

1
2
3 **CITY OF TAVARES**
4 **MINUTES OF REGULAR COUNCIL MEETING**
5 **NOVEMBER 2, 2005**
6 **CITY COUNCIL CHAMBERS**

7 Mayor Ted Wicks called the meeting to order at 5:00 p.m.

8
9 **COUNCILMEMBERS PRESENT**

ABSENT

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

16
17 **STAFF PRESENT**

18
19 Dorothy A. Keedy, City Administrator
20 Robert Q. Williams, City Attorney
21 Nancy Barnett, City Clerk
22 Susan Jackson
23 Aaron Mercer, Director of Public works
24 Lori Houghton, Finance Director
25 Lori Tucker, Director of Human Resources
26 Stoney Lubins, Police Chief
27 Emory Kendrick, Fire Chief

28
29
30 Reverend Bill Tyson, Union Congregational Church, stood to give the invocation and those
31 present recited the pledge of allegiance.

32
33 Mayor Wicks reminded Council to speak clearly into the microphone to be heard by the
34 audience.

35
36 **APPROVAL OF MINUTES**

37
38 The minutes of the regular City Council Meeting of October 19, 2005 were approved with the
39 following correction:
40

1 **Page 9: Line 29, add after the word “event”, include “due to the fact that there would**
2 **not be any city business conducted and would result in a reverse draw.”**

3
4 **AGENDA REVIEW**

5
6 No changes.

7
8 **CONSENT AGENDA**

9
10 Mayor Wicks asked if any member of Council wished to pull an item from the Consent
11 Agenda for discussion. He then asked if anyone in the audience had comments.

12
13 Mayor Wicks stated he would like to pull Item #14 for Vice Mayor Clutts to handle as he had
14 a conflict due to having done business with the applicant.

15
16 **MOTION**

17
18 **Robert Speaks moved for approval of the Consent Agenda, Items #12, #13, and #15**
19 **[Royal Harbor, Phase 4; Acceptance of Infrastructure; Arnold Groves and Ranch Ltd. –**
20 **Renewal of Sludge Agreement; and Resolution #2005-20 – Final Budget Amendment for**
21 **2005], seconded by Sandy Gamble. The motion carried unanimously 5-0.**

22
23 Mayor Wicks passed the gavel to Vice Mayor Clutts.

24
25 **Chelsea Oaks Phase II – Acceptance of Infrastructure**

26
27 Vice Mayor Clutts asked for comment on Item #14, Chelsea Oaks Phase II, Acceptance of
28 Infrastructure.

29
30 **MOTION**

31
32 **Robert Speaks moved for the approval of Item #14 of the Consent Agenda (Chelsea**
33 **Oaks, Phase II, Acceptance of Infrastructure), seconded by Sandy Gamble. The motion**
34 **carried unanimously 4-0 with Ted Wicks abstaining.**

35
36 **PROCLAMATIONS/PRESENTATIONS**

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

39
40 **Ordinance #2005-46 – Sanitation Rates – 1st Reading**

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

3 **ORDINANCE #2005-46**
4

5 **AN ORDINANCE AMENDING CHAPTER 18 OF THE CITY OF**
6 **TAVARES LAND DEVELOPMENT REGULATIONS; PROVIDING**
7 **FOR ADDITIONAL DEFINITIONS; REVISING CERTAIN**
8 **COLLECTION PRACTICES; ESTABLISHING COLLECTION**
9 **PROCEDURES FOR INACTIVE ACCOUNTS; PROVIDING FOR**
10 **CODIFICATION OF THIS CHAPTER IN THE CODE OF**
11 **ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.**
12

13 Mr. Mercer stated this is first reading of the revised sanitation ordinance based on Council
14 direction. Page 1-14 reflects the language that will give the account holder of the mobile
15 home park the ability to choose whether they wish to have curbside or dumpster service. All
16 other edits previously discussed have not changed. There is an increase in the minimum
17 charge from \$13.89 for the mobile home parks and \$16.89 to \$19.89 for single family,
18 effectively charging all residents the same rate for the same service.
19

