

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
MARCH 8, 2010 5:30 P.M.**

Mayor Tom Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday, March 8, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The Invocation was given by Rev. Fred Ball of the Memorial United Methodist Church of Lake Placid. The Pledge of Allegiance to the Flag was led by Lake Placid Christian School.

ROLL CALL:

Mayor Tom Katsanis
Council Member Charles Wilson
Council Member Ray Royce
Council Member Steve Bastardi
Council Member Carol Smart

Deputy Clerk Jackie Haynes
Town Attorney Bert Harris
Town Planner Sue BuChans
Town Public Works Director Jim Fulton
Town Recreation Director John Komasa
Town Utility Director Gary Freeman
Town Police Chief Phil Williams

ABSENT:

Town Clerk Arlene Tuck

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- C. Approval of Monthly Reports and Payment of Monthly Bills
- D. Proclamation for Water Conservation Month
- E. Proclamation for National Public Works Week
- F. Approval of Amended 2010 County Interlocal Agreement for Recreation
- G. Set FRWA Rate Study Workshop – April 26th at 6:00 P.M.

Council Member Royce made a motion the consent agenda be approved with F. Approval of amended 2010 County Interlocal Agreement for Recreation be moved to Action with Recreation Director; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

PRESENTATION:

- A. Relay for Life- Ginger Keimel, event chair for Lake Placid Relay for Life stated to Town Council Relay for Life would like permission to:

1. Put purple bows on the light poles and some trees along Interlake Boulevard, Main Avenue and Dal Hall Boulevard from the second week in March until the second week in April.
 2. Put there goal thermometer on the north wall of Wauchula State Bank on Interlake Boulevard. This sign would go up during March and would remain their for 3 months.
 3. Hang a 10-foot banner on the property of Sun Trust Bank near the corner of Interlake Boulevard and US 27. Permission from Robert Brown has been obtained. The banner will be placed the second week of March and would be removed by April 12, 2010. Council Member Wilson made a motion the Town approve the requests made by Ginger Keimel of Lake Placid Relay for Life; motion seconded by Council Member Royce. On roll call, Council Member Wilson, Council Member Bastardi and Council Member Royce voted yes, and Council Member Smart voted no; motion carried 3 to 1.
- B. Lake Placid Christian Ministerial Association- Mike Ford stated that the Lake Placid Christian Ministerial Association would like to place small wire signs for Greater Lake Placid Day of Prayer. This event will take place on Sunday, March 21, 2010 on Devane Circle. Mr. Ford asked if he could put 20 signs up on Saturday March 20, 2010 around the circle and pick them up on March 21, 2010 after the event. Council Member Royce made a motion the Town approve Lake Placid Christian Ministerial Association to place the signs on Devane Circle; Motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Bastardi and Council Member Royce voted yes, and Council Member Smart voted no; motion carried 3 to 1.
- C. Lake Placid Cub Scout Pack 426 – Pamela Karlson stated that Lake Placid Cub Pack would like permission to place an inflatable duck at will 3 businesses in Town the week of April 18, 2010. This duck will represent a fund raiser that Cub Pack 426 will be doing on April 24, 2010. The businesses involved will be Karlsons Law Office, Klohn’s Office building and Lake Placid Marine. Council Member Wilson made a motion the Town approve Lake Placid Cub Scout Pack 426 inflatable duck; motion seconded by Council Member Bastardi. On roll call, Council Member Wilson, Council Member Bastardi and Council Member Royce voted yes, and Council Member Smart voted no; motion carried 3 to 1.

DEPARTMENT HEADS:

A. Town Planner:

1. Proposed Roadway Closure – First Presbyterian Church – Mrs. BuChans stated the First Presbyterian Church is petitioning the Town to Close/vacate a portion of East Belleview Street. Mrs. BuChans presented maps to show where First Presbyterian Church wants to close off the road, noting that lots 10, 11, 12 and 13 and lot 18 are owned by a private property owners. Mrs. BuChans noted that both land owners have agreed if they would ever sell there property, the First Presbyterian Church will have the first offer to buy the property. Mrs. BuChans stated that she proposed to Mr. Whidden of a Cul-De-Sac. Mr. Whidden stated that East Belleview Street will not be closed until the First Presbyterian Church starts building there new development. Mrs. BuChans also stated that Mr. Whidden contacted Atty. Pam Karlson and she has

