSENT

Nancy Clutts, Mayor
Robert Wolfe, Vice Mayor
Sandy Gamble, Councilmember
Lori Pfister, Councilmember
Norb Thomas, Councilmember

STAFF PRESENT

John Drury, City Administrator
Robert Q. Williams, City Attorney
Nancy Barnett, City Clerk
Lori Houghton, Director of Finance
Jacques Skutt, Director of Community Development
Bill Neron, Director of Economic Development/Grants
Chief Richard Keith, Fire Department
Chief Stoney Lubins, Police Department
Brad Hayes, Director of Utilities
Heath Frederick, Director of Public Works
Tamera Rogers, Director of Community Services

Pete Bandstra, Chaplain, Lake County Corrections, gave the invocation and those present recited the Pledge of Allegiance.

3) APPROVAL OF AGENDA

MOTION

Robert Wolfe moved to approve the agenda, seconded by Lori Pfister. The motion carried unanimously, 5-0.

4) APPROVAL OF MINUTES

1
2 **MOTION**
3

4 **Norb Thomas moved for approval of the April 23, 2008 Regular City Council Meeting**
5 **minutes with the following changes:**
6

7 **Page 9 – line 6, change “Vice Mayor” Thomas to “Councilmember” Thomas**
8 **Page 15 – line 29, change “Vice Mayor” Thomas to “Councilmember” Thomas**
9 **Page 22 – line 25 – adjournment time of 5:30 p.m. was incorrect. Ms. Barnett to review**
10 **tape/notes and correct.**
11

12 **The motion was seconded by Robert Wolfe. The motion carried unanimously, 5-0.**
13

14 **5) PROCLAMATIONS/PRESENTATIONS**
15

16 **A) Presentation of Comprehensive Annual Financial Report for FY 2007 Budget**
17

18 Mr. Drury noted the agenda should reflect a correction that this presentation was concerning
19 the 2007 Budget and not the 2008 Budget.
20

21 Chris McDirmit, from the firm of McDirmit Davis (city auditor) presented a summary of the
22 audit for the fiscal year 2007. He stated the city had received an unqualified opinion auditor’s
23 report, had received no comments in the management letter and is in compliance with all
24 regulatory standards. He said the city’s assets exceeded its liabilities by 43.7 million dollars
25 and net assets increased by 4 million dollars. Capital assets increased by three million dollars.
26 He said the finance department implemented a new software system that allowed for better
27 tracking of capital assets. He noted the GFOA award was a significant achievement.
28

29 Ms. Houghton thanked the City Council, City Administrator, and all city staff for the support
30 the Finance Department has received and noted the department is always open to comments.
31

32 **B) Government Finance Officer’s Association Award (GFOA) Presentation**
33

34 Mayor Clutts presented the GFOA plaque to Ms. Houghton, noting it was the 11th consecutive
35 year for this award. She commented that the City had contracted in the past for the CAFR to
36 be prepared but that it had been done entirely in house for the past three years.
37

38 **6) SWEARING IN BY CITY ATTORNEY AND DISCLOSURE OF EX-PARTE**
39 **CONTACTS**
40

1 Attorney Williams swore in the audience members who wished to speak on the quasi-judicial
2 matters on the agenda (9A, 9B, 9C, 9D, and 9E). He then asked Council if they wished to
3 make ex-parte disclosures.
4

5 Mayor Clutts stated she had received emails from residents near Ms. Wilson’s home which
6 have been forwarded to Ms. Barnett [regarding the Jokl variance]. In addition she said she had
7 received an email from Mr. Atkins regarding Ordinance #2008-10.
8

9 Councilmember Gamble stated he had received an email from Ms. Wilson and a telephone
10 call from Ms. Webb which he had not returned.
11