20 Vice Mayor Clutts questioned Mr. Mercer regarding whether he had contacted all the park
21 owners to give them information about the ordinance and the contract with Waste
22 Management. Mr. Mercer said he had not contacted the park owners as yet. He said their
23 account will still remain with the City. The City will have a separate contract with Waste
24 Management for specific parks, based on the choice of the park owners. He said the contract
25 language is being drafted. Vice Mayor Clutts asked if Waste Management would be picking
26 up the household appliances. Mr. Mercer responded that that issue had not been finalized. He
27 said that fee is still being discussed but either the City or Waste Management will provide that
28 service.
29

30 Mr. Mercer said a letter will be sent to the owners after the ordinance has been approved. He
31 said the ordinance will go into effect January 1, 2006, so this would allow about 60 days to
32 address this with the park owners and residents.
33

34 Vice Mayor Clutts asked if any projections had been done regarding the ability of the City to
35 continue the twice a week pickups given the amount of growth the city is experiencing and
36 whether the fee will keep up with the costs to provide the service. Mr. Mercer answered that
37 he believed this increase in the fee would afford the ability to provide the service and address
38 the rate of growth.
39

40 Mayor Wicks noted that the rate might be impacted if the County increased its tipping fees
41 significantly.

1
2 Councilmember Wilson stated he had had a resident contact him asking why the mobile home
3 park fee was going up more than the single family. Mr. Mercer responded that he did not
4 know why, historically, the mobile home parks had been charged less than single family
5 homes for the same collection. He said the costs to the City are the same.

6
7 **Public Hearing**

8
9 Larry Myer, 210 S. Lake Avenue, stood to address Council. He stated he was a resident of
10 Tween Waters which is a community-owned park. He said they have 42 units with 42 owners
11 and six or seven months of the year they only have seven residents which may answer the
12 question about the rate difference. He said they do not have the ability to discontinue their
13 service during the summer as single family residences. He said the increase would be
14 significant for their residents.

15
16 Mr. Mercer noted that single family residences have the ability to put their account on
17 “vacation hold” however, since they have one meter serving 42 units that meter stays on all
18 the time.

19
20 Attorney Williams advised that Tween Waters is considered a Mobile Home Park with a
21 single master meter. The park is resident-owned but it is still the same type of park for
22 purposes of the billing system of the City. He said there might be the potential to create single
23 accounts for sanitation but this had not been undertaken previously.

24
25 Ms. Houghton it is difficult to track costs and the cash flow when there are vacation holds
26 because of the variation in residents who leave and return, etc.

27
28 Vice Mayor Clutts recommended that Mr. Mercer send a notice to the park owners and
29 formulate a meeting to let them know what has transpired based on this meeting’s conclusion
30 and to discuss the options based on the contract that is being developed with Waste
31 Management. She asked that Mr. Mercer communicate with Council after the meeting is held
32 and to let Council know what was communicated to the park owners and their decisions.

33
34 Attorney Williams noted he had addressed this with Mr. Mercer. He said he has advised that
35 the new structure needs to be offered equally to every rental park in the city that falls within
36 the criteria and that he needs to send out a standard letter to every owner with an election
37 form that needs to be in writing and kept in the City files regarding their choice. He said the
38 letter will not be sent until the ordinance is passed.

39
40 Vice Mayor Clutts reiterated that Council needed to be sure the communication will take
41 place.