prepared a Cross Easement Agreement. Mr. Tompkins stated that he has agreed with the Cross Easement Agreement and that He wanted to have the easement placed as is for the purpose of delivery trucks to enter without a problem. Mr. Gilde stated that First Presbyterian Church does not expect to immediately close the road off. First Presbyterian Church will only close the road for church activities. Mr. Gilde also stated that N Oak Avenue will not be closed permanently and when closed at times it will be done by cones. Mrs. BuChans stated that she does not object to the closure of a portion of East Belleview Street right-of-way and recommends to the Council that this request be approved contingent upon: (1) reserving, and recording a Cross Easement Agreement over the vacated and abandoned portion of East Belleview Street right-of-way; (2) reserving, and recording a Cross Easement Agreement to provide roadway access to the private land owner on Lots 10, 11, 12 and 13, Block 2 and the private land owner on Lot 18, Block 1; (3) submitting the proposed Cul-De-Sac Improvement for the northern most end of Magnolia Avenue built to the Town's current roadway standards, and a timeline of construction of the project proposed; and (4) recording a Quit Claim Deed of the Church land proposed for the Cul-De-Sac Improvement for the northern most end of Magnolia Avenue. Atty. Harris stated that the Mrs. BuChans recommendations be changed to include private access to all lots of the road. Ms. Worley stated that she does not oppose the closing of East Belleview Road. Ms Delaney stated that she is concerned about the traffic flow that will come on East Park Street, which her house is on, if the road should be closed on both ends of East Belleview Street at a later date. Council Member Royce made a motion the Town approve the First Presbyterian Church closure of a portion of East Belleview Street contingent upon: (1) reserving, and recording a Cross Easement Agreement over the vacated and abandoned portion of East Belleview Street right-of-way; (2) reserving, and recording a Cross Easement Agreement to provide roadway access to the private land owner on Lots 10, 11, 12 and 13, Block 2 and the private land owner on Lot 18, Block 1 with lots 13,14,15,16 and 17, Block 1 in absence of unity of title and Block 2, Lots 1,2,3,4 and 5 in addition to Lots 10,11,12 and 13 Block 2 in absence of unity of title; (3) submitting the proposed Cul-De-Sac Improvement for the northern most end of Magnolia Avenue built to the Town's current roadway standards, and a timeline of construction of the project proposed and closure is suspect to conveyance and actual construction of Cul-De-Sac; and (4) recording a Quit Claim Deed of the Church land proposed for the Cul-De-Sac Improvement for the northern most end of Magnolia Avenue; and include private access to all lots of road. Motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

B. Public Works Director:

1. Lake Clay Watershed Project- Debra Worley issued a pamphlet guide to area lakes and stated that the total maximums for daily loads for lakes are not compliant with EPA, who now develops standards for Highlands lakes. Ms. Worley stated that the Tower owner and Atty. Harris met on Thursday March 4, 2010 and the property owner has been cooperative. Mr. Michael Peck, SWFWMD Staff Engineer for the Lake Clay Project, stated he is requesting that the Mayor signs and Town Clerk attest the easement agreement signed by the property owner after it has been prepared by

Atty. Harris. After signed and recorded the agreement can be sent to SWFWMD. Mayor Katsanis and Atty. Harris assured Ms. Worley that the agreement would be done and signed by next week.

2. Mr. Fulton Public Works Director stated that the flag on US 27 can not come down because there is a problem with the flag pole. Progress Energy will be coming to help repair the pole. Mr. Fulton also stated that he received the Conceptive Use Permit from SWFWMD for the cemetery well. Mr. Fulton also, stated that the lowest bid for the cemetery well project is Thomas Bush Irrigation. Council Member Royce motioned to accept the low bid for the cemetery well as long as the previous bid is still valid and funded by the cemetery trust budget which the cemetery budget should be amended to do cemetery well; motioned seconded by Council Member Wilson. On roll call, motion carried unanimously.
3. Mr. Fulton stated that he has asked Better Roads to come and look at Tangerine Drive for road repair. Council Member Royce stated that we need to check with Mr. Gavarette before we spend any money that Highlands County may be able to repair. Council Member Wilson stated that Green Dragon Drive should also be looked at. Mr. Fulton stated that he has spoken with Highlands County School Board and they have not agreed to repair it. Council Member Royce stated the Town should send a letter asking Highlands County Board of County Commissioners and Highlands County School Board if they would assist in repairing Green Dragon Drive. Council Member Royce made a motion to ask Highlands County Board of County Commissioners and Highlands County School Board to cooperate with the Town in the funding of the resurfacing of Green Dragon Drive; motion seconded by Council Member Bastardi. On, roll motion carried unanimously. Atty. Harris stated that Clerk Tuck should write a letter to both parties asking for there cooperation.

C. Recreation Director:

1. Lake June Ball Fields Practice and Softball Field Lighting – Mr. Komasa stated that the bids were opened for the Lake June Ball field Lighting and there were two different specifications; one for the practice field lighting and the other for the softball field lighting. Mr. Komasa stated that there was only one bid received from Central Contractors. Mr. Komasa stated that there bids were for Lake June Ball Field Practice Lighting \$7,762 and for Lake June Ball Field Softball Field Lighting \$19,583. Mr. Komasa stated that the total cost is \$27,345 which leaves \$4,655 out of \$32,000 coming from Highlands County. Mr. Komasa stated that he would like to use the remaining balance to help with the offset of the lighting of the Men’ Softball field. Council Member Bastardi stated that he is not opposed to putting the lights up but he is opposed to hooking them up to the electricity for fear that the cost would be placed on the Town’s tax payers. Council Member Royce made a motion to accept the bid from Central Contractors for the Lake June Practice Field Lighting for \$7,762; motioned seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Royce and Council Member Smart voted yes, and Council member Bastardi voted no; motion carried 3 to 1.

