

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

Mayor Katsanis called the meeting to order at 5:30 P.M. on Monday, April 9, 2007 at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Attorney Michael Rider gave the invocation and students of the Lake Placid Christian School led in the pledge of allegiance.

ROLL CALL:

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

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

Mayor Katsanis introduced Congressman Tim Mahoney who was visiting the area. Congressman Mahoney introduced himself to the audience and gave an update of what he has been doing in Washington recently.

APPROVAL OF AGENDA: Council Member Wilson made a motion the amended agenda be approved as presented; motion seconded by Council Member Waller. On roll call motion carried unanimously.

CONSENT AGENDA:

1. Approval of Monthly Reports and Payment of Monthly bills
2. Approval to Use Banners in DeVane Park for Earth Day
3. Approval of Earth Day Brochures
4. Approval of Drinking Water Week Resolution

Council Member Waller made a motion the consent agenda be approved; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

PRESENTATION:

- A. Lake Placid Chamber of Commerce – Future Civic Center – Mr. Harold Owen, representing the Lake Placid Ridge Community Center, Inc., a committee of the Lake Placid Chamber of Commerce, informed the Council the committee was hard at work developing plans for a wind compliance civic center. Mr. Owen further informed the Council Mr. Alan Grigsby, who owns land on Tangerine Drive west of the Lake Placid Middle School has donated 11.9 acres of land to the Committee for the Civic Center. Mr. Owen stated the Committee was working on getting grants and is now a tax-exempt corporation that can receive donations.

Mr. Owen's stated the Committee will keep the Council informed on their progress.

- B. Law Day Proclamation – Mayor Katsanis read a Proclamation declaring April 30, 2007 as Law Day.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Attorney – Atty. Harris stated he had no reports.

- B. Town Planning Department:

1. Amending Town's deadline for Large Scale Plan Amendments – Mrs. BuChans gave the Council a copy of the updated amended deadlines for the submissions of the Large Scale Plan Amendments. Council Member Wilson made a motion the update be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Walgreens – Council Member Brantley asked about the road closing on Hibiscus by Walgreens. Atty. Harris asked Chief Williams if he gave permission. Chief Williams stated no one asked him if they could close the road. Council Member Waller made the following motion: Atty. Harris is to contact the representative from Walgreens and inform them that no Certificate of Occupancy will be furnished until they repair the road/alleyway (Hibiscus between SFCC and Walgreens) to County specs and reopen the road, that they deed any interest they have in the road/alleyway to the Town and that they reconfigure the building with brick as they promised; this motion subject to the Town Clerk listening to the tape and determining all these items had been negotiated; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

- C. Police Chief:

1. Budget Amendment – purchase new computers – Chief Williams stated he just wanted to inform the Council he would be making a line item adjustment from Building of a Shed to Computers. Chief Williams stated because of the new 9-1-1 system he needs to update his computers.

- D. Town Utility Director:

1. Water Master Plan – Mr. Freeman informed the Council he had several bills from Keith & Schnars for the work they have done on the water master plan. Mr. Freeman stated he had contacted the State because we were supposed to receive repayment for the plan. The State informed him the Town would have to borrow up to \$7 million before they could reimburse the cost of the master plan. Mr. Freeman stated he had spoken with Keith & Schnars and they are willing to take payments instead of the full \$52,069.00 now due. Council Member Worley made a motion the Town make payments to Keith & Schnars for the monies they are due; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

- E. Town Recreation Director:

1. Tourist Club Building – Mr. Komosa stated this matter was on the agenda due to the Police Department and Chambers request to use the Tourist Club Building during festival for medical purposes. Mr. Komosa stated

the Lake Placid Tourist Club had informed him that the building belonged to them and they did not want anyone in the building because they had their personal items in the building. A representative of the Tourist Club was present and stated they still wanted to use the building and courts. Council informed the Tourist Club they were more than welcome to use the building and courts, however the building and courts are public. Anyone is welcome to use either. The Council further stated they should schedule their activities through Mr. Komosa.

2. Lake Placid High School Athletic – Use of DeVane Park – Mrs. Cindy Rivers, athletic director at the Lake Placid High School, stated she was requesting to use DeVane Park to hold a carnival and bar-b-que. She stated the athletic department was trying to bring together all sports for a fun day. She stated each sport would have a booth set up so parents and students could ask questions or register for the sport. Council Member Waller made a motion the Lake Placid High School Athletic Department be allowed to use DeVane Park on May 5, 2007 for their carnival and bar-b-que; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
3. Opening Bids – Mr. Komosa stated he had advertised for bids for playground equipment for Lake June Sports Complex. He stated he received three bids and was requesting the Council approve the low bid from GameTime in the amount of \$42,661.68. He Komosa stated the Town would be repaid through the FRDAP grant. Council Member Waller made a motion the bid from GameTime of \$42,661.68 be approved; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

F. Town Clerk:

1. Amending Safety Manual – Mrs. Tuck informed the Council there is a provision in the Town's Safety Manual (00.01.700 through 00.01.728), which requires the Town to pay employees for no injuries during the year. Mrs. Tuck stated the staff met and did not feel this policy was equal for all employees. Therefore, staff was recommending the Council delete this policy. Council Member Worley made a motion the Safety Manual be amended to delete any reference to employees receiving any type of pay incentives for non-juries during the year; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Site Plan Review – Better Living - Mrs. BuChans stated Better Living proposes a paved parking lot with landscaping for the Seventh Day Adventists Church conference hall located at the southwest corner of Phoenix Street and S. Pine Avenue. Mrs. BuChans stated on a motion by Commissioner Steve Bastardi and a second by Commissioner Carol Smart, the Local Planning Agency/Board of Adjustment unanimously voted to forward to Town Council, recommend applicants site plan approved as presented with exception in parking width 10 feet and staff verifying landscaping with engineer. Council Member Waller made a motion pursuant to LPA's motion, move to recommend the site plan and landscape plan for approval; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

Council Member Worley excused herself at this time because she stated she had a conflict of interest in the next item.