1
2 Mayor Wicks said he thought staff should be directed to follow through with the process and
3 keep Council informed. He said the second issue has to do with Tween Waters and whether
4 this park needed to be addressed in the new ordinance.
5
6 Councilmember Gamble said he would like the issue of their residents being away during the
7 summer months reviewed, perhaps in the [water] rate ordinance. Mr. Mercer said it would be
8 difficult to track because of the one meter at the park.
9
10 Ms. Keedy stated that when a resident does not have their trash picked up temporarily, the
11 only cost that is not being generated to the City is the tipping fee cost. All of the other costs
12 continue—personnel, maintenance, etc.
13
14 Vice Mayor Clutts asked Attorney Williams to comment regarding her request for a meeting.
15 Attorney Williams stated a meeting could be held, however, he had advised staff to have
16 written communication because there is an option in the ordinance for an election.
17
18 Mr. Keedy added that staff will offer to meet with anyone who has questions.
19
20 Councilmember Wilson stated he thought there was still confusion about the increase in fees
21 and that residents thought it was due to the proposed two pickups which the mobile home
22 park residents have stated they do not need. Mr. Mercer responded that the collection practice
23 was also addressing the yard waste pickup. He noted that the residents are already getting
24 twice a week collection via two trucks on one day on the same day; now they will get one
25 truck on two days with the trash and yard waste co-mingled.
26
27 Mayor Wicks noted the increase is not due to the change in the format; it is due to the
28 automated collection program and continuation of its implementation as well as the rate of
29 growth and cost increases taking place in the City.
30
31 Ms. Keedy asked for Council direction regarding coordinating a meeting.
32
33 Discussion followed regarding holding one-on-one meetings versus a meeting with all the
34 parkowners. Ms. Keedy asked that she be given some time to review the issue and decide the
35 best format and she would communicate this to Council.
36
37 Attorney Williams suggested that a notice be sent to the registered owner of each park before
38 the second reading of the ordinance advising them of the hearing. Vice Mayor Clutts
39 emphasized that communication with the residents and owners was her main concern.
40

1 Mayor Wicks asked Ms. Keedy to review the Tween Water issue and to address it if needed in
2 the second reading of the Ordinance which will be November 16, 2005.

3
4 **MOTION**

5
6 **Robert Speaks moved for the approval of Ordinance #2005-46, seconded by Nancy**
7 **Clutts. The motion carried unanimously 5-0.**

8
9 Mayor Wicks declared a conflict on Items 2, 3, and 4 and passed the gavel to Vice Mayor
10 Clutts.

11
12 **[The following ordinances and resolution presented were accompanied by power point**
13 **presentation given by Ms. Jackson.]**

14
15 **Ordinance #2005-34 – Lake Region Packing Association – Annexation & Rezoning –**
16 **Parcel A – 600 Feet North of the Intersection of SR 19 and Lane Park Cutoff Road -**
17 **First Reading**

18
19 Ms. Barnett read the ordinance by title only:

20
21 **ORDINANCE 2005-34**

22
23 **AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF**
24 **TAVARES BY ANNEXING APPROXIMATELY 26.4 ACRES**
25 **LOCATED ON THE EASTERN SIDE OF STATE ROAD 19,**
26 **APPROXIMATELY 600 FEET NORTH OF THE INTERSECTION OF**
27 **STATE ROAD 19 AND LANE PARK CUTOFF ROAD; REZONING**
28 **THE PROPERTY FROM LAKE COUNTY A (AGRICULTURE) TO**
29 **CITY OF TAVARES C2 (HIGHWAY COMMERCIAL); SUBJECT TO**
30 **THE RULES, REGULATIONS AND OBLIGATIONS ORDAINED BY**
31 **THE CITY OF TAVARES COUNCIL; PROVIDING AN EFFECTIVE**
32 **DATE.**

33
34 Ms. Jackson advised this is a 26.4 acre site located on SR 19 just north of Lane Park Cut Off
35 Road. The request is for annexation and rezoning to C-2. Annexation meets all statutory
36 requirements. The rezoning to C-2 appears to be compatible with all surrounding uses and the
37 development trends in the area. She stated that the Planning & Zoning Board had been
38 concerned that the C-2 would allow too intense a commercial development; i.e. hotels and
39 apartment complexes. She said these uses are allowed in the C-2 district and staff feels they
40 would be appropriate with the capacities on U.S. 441 and that this area would support that
41 level of intensity of commercial use.

