

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
JANUARY 9, 2007 5:30 P.M.**

Mayor Tom Katsanis called the regular meeting of Tuesday January 9, 2007 to order at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Mayor Katsanis gave the invocation and the Pledge of Allegiance to the Flag was led by students from Lake Placid Christian School.

ROLL CALL:

Mayor Tom Katsanis
Council Member Jim Waller
Council Member Bill Brantley
Council Member Charles Wilson
Council Member Debra Worley

Town Clerk Arlene Tuck
Town Attorney Bert Harris
Town Public Works Director Jim Fulton
Town Utility Director Gary Freeman
Town Police Chief Phil Williams
Town Recreation Director John Komasa
Town Planner Susan BuChans

APPROVAL OF AGENDA:

Council Member Wilson made a motion to approve the agenda with the exception of moving the report from the Planning Department to the end of the meeting (at the request of the Planners); motion seconded by Council Member Brantley. On roll call, Council Member Worley, Council Member Wilson and Council Member Brantley voted yes; Council Member Waller had not arrived at the meeting. Motion carried 3 to 0.

POLICE DEPARTMENT DISCUSSION:

The Council set this time for a special discussion on the Lake Placid Police Department. The Council Chambers was full to capacity, with citizens packing the lobby and several having to stand outside. The overflowing citizenry were present to support retaining the Lake Placid Police Department. It was estimated by the newspaper that there were over 200 persons present.

Mayor Katsanis stated at the last meeting he had made a suggestion, which he stated had been suggested to him, about dissolving the Lake Placid Police Department and using the Sheriff's Department for policing. Mayor Katsanis stated he was informed we already pay for the Sheriff's Department protection and this would be a way the Town of Lake Placid could reduce their millage. Mayor Katsanis stated he would like residents of the Town to speak first, then business owners and then residents from outside the Town.

One by one the citizens approached the podium. The first to speak was Steve Bastardi. Mr. Bastardi stated from the beginning he was definitely in favor of keeping the Lake Placid Police Department. He stated as a resident and business owner he felt we were receiving a level of service we would not receive from the Sheriff's Department.

Sheriff Susan Benton was present and stated she wanted to inform the audience she had never asked to take over the Police Department. She stated the suggestion was brought to her. She further stated she would police the Town but of course with all the other areas her department has to handle, the Town would not receive the level of service they now receive.

After two hours of hearing responses about the Police Department, Council Member Brantley stated he wanted to make a motion to retain our Police Department as is and review ways of reducing at the next budget cycle by studying each department closer; motion seconded by Council Member Worley. On roll call, Council Member Waller, Council Member Wilson, Council Member Worley and Council Member Brantley voted yes. At which time there was a very loud roaring of applause.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Attorney – No comments

B. Town Planning Department:

1. Selection of LPA permanent member – Mayor Katsanis stated we received a resume from Steve Bastardi to serve as a permanent member of the LPA and we had also received a letter tonight from Jackie Edgemon that he would be interested in serving on the LPA. Council Member Brantley made a motion Steve Bastardi be appointed as the permanent member of the LPA; motion seconded by Council Member Waller. On roll call, motion carried unanimously.
2. Interlocal Agreement – Highlands County/Town Relating to Impact Fees and Interlocal Agreement – Highlands County Adm. School Impact Fee Program – Mr. Polatty stated he felt a special meeting should be held for these matters with the County Engineer. Council asked the Mayor to work on scheduling a special meeting for this matter.