12 Councilmember Thomas stated he had received an email forwarded by Ms. Barnett from Ms.
13 Wilson.
14

15 Councilmember Pfister said she had received an email from Atkins Realty.
16

17 Vice Mayor Wolfe stated he had received an email forwarded by Ms. Barnett from Ms.
18 Wilson and from Mr. Atkins, and said he had spoken with many residents in the neighborhood
19 of the Jokl property.
20

21 **7) READING OF ALL ORDINANCES/RESOLUTIONS INTO THE RECORD**
22

23 Ms. Barnett read the following resolutions by title only from the Consent Agenda:
24

25 **RESOLUTION #2008-17**
26

27 **A RESOLUTION OF THE CITY OF TAVARES, LAKE COUNTY,**
28 **FLORIDA PERTAINING TO THE APPLICATION AND**
29 **ADMINISTRATION OF A GRANT BEING SUBMITTED TO THE**
30 **FLORIDA BOATING IMPROVEMENT PROGRAM FOR**
31 **CONSTRUCTION OF A SECOND BOAT RAMP AT WOOTON PARK;**
32 **PROVIDING FOR AN EFFECTIVE DATE.**
33

34 **ORDINANCE 2008-03**
35

36 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA, REZONING**
37 **APPROXIMATELY 1.5 ACRES OF PROPERTY GENERALLY LOCATED**
38 **AT THE SOUTH INTERSECTION OF NORTH DUNCAN DRIVE AND**
39 **ALFRED STREET FROM RSF-1 (RESIDENTIAL SINGLE FAMILY) TO**

1 PD (PLANNED COMMERCIAL DEVELOPMENT); SUBJECT TO THE
2 RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY
3 OF TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.
4

5 ORDINANCE 2008-04
6

7 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,
8 AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE
9 LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE
10 LAND USE DESIGNATION ON APPROXIMATELY 1 ACRE OF
11 PROPERTY FROM LOW DENSITY TO COMMERCIAL FOR
12 PROPERTY GENERALLY LOCATED SOUTH OF THE
13 INTERSECTION OF NORTH DUNCAN DRIVE AND ALFRED
14 STREET; PROVIDING FOR SEVERABILITY AND CONFLICTS;
15 PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN
16 EFFECTIVE DATE.
17

18 RESOLUTION 2008-01
19

20 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF
21 TAVARES, FLORIDA, TO VACATE A PORTION OF IANTHE
22 STREET, A PUBLIC RIGHT-OF-WAY, LOCATED BETWEEN
23 NORTH DUNCAN DRIVE AND ALFRED STREET, SUBJECT TO
24 THE RULES AND REGULATIONS ORDAINED BY THE CITY OF
25 TAVARES COUNCIL; PROVIDING FOR AN EFFECTIVE DATE.
26

27 RESOLUTION 2008-02
28

29 A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF
30 TAVARES, FLORIDA, TO VACATE A PORTION OF NORTH
31 INGRAHAM AVENUE, A PUBLIC RIGHT-OF-WAY, LOCATED
32 BETWEEN WEST CAROLINE STREET AND IANTHE STREET,
33 SUBJECT TO THE RULES AND REGULATIONS ORDAINED BY
34 THE CITY OF TAVARES COUNCIL; PROVIDING FOR AN
35 EFFECTIVE DATE.
36

37 RESOLUTION 2008-15
38
39

1 RESIDENTIAL DISTRICTS; SECTION 8-12(A)(6), FENCES IN
2 RESIDENTIAL DISTRICTS; SECTION 8-12(C), TEMPORARY
3 STRUCTURES/USES; TABLE 8-2, NOTE 25, PERMITTED AND
4 SPECIAL USES; SECTION 11-3(B), LANDSCAPING
5 REQUIREMENTS FOR RESIDENTIAL DEVELOPMENTS; SECTION
6 11-4(D), SITE LANDSCAPING REQUIREMENTS; ADDING SECTION
7 8-12 (G), SUPPLEMENTAL REGULATIONS-PROJECTIONS AND
8 ENCROACHMENTS INTO REQUIRED YARD SETBACKS; SUBJECT
9 TO THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED
10 BY THE CITY OF TAVARES COUNCIL; PROVIDING AN
11 EFFECTIVE DATE.