1
2 Ms. Barnett read the ordinance by title only:
3

4 **ORDINANCE 2005-42**

5
6 **AN ORDINANCE AMENDING THE BOUNDARIES OF THE CITY OF**
7 **TAVARES BY ANNEXING APPROXIMATELY 4.74 ACRES**
8 **LOCATED ON THE EASTERN SIDE OF STATE ROAD 19,**
9 **APPROXIMATELY SIX-TENTHS OF A MILE SOUTH OF THE**
10 **INTERSECTION OF DEAD RIVER ROAD AND STATE ROAD 19;**
11 **REZONING THE PROPERTY FROM LAKE COUNTY A**
12 **(AGRICULTURE) TO CITY OF TAVARES C-2 (HIGHWAY**
13 **COMMERCIAL); SUBJECT TO THE RULES, REGULATIONS AND**
14 **OBLIGATIONS ORDAINED BY THE CITY OF TAVARES COUNCIL;**
15 **PROVIDING AN EFFECTIVE DATE.**
16

17 Ms. Jackson said this is a 4.74 acre parcel owned by Lake Region Packing Association
18 located on SR 19 closer in to the City. There is an existing facility on the property that was
19 used for citrus distribution. The annexation meets all statutory requirements. C-2 zoning is
20 also being requested. She said the same information presented for the previous Ordinance
21 #2005-34, applies to this parcel. Staff is supportive of the C-2 zoning due to the area and the
22 surrounding development trends. The Planning & Zoning Board also recommended C-1 for
23 this parcel.
24

25 Ms. Jackson added that the existing facilities on this site are in a deteriorating state. Staff has
26 discussed cleaning up the site with the owner as this annexation would involve code
27 enforcement issues. Staff will recommend postponement unless those issues are addressed
28 prior to second reading, however, the owner has indicated his willingness to address these
29 issues.
30

31 **Public Hearing**
32

33 Sharon Farrell stood to speak. She said the tower site is not part of the annexation and that
34 they are working on the code enforcement issues.
35

36 Richard Miller, 1502 Pleasant Street
37

38 Mr. Miller said he lives in the mobile home park adjacent to the property. He expressed
39 concern regarding the egress onto County Drive which comes into his park and having a
40 barrier between the park and whatever is built on the property. He expressed concern
41 regarding the increased traffic and stated they have a problem with people driving at high

1 speeds currently.

2

3 Vice Mayor Clutts noted that once the property becomes developable they will have to bring
4 the property into compliance and the roadway conditions would have to be addressed. Ms.
5 Jackson said there will be a requirement for curb cuts along SR 19 and a buffer against
6 residential. It was noted there was an error on the map being presented which showed
7 Pleasant Street which is actually County Drive.

8

9 Gail McLaughlin, 1126 Oakland Circle

10

11 Ms. McLaughlin asked if the residents would be able to have input in whether or not there is
12 egress onto County Drive. Ms. Jackson replied that that would be addressed through the site
13 plan approval process which does not typically go through a public hearing. She said they will
14 be required to submit traffic studies and address any issues at that time.

15

16 Attorney Williams noted that County Drive is a public street but allowing access would not be
17 a practical matter because staff does not generally allow high traffic on low volume streets.
18 He said it is correct there is not a public hearing for the site plan approval process. The
19 applications themselves are public documents and are available to be reviewed.

20

21 Ms. McLaughlin said the park's clubhouse is on County Drive. She said the traffic is intense
22 due both to the volume and the semi-trucks. She said she would like the City to consider
23 speed bumps on County Drive. She said their park is in the middle of commercial and asked
24 that they not be forgotten.

25

26 Connie Brack, 1528 Lakeview

27

28 Ms. Brock stated that there was an error on the map [issued raised earlier in meeting regarding
29 Pleasant Street on map]. Ms. Jackson agreed.

30

31 **The Public Hearing was closed.**

32

33 **MOTION**

34

35 **Sandy Gamble moved to approve Ordinance #2005-42, seconded by Dennis Wilson. The**
36 **motion carried unanimously 4-0 with Ted Wicks abstaining.**

37

38 **Ordinance #2005-38 – Holder Property 30336 Mansfield Road – Annexation &**
39 **Rezoning – First Reading**

40

41 Ms. Barnett read the ordinance by title only:

1 Ms. Keedy stated as the area develops, additional right of way will be required from those
2 properties and the road access will need to be improved as the traffic increases.

3
4 Vice Mayor Clutts stated she thought the City needed to look at this area and consider
5 improvements to make it safer through traffic control, sidewalks, etc.