Atty. Harris asked Council if they wanted him to proceed with negotiating with the developers along Heartland Boulevard. Council Member Worley made a motion Atty. Harris is to move forward with the developers along Heartland Boulevard as long as the Developers agreed to pay the bill; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

3. Mrs. BuChans stated she needed to proceed with Ordinance 06-522 – Large Scale Comprehensive Plan Amendment. She asked the Council what density they would like her to use. Council Member Waller made a motion Mrs. BuChans write the Ordinance for 10-units per acre cap; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

C. Town Recreation Director:

1. Review of Elementary School request – Mr. Komasa informed the Council he had been approached by John Varady, from the Lake Placid Middle School, for help in developing an area for a disability playground area. He stated Mr. Varady and his committee is looking into placing a playground area for disabled children at the northeast area of the Lake Placid Elementary School and would hope to be able to work something out with the Town to use the basketball courts parking area. This would allow the playground area to be open to the public at all times. Mr. Komasa just stated he was asking for Council's permission to proceed with doing more review into the matter. Council stated they thought it was a good idea for Mr. Komasa to stay on top of this project and continue to report back to the Council.
2. Karen Grunden – Use of DeVane Park for Flea Market – Mrs. Grunden stated her lease at the Tower was not renewed, therefore she had no place for her flea market. She asked if the Town would allow her to use DeVane Park. Mr. Komasa reminded the Council that the Park is used many times during the year for weddings, school functions and non-profit functions. The Council also felt it was not wise to allow a weekly event in a public area. Several areas were suggested to Mrs. Grunden. She stated she would work on the other areas.
3. Bill for batting cages – Mr. Komasa stated the Little League had a bill for trusses that totaled \$17,500.00. Mr. Komasa stated they had informed him the Little League was going to pay for the trusses out of their fund, so Mr. Komasa stated he did not feel it needed to be put out for bids. This past week he received the bill asking for it to be paid out of RPAC funds. Mr. Komasa stated when he talked to the Town Clerk she informed him our Interlocal Agreement with RPAC states all bid policies of the municipality must be followed. She stated therefore the bill should have been put out for bids. Mr. Komasa stated he talked to the County's Recreation Director and she stated they would waive the requirement. Council instructed Mr. Komasa to go ahead and pay the bill and recoup it from the RPAC funds.

D. Town Utility Director:

1. Glacier Water Machine Contract – Mr. Freeman and Mrs. Tuck stated they had reviewed the new contract with Glacier Water and reviewed the yearly fees received. They felt it was time to discontinue the contract with Glacier Water. Council Member Worley stated she also reviewed the contract and felt the same way. Council Member Worley made a motion the Town terminate the contract with Glacier Water; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

E. Town Public Works Director:

1. Alvyn Gardens – Sidewalk Problem – Mr. Fulton stated Alvin Alvyn, owner of Alvyn's Enterprises, Inc. had contacted him concerning water

going into his place of business when it rains. Mr. Fulton stated the water comes down the sidewalk from the east, draining to the west. Mr. Fulton stated he could try putting some cuts into the sidewalk to see if that would deviate some of the water. Atty. Harris informed Mr. Fulton he needed to get it in writing that Mr. Alvyn agreed to the cuts.

2. Surplus of vehicles – Mr. Fulton stated he would like Council to declare the 1989 Ram Truck, the John Deere ATV and the 1982 F700 dump truck as surplus equipment. Council Member Brantley made a motion that Mr. Fulton’s request be approved; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

F. Police Department: Chief Williams thanked everyone for their support and pledged to continue with the full safety of the Town.

G. Mayor/Town Council Members:

1. Council Member Worley – Watershed Grant Update – Council Member Worley stated she applied for the grant Council gave her permission to apply for and had been successful in being awarded a \$4,999.99 grant for education. She stated she would put it towards the Earth Day events to be held at the end of April. She further stated she wanted to know if the Council wanted to accept the grant and for her to continue working on this project. Council Member Waller made a motion she accept the grant and proceed forward; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

A. Final Plat Review – Magnolia Manor – Mrs. BuChans stated the applicant is requesting a final approval of plan of an area that was annexed into the Town limits in 2005. The subject property is located north of Huntley Drive and east of Pendarvis Road. Applicant desires to build single-family homes. Mrs. BuChans further stated staff was recommending continuation of this matter because all reports from the Town’s engineer have not been received.