- B. MidFlorida Credit Union – Reduction of Parking Spaces in Historic Building – Mrs. BuChans stated MidFlorida Credit Union would like to locate a branch office in the historic building at 6 Main Avenue (northeast corner of North Main Avenue and Interlake Boulevard). The applicant is proposing a drive-thru facility to this branch office on the north side of the building. There are eight parking spaces assigned to the building MidFlorida would like to purchase as their branch office. These spaces are located on the north side of the property, in the alleyway. This would mean the eight spaces would have to be removed to accommodate the drive-thru. MidFlorida is requesting from the Town Council a reduction in required parking spaces based upon Section 161-10. Historic structures in the Town’s LDR’s, which states: “The Town Council may reduce or exempt the required parking in connection with the preservation of any historic site or structure that is located in a historic district and contributes to the historic character of the district, where such reduction or exemption is needed to allow a viable use of the historic structure, provided that the reduction or exemption will not result in a severe parking shortage or severe traffic congestion.” Mrs. BuChans stated staff was recommending the Town Council reduce the required parking spaces to allow viable use of the historic structure. Council Member Waller made a motion the request be approved; motion seconded by Council Member Wilson. On roll call, Council Member Wilson and Council Member Waller voted yes; Council Member Brantley voted no and Council Member Worley abstained from voting due to a conflict of personal gain. Motion carried 2 to 1.
- C. Ordinance 07-553 – Nonconforming (1st hearing) This Ordinance allows individuals the opportunity to build homes in an area where there is land available for redevelopment to occur. The Ordinance would change: 1) to first proposed change: Lake Placid’s R-1 zoning district minimum lot area and setback requirements come into compliance with the Highlands County R-1 zoning district, and 2) keep the second proposed change as presented. Mrs. BuChans stated the LPA’s motion was to forward to the Town Council in favor of staff’s recommendation to consider amending Chapter 154, Article III, 154-14. (d) Nonconforming lots of record. Council Member Waller made a motion to approval Ordinance 07-553 on first hearing by reading of title only; motion seconded by Council Member Brantley. On roll call, Council Member Brantley, Council Member Waller and Council Member Wilson voted yes; Council Member Worley abstained from voting due to a conflict of interest. Motion carried 3 to 0.
- D. Ordinance 07-554 – Amending Single-Family dwelling (1st hearing) Mrs. BuChans reminded the Council they motioned to have the R-1 Zoning District’s minimum lot area and setback requirements come into compliance with Highlands County R-1 zoning district. She further stated Staff prepared this Ordinance to reflect their motion and implement the changes to Chapter 154, Article IV, Single-Family Dwelling District, Section 154-22 (f) Lot and living area requirements, and (g) yard and building requirements and height requirements, of the Town’s Zoning Code.

- Mrs. BuChans stated the LPA moved to forward to the Town Council in favor of Staff's recommendation to consider amending Chapter 154, Article IV, Single-Family Dwelling District, 154-22(f) Lot and living area requirements, and (g) Yard and building requirements and height requirements, of the Town of Lake Placid's Zoning Code as presented. Council Member Wilson made a motion to approve Ordinance 07-554 on first hearing by reading of title only; motion seconded by Council Member Waller. On roll call, Council Member Brantley, Council Member Waller and Council Member Wilson voted yes; Council Member Worley abstained from voting due to a conflict of interest. Motion carried 3 to 0.
- E. Ordinance 07-555 – Rezoning Property from R1-A to R-1 (1st hearing) – Mrs. BuChans stated she was reviewing the Town's maps and noticed differences in the rezoning and future land use maps. She stated she felt this ordinance should be tabled until further work is done. Council Member Brantley made a motion Ordinance 07-555 be tabled; motion seconded by Council Member Waller. On roll call Council Member Wilson, Council Member Brantley and Council Member Waller voted yes; Council Member Worley abstained from voting due to a conflict of interest. Motion carried 3 to 0.
- F. Ordinance 07-556 – Amending Sewer Policy (1st hearing) This ordinance amends and restates Section 135-51 of the Town Code entitled Sewer Policies. Council Member Waller made a motion Ordinance 07-556 be approved on first hearing by reading of title only; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.
- G. Ordinance 07-558 – Solid Waste Container Franchise – (1st hearing) Council Member Waller made a motion Ordinance 07-558 be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call motion carried unanimously.
- H. Ordinance 07-553 and Ordinance 07-554 – Atty. Harris informed the Council that by law the titles of Ordinances have to be read out loud prior to voting on them. He stated we had inadvertently forgot to read the titles to Ordinance 07-553 and Ordinance 07-554. Therefore, Atty. Harris read the titles of both Ordinances. Council Member Waller made a motion Ordinance 07-553 and Ordinance 07-554 be approved on first hearing by reading of title only; motion seconded by Council Member Brantley. On roll call Council Member Waller, Council Member Wilson and Council Member Brantley voted yes; Council Member Worley abstained from voting due to a conflict of interest. Motion carried 3 to 0.

Council Member Waller made a motion the meeting adjourn; motion seconded by Council Member Brantley. Mayor Katsanis hearing no objections declared the meeting adjourned at 7:45 P.M.