6
7 Gail McLaughlin

8
9 Ms. McLaughlin asked Council to consider the two properties together [current ordinance as
10 well as property due north previously annexed RMF-2] (as they are on either ends of County
11 Drive) for traffic issues.

12
13 Ms. Keedy noted that all new development now requires sidewalks and areas that do not have
14 sidewalks are retrofitted whenever possible.

15
16 Phil Blose, 1395 County Drive

17
18 Mr. Blose stated that County Drive has been a major thoroughfare for cars coming off SR 19
19 trying to avoid U.S. 441. He said there is a high amount of traffic day and night. He asked for
20 the location of Gause Street. Ms. Jackson said she believed it was an extension of Mansfield
21 Road next to the property being annexed.

22
23 Vice Mayor Clutts stated she appreciated the input from the residents. She said that Tavares
24 has fairly substantial requirements of developers and that she believed the new codes would
25 encourage quality development.

26
27 **MOTION**

28
29 **Robert Speaks moved for the approval of Ordinance #2005-38, seconded by Sandy**
30 **Gamble. The motion carried unanimously 4-0 with Ted Wicks abstaining.**

31
32 Mr. Gamble suggested that stop signs might be considered at that area rather than speed
33 bumps. Ms. Keedy said she would have the city engineer review the problem.

34
35 **CITY COUNCIL ADJOURNS AND RECONVENES AS THE LOCAL PLANNING**
36 **AGENCY**

37
38 Ms. Barnett noted that there is a sign at the podium for anyone to sign who wishes to receive
39 notification from the Department of Community Affairs regarding their Intent for the next
40 three ordinances.

1 **Ordinance #2005-44 – Lake Region Packing Association – Parcel A – Future Land Use**
2 **Amendment – Recommendation to Council**

3
4 Ms. Barnett read the ordinance by title only:

5
6 **ORDINANCE 2005-44**

7
8 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**
9 **AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE**
10 **LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE**
11 **LAND USE DESIGNATION FROM LAKE COUNTY URBAN**
12 **EXPANSION TO CITY OF TAVARES COMMERCIAL FOR**
13 **PROPERTY LOCATED ON THE EASTERN SIDE OF STATE ROAD**
14 **19, APPROXIMATELY 600 FEET NORTH OF THE INTERSECTION**
15 **OF STATE ROAD 19 AND LANE PARK CUTOFF ROAD;**
16 **PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING**
17 **FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE**
18 **DATE.**

19
20 Ms. Jackson advised that this is a request for this parcel to be designated as a Large Scale
21 Future Land Use Amendment to go from Lake County Urban Expansion to City of Tavares
22 Commercial designation. This designation will allow either C-1 or C-2 zoning. She said it is a
23 designation compatible to the surrounding properties. The impacts will be dealt with through
24 concurrency review and management. The Planning & Zoning Board recommended approval.

25
26 **Public Hearing**

27
28 Sharon Farrell expressed appreciation for staff support and said she had no additional
29 comments.

30
31 **The Public Hearing was closed.**

32
33 **MOTION**

34
35 **Robert Speaks moved for the approval of Ordinance #2005-44, seconded by Dennis**
36 **Wilson. The motion carried unanimously 4-0 with Ted Wicks abstaining.**

37
38 **Ordinance #2005-43 – Lake Region Packing Association – Parcel B – Small Scale Future**
39 **Land Use Amendment – Recommendation to Council**

40
41 Ms. Barnett read the ordinance by title only:

1
2 **ORDINANCE 2005-43**
3

4 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**
5 **AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE**
6 **LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE**
7 **LAND USE DESIGNATION FROM LAKE COUNTY URBAN**
8 **EXPANSION TO CITY OF TAVARES COMMERCIAL FOR**
9 **PROPERTY LOCATED ON THE EASTERN SIDE OF STATE ROAD**
10 **19, APPROXIMATELY SIX-TENTHS OF A MILE SOUTH OF THE**
11 **INTERSECTION OF DEAD RIVER ROAD AND STATE ROAD 19;**
12 **PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING**
13 **FOR TRANSMITTAL; AND PROVIDING FOR AN EFFECTIVE**
14 **DATE.**
15