12
13 **ORDINANCE 2008-13**

14
15 AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA
16 PROVIDING FOR A COMMERCIAL ECONOMIC DEVELOPMENT
17 INCENTIVE PROGRAM FOR THE COMMUNITY
18 REDEVELOPMENT AREA; SUBJECT TO THE RULES,
19 REGULATIONS AND OBLIGATIONS ORDAINED BY THE CITY OF
20 TAVARES COUNCIL; PROVIDING AN EFFECTIVE DATE.

21
22 **8) CONSENT AGENDA**

23
24 Mayor Clutts asked if Council wished to pull any item on the Consent Agenda and if any
25 audience member had objections to items on the Consent Agenda.

26
27 **MOTION**

28
29 Sandy Gamble moved to approve the Consent Agenda [Resolution #2008-17 – Request
30 to file Grant Application for Wooton Park Boat Ramp – Florida Boating Improvement
31 Program; Approval of Ranking for Design of Road Paving Project; Approval of
32 Proposal for Bank Financing for Road Paving Project; and Approval of Tri-City
33 Orange Blossom Triathlon Event]. The motion was seconded by Robert Wolfe. The
34 motion carried unanimously, 5-0.

35
36 **9) ORDINANCES**

37
38 **A) Ordinance #2008-03 –Rezoning of Smith Property – 1.5 Acres at South**
39 **Intersection of North Duncan Drive & Alfred St. from RSF-1 to PD – Second Reading**

1 Mr. Skutt stated this is an application to rezone approximately 1.5 acres from RSF 1 Single
2 Family to a Planned Commercial Development. The PD mirrors the requirements for C-2
3 Highway Commercial zoning which excludes certain visually unpleasant uses that would
4 normally be allowed in a C-2 zone. He said in addition to this application is an application for
5 a Future Land Use map amendment from residential to commercial and also an application to
6 vacate two existing right of ways that are within and adjacent to the Smith property. He
7 showed a slide that depicted the new configuration if the vacates are approved and discussed
8 the surrounding properties including its proximity to the Tav Lee Trail.

9
10 Mr. Jacques noted the existing dwelling is accessed through a driveway that goes through the
11 edge of the Smith property and through the water tower property. He said an easement was
12 discovered that runs along the south edge of the property to Caroline Street although that
13 easement has not been utilized and is heavily treed.

14
15 Surrounding zonings were discussed. Staff did not want to recommend an industrial use on
16 the property as it is a prime gateway to the City. In addition a single family use is not
17 appropriate since the intersection is so busy. The recommendation was made for a low
18 intensity commercial use. It is recognized that there will be design hurdles associated with
19 developing the property.

20
21 Councilmember Pfister asked what uses would be allowed.

22
23 Mr. Skutt answered that C-2 is an intensive commercial use. He read from the ordinance list
24 that included such uses as theaters, museums, art galleries, auditoriums, office buildings, and
25 most types of retail uses. He said the traffic and parking considerations will limit the uses.

26
27 Councilmember Pfister asked for clarification on access by the current resident living on the
28 property. Mr. Skutt said there is an existing easement. Attorney Williams stated it is not the
29 city's responsibility to address the access.

30
31 Councilmember Gamble asked who owns the Tav Lee trail. Mr. Skutt said he thought it was a
32 joint ownership with the County. Attorney Williams said he did not know if it was joint or
33 just FDOT and that there is a legal question as to whether there is a right to cross the trail and
34 that it is a complicated title issue.

35
36 **Applicant Testimony**

37
38 Mr. Smith said this is a first step and that he realizes that there are issues to be resolved.