Bill Brantley, developer and owner of Magnolia Manor, stated he has been working on this project for over three years and he did not feel it was right for the Town’s engineer to hold him up again. He stated he has been very disappointed with the work ethics of the Town’s engineer. He stated it takes them so long to review a project and most of the items are very minor. Mr. David Ballew, of HIW Development, stated his project has also had many issues with Envisors (the Town’s engineers). Mr. Ballew stated he further was informed Envisors does not have their own traffic engineer in house and has to farm out the work. Mr. Ballew stated he did not feel the Town has handling this matter correctly for the developers. Mr. Brantley asked that the Town approve his final plat contingent upon all acceptances by the Town Attorney, Planning Department and Engineer staff. He stated he is ready to finish his project and still does not have a final plat.

Council Member Waller made a motion the final plat be approved subject to approval by the Town Attorney, Planning Department and Engineer Department; motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Waller and Council Member Worley voted yes; Council Member Brantley abstained from voting due to a conflict of interest (capital gain). Motion carried 3 to 0.

B. Site Plan Review – Heartland Pharmacy – Mrs. BuChans stated the applicant is requesting a site plan approval for a proposed pharmacy with a drive up window and office. She further stated after much discussion, the site plan was recommended by LPA to the Town Council for approval with the following conditions:

1. Drive through pharmacy exit to be a single-lane drive onto Spruce Street.
2. Additional landscape and trees along Spruce Street to shield commercial building from residential area.
3. Connectivity between pharmacy/office buildings with office next door (to the east).
4. Wall to south, block wall to be maintained by property owner.
5. Place in “deed restriction” and in “final development order” that this building will remain a pharmacy and professional office.
6. Businesses will close at 6:00 P.M.
7. If there is a freestanding lighting it is to be consistent with downtown lighting.

Council Member Brantley made a motion the site plan be approved with the conditions stated by the LPA; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

C. Ordinance No. 06-523 – PD/DO – HIW Planned Development – Mrs. BuChans stated the applicant is requesting a rezone to amend the Land Use Map from Highlands County Agriculture (AU) and Lake Placid Agriculture (A-1) to the Town of Lake Placid Multi Family Residential District (R-2) with a Planned Development (PD) overlay for approximately 17.725 acres of property located in a portion of the Northwest Quarter of Section 31, Township 36 South, Range 30 East, Highlands County, Florida, east of Main Avenue and north of Heartland Boulevard. In addition, the applicant applied for a Large Scale Amendment to the Comprehensive Plan to amend the Future Land Use Map to Medium Density Residential. The applicant intends to develop the site for residential dwelling units.

Mrs. BuChans stated the LPA moved to recommend approval to the Town Council for rezone to amend the Land Use Map from Highlands County Agriculture (AU) and Lake Placid Agriculture (A-1) to the Town of Lake Placid Multi Family Residential District (R-2) with a Planned Development (PD) overlay for approximately 17.725 acres of property with the following changes:

1. 160-1.7 B. The concurrency mandated facility improvements required for this development should be determined at or before final site plan approval.
2. 160-1.7 H. Prior to construction, the Developer shall pay or provide (at the Town's option) the concurrency mandated traffic improvements being the greater of the following alternative cost calculation methods:
3. 160-1.7 I. The Developer shall pay its share of the signalization of United States Highway 27 intersection at Heartland Boulevard.
4. 160-1.9 C. The Developer shall design, permit and cause to be installed, and connected according to law, the reuse supply lines from the point established by the Town to the Development, on the Development.
5. 160-1.8 C. The Association shall maintain the irrigation systems, reuse lines, landscaped buffers, setbacks, sidewalks, all other common areas and the water management district mandated systems, all in a good and workman like manner, and in accordance with the approved landscape plan.
And zoning approval contingent with an approved Future Land Use Amendment effective by law.

Council Member Worley made a motion to approve Ordinance 06-523 with the conditions as stated by the Town of Lake Placid Local Planning Agency/Board of Adjustment; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

Council Member Brantley made a motion the meeting adjourn; motion seconded by Council Member Waller. Mayor Katsanis hearing no objections declared the meeting adjourned at 9:20 P.M.