16 Ms. Jackson stated that this is a request for a Small Scale Future Land Use Amendment from
17 Lake County Urban Expansion to City of Tavares Commercial. There are surrounding mixed
18 use or commercial uses and the area would support either C-1 or C-2 uses. Any further
19 impacts of development will be dealt with through concurrency management. Staff finds this
20 in compliance with the Comprehensive Plan and recommends approval The Planning &
21 Zoning Board also recommended approval.
22

23 **Public Hearing**
24

25 Gail McLaughlin stated that the map appeared to show that part of their mobile home park
26 was being rezoned. Vice Mayor Wicks stated this was a reflection of the error noted
27 previously [not an indication of the mobile home park being included in this amendment].
28

29 Sharon Farrell stated that the annexation is for 4.74 acres, not the tower site and stated she
30 appreciated the staff support.
31

32 **The Public Hearing was closed.**
33

34 **MOTION**
35

36 **Sandy Gamble moved to approve Ordinance #2005-43, seconded by Robert Speaks. The**
37 **motion carried unanimously 4-0 with Ted Wicks abstaining.**
38

39 **Ordinance #2005-39 – Holder Property – 30336 Mansfield Road – Small Scale Future**
40 **Land Use Amendment – Recommendation to Council**
41

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

3 **ORDINANCE 2005-39**
4

5 **AN ORDINANCE OF THE CITY OF TAVARES, FLORIDA,**
6 **AMENDING THE TAVARES COMPREHENSIVE PLAN FUTURE**
7 **LAND USE MAP 2010, PROVIDING FOR A CHANGE OF FUTURE**
8 **LAND USE DESIGNATION FROM LAKE COUNTY URBAN TO CITY**
9 **OF TAVARES LOW DENSITY RESIDENTIAL FOR PROPERTY**
10 **LOCATED ON THE EASTERN SIDE OF GAUSE STREET, WEST OF**
11 **LAKE DORA; PROVIDING FOR SEVERABILITY AND CONFLICTS;**
12 **PROVIDING FOR TRANSMITTAL; AND PROVIDING FOR AN**
13 **EFFECTIVE DATE.**
14

15 Ms. Jackson stated this is a request for the Future Land Use Amendment in concert with their
16 annexation and rezoning. The request is for Low Density Residential Future Land Use
17 Designation in keeping with the surrounding properties. It is in compliance with the
18 Comprehensive Plan and the Planning & Zoning Board recommended approval.
19

20 **Public Hearing**
21

22 Sharon Farrell clarified there are 1.95 acres of uplands on the site and that Gause Street is the
23 300 ft. strip that runs from County Drive to the boat dock. Two home sites currently exist on
24 the parcel.
25

26 **The Public Hearing was closed.**
27

28 **MOTION**
29

30 **Robert Speaks moved that the Local Planning Agency approves Ordinance #2005-39,**
31 **seconded by Sandy Gamble. The motion carried unanimously 4-0 with Ted Wicks**
32 **abstaining.**
33

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

37 **Ordinance #2005-44 – Lake Region Packing Association – Parcel A – Future Land Use**
38 **Amendment – Transmittal Hearing**
39

40 Ms. Barnett read the ordinance by title only:
41

1 **The Public Hearing was closed.**

2
3 **MOTION**

4
5 **Sandy Gamble moved to approve Ordinance #2005-39, seconded by Robert Speaks. The**
6 **motion carried unanimously 4-0 with Ted Wicks abstaining.**

7
8 **Vice Mayor Clutts passed the gavel back to Mayor Wicks.**

9
10 **Resolution #2005-16 – RDC Properties – 316 W. Caroline – Variance to Setback**
11 **Requirements**

12
13 **RESOLUTION 2005-16**

14
15 **A RESOLUTION OF THE CITY OF TAVARES GRANTING A**
16 **VARIANCE TO THE REQUIRED FRONT YARD SETBACK AT 316**
17 **W. CAROLINE STREET; SUBJECT TO THE RULES, REGULATIONS**
18 **AND OBLIGATIONS ORDAINED BY THE CITY OF TAVARES**
19 **COUNCIL; PROVIDING AN EFFECTIVE DATE.**

20
21 Ms. Jackson said this was a request for a variance in the front yard setback from 25 feet to 20
22 feet for property located on the corner of Caroline and St. Clair. The property is redeveloping
23 from a single family home to an office. The house will be demolished and an office building
24 constructed. The request is to put a small porch on the front of the property. It will provide
25 for a covered entryway. Staff is in support of the variance based on the fact that it is within
26 the downtown Historic District. Staff will be coming forward in the near future with a
27 recommendation to revise the code to allow for setback encroachments for this type of
28 architectural feature.