39
40 **Mayor Clutts asked if there was comment from the audience.**

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MOTION

Sandy Gamble moved to approve Ordinance #2008-03, seconded by Norb Thomas. The motion carried unanimously 5-0.

B) - Ordinance #2008-04 – Smith Property– Future Land Use – Low Density to Commercial - Duncan Drive and Alfred - Second Reading

Mr. Skutt stated that the issues concerning the Future Land Use amendment were similar to the previous discussion concerning Ordinance #2008-03.

MOTION

Sandy Gamble moved for approval of Ordinance #2008-04, seconded by Lori Pfister. The motion carried unanimously 5-0.

C) – Resolution #2008-01 – Vacation of Right of Way – Ianthe Street – Gene Smith Property

Mr. Skutt gave the following report:

This is a request to vacate a portion of Ianthe Street (an undeveloped road) that is located between North Duncan Drive and Alfred Street. The road is undeveloped and not used for access to any property. The applicant owns the property on both sides of Ianthe Street that is being petitioned for vacation. Also, it is not utilized or proposed to be utilized by the City for utilities or drainage purposes. The applicant desires to obtain title to the vacated road in order to congregate his property to facilitate a commercial development.

An application to rezone the adjacent property to a commercial planned development is concurrently under consideration. This property has been identified by staff as a prominent gateway to our city.

The Planning and Zoning Board voted to approve the resolution as presented.

MOTION

Norb Thomas moved to approve Resolution #2008-01, seconded by Sandy Gamble. The motion carried unanimously 5-0.

1 **D) Resolution #2008-02 – Vacation of Right of Way of North Ingraham Avenue**
2 **between West Caroline Street and Ianthe Street**

3
4 Mr. Skutt gave the following report:

5
6 This is a request to vacate a portion of North Ingraham Avenue (an undeveloped road) that is
7 located between West Caroline Street and Ianthe Street. The road is undeveloped and not used
8 for access to any property. The applicant owns the property on the east side of the right-of-
9 way. The Shrine Club owns the adjacent property on the west side. Also, it is not utilized or
10 proposed to be utilized by the City for utilities or drainage purposes. The applicant desires to
11 obtain title to a portion of the vacated road in order to congregate his property to facilitate a
12 commercial development.

13
14 An application to rezone the adjacent property to a commercial planned development is
15 concurrently under consideration. This property has been identified by staff as a prominent
16 gateway to our city.

17
18 **MOTION**

19
20 **Norb Thomas moved to approve Resolution #2008-02, seconded by Sandy Gamble. The**
21 **motion carried unanimously 5-0.**

22
23 **E) Resolution #2008-15 – Jokl Property on Nelson Street – Variance to Minimum Lot**
24 **Width**

25
26 Mr. Skutt gave the following report:

27
28 The applicant is proposing to plat two vacant parcels of property located on the south side of
29 Nelson Street between Park and Sinclair. The applicant wishes to create three single family
30 residential lots each with a frontage width of 72.3 feet. The minimum lot width within an
31 RSF-1 zoning is 75 feet. Much of the subject property backs onto an FDOT retention area.
32 Single family residential development abuts to the north and west. A survey of the existing
33 and proposed platting is attached to this report.

34
35 It is staff's opinion that the requested variance is sufficiently minor to not detrimentally
36 impact the surrounding neighborhood. The existence of an FDOT right-of-way on the easterly
37 boundary of the property takes away the potential of creating three fully sized lots. The
38 proposed lots will be approximately 10,000 square feet in area, exceeding the minimum
39 requirement of 7,500 square feet for an RSF-1 zoning. The proposed lots will not be
40 noticeably small in appearance. There are several existing lots within close proximity that are

1 less than 75 feet in width. On the west side of Texas Avenue, a minor subdivision was
2 approved in 2003 with three 50 foot lots.

3
4 **OPTIONS:**

- 5
6 1. Move to approve the requested variance, Resolution 2008-15 as presented.
7 2. Move to deny the requested variance.