- Council Member Royce made a motion to accept the bid from Central Contractors for the Lake June Softball Field Lighting for \$19,583; motioned seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Royce and Council Member Smart voted yes, and Council member Bastardi voted no; motion carried 3 to 1.
2. Spruce Park - Mr. Komasa stated that Spruce Park has been renovated and all of the equipment has been painted. Mr. Komasa also stated that the Shuffle Board Court shed is demolished and he has spoke with Mr. Eisenhart to see if he would help landscape the vacant area.
 3. Approval of amended 2010 County Interlocal Agreement for Recreation- Council member Royce made a motion to approve the Interlocal Agreement for Recreation between Highlands County and Town of Lake Placid deleting paragraph 7 and 8 and adding paragraph 15; motion seconded by Council Bastardi. On roll call, motion carried unanimously.
- D. Police Chief:
1. Chief Williams invited Town Council Members to come to the Police Station and see how the Police Station is run. Chief Williams also invited the Town Council to ride with Town Police during the day when time is available for them.
- E. Utility Director:
1. Schedule special meeting for discussion on Highlands Utilities Proposed Contract- Mr. Freeman stated the special meeting will be March 22, 2010 at 6:00 PM.
 2. Purchase of Vehicle- Mr. Freeman stated the truck that will be purchased will replace vehicle #3 truck that is now being used to read all of the water plants and sewer lift stations and also takes water samples on a daily basis. Council Member Royce made a motion to approve the purchase of the new vehicle; motioned seconded by Council Member Wilson. On roll call, motion carried unanimously.
- F. Town Attorney:
1. Oak Island Property Owners- Atty. John McClure stated that he is the representative for Oak Island Homeowners. Atty. McClure stated to request and petitions the Town to vacate the public dedication of the roads in Oak Island. Atty. McClure published the sign petition by the home owners. Council Member Royce motioned for the Town to set a public hearing to consider the petition of Oak Island to vacate the public dedication of road way on April 12, 2010 at 5:30 P.M. or soon there after unless Oak Island home owners see different; motion seconded by Council Member Bastardi. On roll Call, motion carried 3 to 1, with Council Member Smart sustaining her vote. Atty. McClure stated he has retrieved the petition to attempt to obtain the final signatures of the remaining home owners.
- G. Interlocal Agreement- Lake Placid Planned Vision- Council Member Royce stated the reason to review the Interlocal Agreement is because tomorrow March 9, 2010 the Board of County Commissioners will be presented the JPA and if everything goes as anticipated they will vote on it on March 16, 2010. Mr. Harris stated he will suggest to the Highlands County Board of County Commissions on the JPA draft the following changes be made: (1) page 1, last paragraph be removed because the Town did not have an Interlocal Service Boundary Agreement;(2) page 2 paragraph 3 be changed because the Town did

not vote to have adopted amendments; (3)Page 2 number 1, the wording *To work on a* should be taken out because the Town already has a planned vision;(4) Page 7 Exhibit C title should read: Utilization of the following Sustainable Growth Principles; (5)Page 8 number 9 and 10 the last sentence should be removed from each; (6) Page 9 Number 1, the word *sustainable* should be removed. Mr. Harris stated that he and Council Member Royce will meet with the Highlands County Board of Commissioners and will bring back the amendments that may have to be adopted.

H. Town Clerk:

1. Election- April 6, 2010- In Clerk Tuck's absence, Deputy Clerk Haynes stated that the Election for the Town of Lake Placid will be on April 6, 2010 at the First Baptist Church.

I. Mayor/ Town Council Members:

1. Council Member Bastardi:
 - A. Cemetery Rules- Council Member Bastardi stated the cemetery rules are still outstanding.

6. PUBLIC HEARINGS:

- A. Ordinance 2010-601- Amending 2009-2010 Budget (1st hearing) - Atty. Harris presented the Council with ordinance 2010-601. After review of the ordinance, Council Member Royce stated that there is a error in the fiscal year. Atty. Harris stated it should read the fiscal year 2009-2010. Atty. Harris also stated that this ordinance can be passed on first hearing with the error and make the correction the second hearing. Council Member Royce made a motion to approve Ordinance No. 2010-601 on first hearing being it is amended on 2nd hearing; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
- B. Ordinance 2010-600- Water/ Sewer (2nd hearing)- Atty. Harris stated Ordinance 2010-600 will be presented at the special meeting on March 22, 2010 at 6:00 P.M.

Mayor Katsanis declared the meeting adjourned at 8:30 P.M.