29
30 **Public Hearing**

31
32 Duane Booth, Farner Barley Engineering, and partner with RDC Properties, stood to address
33 Council. He said they had considered several site plans but felt this design would look the
34 nicest in the historic district.

35
36 **MOTION**

37
38 **Nancy Clutts moved to approve Resolution #2005-16, seconded by Robert Speaks. The**
39 **motion carried unanimously 5-0.**

40
41 **AUDIENCE TO BE HEARD**

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

2
3 **COMMUNITY DEVELOPMENT**

4
5 **COMMUNITY SERVICES**

6
7 **POLICE DEPARTMENT**

8
9 **FIRE DEPARTMENT**

10
11 **PUBLIC WORKS/GENERAL SERVICES**

12
13 **FINANCE**

14
15 **State Revolving Fund Loan – Amendment 3**

16
17 Ms Houghton said this amendment completes change orders and is the final change order for
18 the Woodlea Plant Expansion. The change order is reasonable and it will have a minimal
19 impact on the debt service. Staff recommends approval. The first payment on the debt service
20 is due in December.

21
22 **MOTION**

23
24 **Nancy Clutts moved for approval of Amendment 3 to the State Revolving Fund Loan,**
25 **seconded by Sandy Gamble. The motion carried unanimously 5-0.**

26
27 **ADMINISTRATION**

28
29 **School Concurrency**

30
31 Ms. Keedy discussed the new requirement of the Legislature for the cities and counties to
32 include school concurrency in their comprehensive plans. For Lake County the schedule is to
33 have the comprehensive plans amended to include school concurrency by 2008. In addition,
34 the County has requested to be part of a pilot program that the Department of Community
35 Affairs is sponsoring to develop public facility elements and all other elements required to
36 implement school concurrency in order to use these models state-wide. There were six
37 counties selected. There have been two meetings of the cities, the county, and the School
38 Board to discuss the process. The State made \$200,000 in grants available to the County and
39 the School Board to assist them in this process. They have each hired a consultant. There has
40 been confusion on the part of the cities in terms of how this will be achieved, however, she
41 said that recently communication seems to have improved. She said at the last meeting there

1 was a work plan approved. The end product is due in June 2006. They have asked the cities,
2 county and School Board to come up with a list of issues that each entity believes needs to be
3 included or discussed in the elements that are required. She said she has spoken to the School
4 Board planner who provided a copy of a power point presentation (attached to memo supplied
5 to Council) that was presented at the Board of County Commissioner meeting the previous
6 day by one of their consultants.

7
8 Ms. Keedy reviewed the list of issues that staff had drafted:

- 9 • Level of Service – one level or different areas of the county with different LOS
- 10 • Concurrency Service Areas – recommend school attendance boundary
- 11 • School capacity – how will be it calculated? Using portables/not using
12 portables/special programs offered by some schools/charter schools/private schools
- 13 • Mitigation or proportionate share – what will the developer pay over and above impact
14 fees if they want to develop in an area where there is not adequate capacity.
15 Recommend that this process be developed up front.
- 16 • School siting criteria – acreage requirements/availability of public infrastructure
- 17 • Oversight Committee – city, county and school board representatives would meet to
18 monitor how schools will be sited and how concurrency will be monitored. When the
19 School Board adopts a Capital Improvement Plan the cities and the county will have to
20 adopt that plan in their capital improvement element of the Comprehensive Plan

21
22 Ms. Keedy said the issue list is to be forwarded by November 10th and the next joint meeting
23 is November 18th. They have requested an elected official and a staff representative to be
24 designated from each city.