8
9 At its April 17th meeting, the Planning & Zoning Board voted unanimously to recommend
10 approval of Resolution 2008-15. The Board viewed the FDOT right-of-way as a unique
11 hardship to the development of this property. It is noted that several neighboring residents
12 voiced an objection to this variance. A copy of the P & Z meeting minutes is attached.

13
14 Mayor Clutts asked if the applicant or anyone to represent the applicant was present.

15
16 Mayor Clutts asked for comment from the audience.

17
18 **Cathy Wilson, 1201 Sinclair Street**

19
20 Ms. Wilson stated she had come with a petition from the neighborhood in opposition to the
21 variance. She noted that the 4 p.m. time of the meeting precluded many people from attending
22 because of their jobs.

23
24 Ms. Wilson said she believed the variance to decrease the lot size would have a negative
25 impact on the property values in the neighborhood and that it could potentially affect water
26 pressure. She said she did not believe the 10 feet FDOT right of way should be considered as
27 a hardship.

28
29 **Tim Enfinger – 501 W. Nelson Street**

30
31 Mr. Enfinger said that Ms. Wilson had spoken for the entire neighborhood and that he agreed
32 and was in opposition to the variance.

33
34 **Discussion**

35
36 Mr. Skutt discussed the number of units that the applicant would be legally able to build with
37 and without the variance.

38
39 Attorney Williams noted that some of the councilmembers lived in the neighborhood under
40 discussion but that would not constitute a conflict of interest.

1
2 **MOTION**
3

4 Lori Pfister moved to deny Resolution #2008-15, seconded by Sandy Gamble. The motion
5 carried unanimously 5-0.
6

7 **F) Ordinance #2008-10 – Licensing of Mobile Food Vendors**
8

9 Mr. Skutt gave the following report:
10

11 The highlights of the proposed ordinance are as follows:

- 12 1. The definitions provided are similar to those used in the Florida Health Regulations.
- 13 2. Applicants and their carts must be certified by the Department of Business and
14 Professional Regulations for health compliance.
- 15 3. Vendors operating in conjunction with a permitted special event are not required to get
16 a separate license but are covered under the single special event license.
- 17 4. Mobile Food Vendors may operate on public roads, sidewalks or private property with
18 the owner’s permission. Vendors must observe and comply with all traffic and street
19 laws and ordinances.
- 20 5. Mobile Food Vendors operating on city streets and sidewalks must sign an
21 indemnification agreement and maintain \$1,000,000 liability insurance.
- 22 6. The Mobile Food Vendor Unit must be equipped with a suitable trash container and
23 the vendor is responsible for picking up trash related to the sales within a 100 foot
24 radius.
- 25 7. The license fee is \$100 for a one year period.
- 26 8. The ordinance stipulates grounds for license revocation.
27

28 This is an emerging business within our City, and it is staff’s preference to, initially at least,
29 minimize the governing regulations within our code. It is difficult to anticipate what or if any
30 future problems may develop concerning these type of vendors. Should it be necessary, our
31 codes concerning mobile food vendors can be reevaluated and adjusted at a future date. A
32 copy of State Regulations governing Mobile Food Vendors is attached as information to this
33 report.
34

35 **Council Discussion**
36

37 Mayor Clutts asked if the one million dollar liability requirement was common. Mr. Skutt
38 answered that it was common and that there are other similar requirements in the city codes
39 required by persons occupying the streets and right of way.
40

1 Mayor Clutts asked for public comment.

2

3 **Council Discussion**

4

5 Councilmember Pfister said she was not in support of the ordinance because she believed it to
6 be unfair competition to the existing city restaurants.

7

8 Discussion followed regarding the issue of competition. The point was made that the mobile
9 food vendors are already offering services and are not being regulated. Councilmember Pfister
10 said if it is not permitted it should not be allowed. She added that she did not feel it was the
11 time to offer this permit because of the problems in the economy.

