

REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
APRIL 12, 2010 5:30 P.M.

Mayor Thomas Katsanis called the regular meeting of the Lake Placid Town Council to order on Monday April 12, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Invocation was delivered by Rev. Wayne Godwin and the Pledge of Allegiance was led by the Lake Placid Christian School.

ROLL CALL

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

APPROVAL OF MONTHLY MEETING MINUTES AND SPECIAL MEETING MINUTES:

Council Member Bastardi made a motion the monthly meeting minutes and special meeting minutes be approved as presented; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

PRESENTATION OF RESOLUTIONS:

- A. Council Member Carol Smart – this being Council Member Smart’s last meeting as Council Member, Atty. Harris read a very appropriate Resolution to her. Mayor Katsanis presented her with the Resolution. Council Member Smart was given a standing ovation and greatly thanked for the work she has done for the Town of Lake Placid.
- B. Council Member Charles Wilson – this was also Council Member Wilson’s last meeting as Council Member. Atty. Harris also read a very appropriate Resolution to him. Mayor Katsanis presented him with the Resolution. Council Member Wilson was also given a standing ovation and greatly thanked for the work he has done for the Town of Lake Placid.

Council Member Royce made a motion that both Resolution be approved by the Town Council and our grateful appreciation extended to both Council Member Wilson and Council Member Smart for all their participation in the Town of Lake Placid Government; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

ELECTION REPORT:

- A. Declaration of Election Results – Mrs. Tuck read a report concerning the election held by the Town of Lake Placid on April 6, 2010 to elect a Mayor. She stated the Town of Lake Placid Canvassing Board, consisting of Council Member Wilson, Council Member Royce and Council Member Bastardi met on April 6, 2010 at 6:00 P.M. at the office of Supervisor of Elections Joe Campbell at 580 South Commerce Avenue, Sebring, Florida and over saw the absentee ballots and counting of the official ballots. They determined there were 181 votes cast as follows:

John M. Holbrook	123	(68.33%)
Thomas A. Katsanis	57	(31.67%)

The Canvassing Board then declared that John M. Holbrook had won the election for the Mayor of the Town of Lake Placid by 66 votes.

Mrs. Tuck also stated in her report that the Town Council needed two Council Members, but that there were only two individuals (Debra Ann Worley and Cheryl Brantley-Davis) who qualified and were therefore declared the winners.

Mrs. Tuck asked that the Council approve the report. Council Member Royce made a motion the report be approved; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

SWEARING IN OF MAYOR/COUNCIL MEMBERS:

Mrs. Tuck swore in Debra Ann Worley and Cheryl Brantley-Davis as Council Members and John M. Holbrook as Mayor for the Town of Lake Placid. Each to hold office for four years.

PRESENTATION:

Atty. Harris read a very moving and appropriate Resolution to Mayor Katsanis, stating that he is to be known as "Mayor Katsanis" from this day forward and that he is entitled to use all parks and attend all park functions free of charge.

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of Resolution honoring Bill Nichols (retirement)
- D. Approval of Transportation Maintenance Agreement with State for Sidewalks

Council Member Royce made a motion the consent agenda be approved as presented; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PRESENTATION:

- A. Corbett Alday – Lake Ridge Civic Center/Hurricane Shelter – Mr. Alday updated the Council on the progress of the Civic Center. He stated a new RFP had been let for architectural design. He stated we have received 32 requests. The bids will be opened on April 19, 2010 and presented to Council at their next meeting. Council Member Royce stated he wanted to stress again that all the Council was doing was allowing the Committee to obtain a product to determine if the project is even feasible with the amount of funds available for the project. Council Member Royce stated he also wanted to stress the Town was only allowing up to \$20,000 as their portion for the work to be done by the architect and the County was allowing \$20,000. Mr. Alday stated that is his understanding.