25
26 Vice Mayor Clutts discussed the last joint meeting she had attended noting there was a
27 problem in communication. She said there had been more information presented post meeting,
28 than during the meeting. She recommended that the City send a letter requesting to have the
29 power point presentation that the Commissioners received at the next joint meeting.

30
31 Discussion followed regarding the role of the consultants in the process and the fact that
32 having one consultant for all 14 cities had been discussed but determined to be not feasible.
33 Vice Mayor Clutts stated she felt there should be a formal stipulation of how the county and
34 school board consultants are used and that there needed to be a credible and consistent source
35 of information. She noted the grant money was contingent on the plan being adopted by a
36 certain date and having all 14 cities sign on to the plan.

37
38 Attorney Williams noted that all future meetings of this group will be noticed for the County,
39 School Board and each member city as public meetings. He said the last meeting was a joint
40 meeting between the School Board and the County where the cities were invited. He said the

1 Chairman had called for a vote but the cities were not expected to vote at that meeting. He
2 said this will be fast process and the City should be following the process closely.

3
4 Ms. Keedy said Mr. Myers (Lake County League of City Executive Director) will be
5 notifying the League of City email distribution list of information that is received from the
6 County or the Cities. Mr. Welstead will send information to the City Managers and the
7 Planners and the City/County Attorneys will also have an email group. She said she will
8 forward the information to Council.

9
10 Attorney Williams asked Council if they had additional issues to add to Ms. Keedy's list. He
11 said a mediator is going to be hired to facilitate the agreement between the cities, the county
12 and the School Board.

13
14 Vice Mayor Clutts said she thought Ms. Keedy had done a good job outlining the issues. She
15 offered to be the city representative (if she is re-elected). She added that whoever is
16 designated should make sure to communicate if they are unable to attend the meeting, so that
17 the city is represented.

18
19 Mayor Wicks said he believed Ms. Keedy should be the staff representative.

20
21 **Consensus to designate Vice Mayor Clutts as the elected official representative, and Ms.**
22 **Keedy as staff representative, and submit the issues list as formulated by Ms. Keedy.**

23
24 It was noted that Council should email Ms. Keedy with any additional comments. Attorney
25 Williams stressed that all councilmembers could attend the future meetings as they will be
26 publicly noticed.

27
28 **REPORTS**

29
30 **Attorney Williams**

31
32 **Councilmember Gamble**

- 33
- 34 • Procedure for inspecting roads that are annexed into the city. Ms. Keedy said it would
35 be done by Mr. Mercer or his staff designate. Attorney Williams said staff have done
36 actual core samples and in some instances the city has refused to annex the streets or
37 drainage until they were brought up to standard. He said the City is supposed to not
38 take in streets that are substandard.
 - 39 • Baseball program: Asked if there had been a change. He said he was told there was
40 supposed to be a meeting with the parents where the City would be asking them to
41 take over the program. Ms. Keedy said the city is keeping the Babe Ruth program. She

1 said there had been an attempt by staff in the past to determine if there was interest in
2 a parent-run organization. She said there was some confusion because an email was
3 sent out but she thought it had been straightened out.
4

5 **Councilmember Wilson**

- 6
- 7 • Stated he will be gone until about November 12th
- 8

9 **Vice Mayor Clutts**

- 10
- 11 • Fall Festival – Said the festival was outstanding
 - 12 • Wastewater Plant opening – commended staff and city engineer on opening and tour
13 of plant
 - 14 • Art Opening – encouraged council to attend this Friday’s art opening
- 15

16 **Councilmember Speaks**

- 17
- 18 • Reminded everyone to vote on Tuesday
- 19

20 **City Administrator**

21

22 No further report.

23

24 **Mayor Wicks**

- 25
- 26 • TMDL – said he will be reviewing the latest reports and that he would be giving an
27 update along with Vice Mayor Clutts at a future meeting.
- 28

29 **Adjournment**

30

31 There was no further business and the meeting was adjourned at 7:15 p.m.

32

33 Respectfully submitted,

34

35

36

37

38 Nancy A. Barnett
39 City Clerk

40

41