12

13 **MOTION**

14

15 **Robert Wolfe moved to approve Ordinance #2008-10, seconded by Norb Thomas. The**
16 **motion carried 4-1 as follows:**

17

18 Nancy Clutts	Yes
19 Norb Thomas	Yes
20 Sandy Gamble	Yes
21 Lori Pfister	No
22 Robert Wolfe	Yes

23

24 **G) Ordinance #2008-09 – Comprehensive Plan Amendment – School Concurrency, H)**
25 **Ordinance #2008-12 – Minor Text Amendments to the Land Development Regulations;**
26 **and I) Ordinance #2008-13 – CRA Commercial Impact Fee Credit Program**

27

28 Mayor Clutts noted that 9G, 9H, and 9I would be discussed at the subsequent City Council
29 meeting.

30

31 **10) GENERAL GOVERNMENT**

32

33 **A) Economic Development Plan**

34

35 Mr. Neron stated that about a year and a half ago the City Council formed its Economic
36 Development Agency and that staff has been working on several projects: the Wooton Park
37 effort to bring events downtown, the CRA Master Plan update, securing new grants and trying
38 to help new businesses locate in the downtown CRA.

39

1 Mr. Neron stated that the recommended Economic Development Strategy is proposed in order
2 to have more form and function to the direction and effort of economic development planning
3 in the City.

4
5 The proposed Economic Development Strategy is both geographical and component specific
6 (see attached map).

7
8 There are 12 components in no particular order as follows:

- 9
- 10 1. Growing our own existing businesses
- 11 2. Hospital
- 12 3. Medical village
- 13 4. Freight village
- 14 5. Judicial complex
- 15 6. County Government Campus
- 16 7. Commerce Park
- 17 8. Marina/ecotourism
- 18 9. Seaplane port
- 19 10. Water oriented special events
- 20 11. Multi-modal Transportation hub
- 21 12. Sports Park
- 22

23 From a geographical viewpoint there are four major areas.

24
25 The first is the Medical Village Area centered around the Florida Hospital Waterman campus
26 and the development of medical related facilities in this area. As our population ages with the
27 onslaught of the “Baby Boomers” generation, the need for quality health care services is
28 imminent and the Florida Hospital Waterman area is a natural place for the concentration of
29 health related facilities and services. Focus components in this area include the Medical
30 Village and the Florida Hospital Waterman campus. This remains consistent with Central
31 Florida’s regional efforts to cultivate bio-medical and high tech businesses as a focal
32 economic basis for continued sustainability of the Central Florida Region.

33
34 The second geographical component is the downtown area of Tavares. Tavares is the County
35 Seat of Lake County and serves as the County government and Judicial Campus for the
36 County. The expansion of the Judicial Center, the construction of a new office building for
37 Constitutional Officers, and the building of a 1,200 space parking garage will be a major
38 factor enhancing downtown redevelopment. The City Council’s decision to approve and fund
39 the Marina/Seaplane Basin and Multi-Modal facilities at Wooton Park will brand Tavares as
40 the waterfront event venue capital of Central Florida. Building on the City’s historical ties to

1 the railroad industry, enhancement of railroad infrastructure will lay a foundation for eventual
2 commuter rail service to downtown Orlando. Downtown Tavares will be in fact a multi-modal
3 transportation hub for the Central Lake County area. This too remains consistent with Central
4 Florida’s regional efforts to cultivate commuter rail as another focal economic basis for
5 continued sustainability of the Central Florida Region.

6
7 The third geographical component is the development of a Freight Village in the CR 448 area
8 south of Lake Dora in the vicinity of the current business/commerce park. The Freight
9 Village will provide for 1) warehousing/distribution businesses that are serviced by rail; 2) a
10 site to service, maintain, store and refurbish commuter railroad cars 3) a dual track area to
11 accommodate both commuter and freight passing operations, and 4) a Private Rail Car Park
12 (camp ground for private rail car yachts – see American Association of Private Railroad Car
13 Owners web page: www.aaprco.com). With the ever increasing price of gasoline and diesel
14 fuels, the use of railroads for the movement and distribution of goods is seeing a re-birth.

15
16 The fourth geographical component is to facilitate the development of sports related facilities
17 at Woodlea Park (city-owned) and Hickory Point Park owned by the Lake County Water
18 Authority. Tournament quality facilities can be used to hold regional and state-wide events
19 that brings visitors to the Tavares community.

20
21 Key to the success of the four components is the fostering of an attitude that the City and its
22 staff are committed to facilitating our existing and new businesses to grow and prosper.

23
24 **Discussion**

25
26 Mayor Clutts commended Mr. Neron and thanked him for preparing the Economic
27 Development Plan. She asked if there was comment from the audience.

28
29 Mayor Clutts welcomed Ms. Smith from the Economic Development Department who has
30 been working with Mr. Neron.

31
32 **MOTION**

33
34 **Lori Pfister moved to approve the Economic Development Strategy for the City of**
35 **Tavares, seconded by Norb Thomas. The motion carried unanimously 5-0.**

36
37 **B) – Recommendation from Planning & Zoning Board to Review Wetlands Credit**

38
39 Mr. Skutt gave the following report:
40

1 The term "Wetlands" means those areas that are inundated or saturated by surface water or
2 ground water at a frequency and duration sufficient to support, and under normal
3 circumstances do support, a prevalence of vegetation typically adapted for life in saturated
4 soils. The City of Tavares has a long tradition of recognizing the valuable function of such
5 "wetland" areas. This value is reflected in the City's Comprehensive Plan which identifies
6 wetlands as areas which serve a vital natural function by filtering contaminants carried by
7 surface water percolating to groundwater aquifers. For this and many other reasons,
8 development in wetland areas is prohibited by both the City and the State.

9
10 Prior to 2004, residential development sites including wetlands were permitted to transfer 3
11 residential unit credits per 1 acre of wetland area to the upland portion of the subject parcel.
12 In 2004, City Council approved an amendment to the Comprehensive Plan that reduced the
13 permitted density transferred from 3 dwelling units per 1 acre of wetlands to the existing
14 policy of 1 dwelling unit per acre of wetlands to the upland portion of the subject site. Upland
15 buffers, the upland area immediately adjacent to wetlands areas, are intended to minimize
16 erosion discharges and loss of wetland wildlife habitat. In addition to the density credit, the
17 upland area which constitutes the remainder of the site is allowed the density determined by
18 its Future Land Use classification (i.e. up to 5.6 dwelling units per acre in the Low Density
19 Future Land Use Classification).

20
21 At its March 20, 2007 meeting, after hearing Planning and Zoning Case number 2008-04,
22 proposed Ordinance 2008-07, the Woods at Lake Harris, the Planning and Zoning Board
23 entered into a discussion on density transferred from wetland areas to upland area. At the
24 conclusion of this discussion, Board Member John Tanner motioned to recommend that
25 Council review the wetland density credit policy within the City's Comprehensive Plan
26 Future Land Use Element. The motion was seconded and carried unanimously. A copy of
27 the Comprehensive Plan's Future Land Use Element on Wetland Density is attached to this
28 agenda item as Exhibit "A". An excerpt of the Planning and Zoning Board's March meeting
29 minutes during which this motion was made and seconded has been attached to this agenda
30 item as Exhibit "B".

31
32 **OPTIONS:**

- 33
34 1) Move to direct staff to prepare an ordinance amending the Comprehensive Plan's
35 Future Land Use Element to reduce the allowable transfer of density credit within
36 wetland area.
37 2) Take no action on this request.

38
39 Mayor Clutts noted that it has only been recently that the City has been thinking globally and
40 not making decisions in a vacuum. She said that while she thinks the recommendation has

1 some interesting points, she felt that Council needed to be careful and consider that there
2 might be unintended consequences that would be more undesirable from what exists
3 currently.

4 Mayor Clutts asked if anyone in the audience wished to address Council on this matter.

5
6 Discussion followed with the consensus that Council would prefer to stay with current
7 regulations. Councilmember Pfister noted that there might be issues with property owners
8 who had already purchased property and received zoning based on current law.

9
10 **MOTION**

11
12 **Norb Thomas moved to leave the current regulations regarding wetlands in place,**
13 **seconded by Robert Wolfe. The motion carried unanimously 5-0.**

14
15 **11) OLD BUSINESS**

16
17 None.

18
19 **12) NEW BUSINESS**

20
21 None.

22
23 **13) AUDIENCE TO BE HEARD**

24
25 Mayor Clutts invited audience members to come forward if they wish to speak to Council on
26 any item.

27
28 **Ralph Custar, 2914 Wekiva Road**

29
30 Mr. Custar asked the status of the Tavares Station project.

31
32 Mr. Skutt said that site plan approval has been given by the city but no building permits have
33 been issued. Mr. Drury added that the city is only aware that a sales office has been opened
34 and that the company has been actively marketing and getting pre-deposits for the units. He
35 said they attend and have a booth at the city's special events

36
37 **Denise Laratta – 3000 Lake Huron Lane**

38
39 Ms. Laratta stated that the Royal Harbor women's club had had the Lake Sentinel columnist,
40 Lauren Ritchie speak at one of their meetings recently. She said Ms. Ritchie had

1 complimented the City of Tavares for being one of the few cities in the area that has a plan
2 and ways to implement that plan. In addition she said Ms. Ritchie complimented Mr. Drury's
3 leadership.

4
5 **14) REPORTS**

6
7 **City Attorney**

8
9 Attorney Williams advised that on the bond issue for the Wooton Park improvements no ad
10 valorem taxes were pledged. It will be repaid out of utility taxes. He said the Planning &
11 Zoning Board is a very good board. He said the P&Z Board had heard some cases recently
12 where there was an extreme wetland area with a small strip that gave an unusual linear
13 development which caused them to question the wetlands. He said he did not think they were
14 upset about the direction that Council is taking, but were responding to some tough cases that
15 had come before them. He said he agreed with the action that Council had taken.

16
17 **Councilmember Pfister**

18
19 No report.

20
21 **Councilmember Thomas**

22
23 Councilmember Thomas congratulated the Finance Department and noted they have done a
24 wonderful job.

25
26 **Councilmember Gamble**

27
28 Councilmember Gamble noted he is running for the School Board and will be required to
29 issue a letter of resignation on May 12th that will take effect during the November election. He
30 said he will still be on City Council until November 4th.

31
32 Councilmember Gamble added that he has also heard a lot of compliments regarding Mr.
33 Drury and the staff.

34
35 **Vice Mayor Wolfe**

36
37 Vice Mayor Wolfe commended the Finance Department and thanked them for their efforts.

38
39 **City Administrator**

1 Mr. Drury said that a list of upcoming meetings has been provided in the agenda packet. He
2 showed the cover of the recent Lake County magazine which featured Mayor Clutts.

3

4 **Ms. Tucker**

5

6 Ms. Tucker reminded Council of the upcoming employee picnic next Friday from 11 to 2:00
7 p.m.

8

9 **Ms. Houghton**

10

11 Ms. Houghton said it is the pleasure of the Finance Department to serve the Council and the
12 residents of Tavares. She thanked Council for their support.

13

14 **Adjournment**

15

16 There was no further business and the meeting was adjourned at 5:25 p.m.

17

18 Respectfully submitted,

19

20

21

22

23 _____
Nancy A. Barnett, C.M.C.

24 City Clerk