PUBLIC HEARING:

- A. Petition of Oak Island Property Owners to vacate the public dedication of road way – Atty. John McClure, representing Oak Island Property Owners stated he had a signed petition from 42 of the 44 lot owners in Oak Island requesting the Town to officially vacate any interest of the public in the roads lying within the Oak Island Subdivision so as to create a clear and unambiguous record that such roadways are private and not open to the public. Mr. McClure stated the property owners are willing to provide to the Town permission for all municipal purposes, including fire and police protection, emergency

vehicles, garbage collection and similar matters. Atty. Harris suggested a Resolution be produced with the following:

1. Utility easements will be allowed in the road right of ways
2. Road rights-of-way will continue to be used for municipal service and police
3. 42 of the 44 current property owners have requested this action
4. No evidence of acceptance of the roads has been located
5. Once action is taken, will you recite your opinion on who owns the roads
6. Declaration of Restrictive Covenants will be added showing the roads were declared private in 1976

Council Member Bastardi made a motion to reject the public dedication of the road way in Oak Island Subdivision this includes the roadway commonly known as Deana Drive and Melanie Drive within the subdivision with the stipulation as outline by Atty. Harris and such that the Resolution prepared and approved by the Mayor; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

B. Site Plan Review – EMTM, LLC – Mrs. BuChans stated the applicant is requesting site plan approval for a project proposing a 7,000 square feet medical office with limited medical retail, necessary parking, loading and unloading, landscaping and irrigation improvements, and storm water retention in an area zoned C-2, located at the southwest corner of West Interlake Boulevard and Green Dragon Drive. Mrs. BuChans stated this matter had been before the Town of Lake Placid’s Local Planning Agency and they were had made the recommendation the site plan be approved by Town Council contingent upon providing/correcting the following on a revised site plan, revised landscape plan and ancillary documents:

1. Applicant utilize the existing building’s loading space and that it be shown on the site plan;
2. The floor area ratio should show 10,050 square feet of buildings;
3. The landscape plan certification language should be corrected according to Mr. Bennett’s suggestion;
4. The size of the water meter will be determined at time of installation
5. The location of the water meter is to tap into the main line on Interlake Boulevard should be shown;
6. The location in which the sewer will be tied into the main line should be shown;
7. The location of a dumpster or appropriate trash receptacle, with adequate screening from the public view should be shown on the site plan;
8. Locate one right-of-way reservation for Green Dragon Drive as a 15’ right-of-way reservation and a right-of-way reservation for Interlake Boulevard as a 10’ right-of-way reservation.
9. The legend should depict:
 - a. A future land use designation of RO, Residential/Office
 - b. The C-2 zoning district states that for uses other then churches there shall be no minimum lot coverage restrictions except for that needed to provided side, front and rear years, where required;
10. Driveways:
 - a. Green Dragon Drive: Show a right-out only, and a right-in and left-in.
 - b. West Interlake Boulevard: Show full access.
11. A Development Order that should stipulate that the landscaping be maintained and if any trees or shrubs should die, new ones shall be planted of the same size in their

place, and the required screening of the trash receptacle should be maintained in operational order. Also that no food service shall be allowed.

After much discussion concerning the Local Planning Agency's recommendations, Council Member Royce made a motion pursuant to the LPA's motion, the Town Council approve the site plan contingent upon providing the following on the revised site plan, revised landscape plan, and ancillary documents:

- Conditions Numbered 1 through 7 as presented
- Condition Numbered 8 show full access for all driveways
- Conditions Numbered 9 and 10 as presented

Motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- C. Ordinance 2010-601 – Amending 2009-2010 Budget (2nd Hearing) Mrs. Tuck explained funds were received after the budget was approved, for the U.S. Highway 27 beautification project. The Ordinance amends the budget ordinance to include the funds received. Council Member Bastardi made a motion Ordinance 2010-601 be approved on second hearing by reading of title only and adopted with the noted changes; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- D. Ordinance 2010-603 – Capital Improvement Element (Final Hearing) – Mrs. BuChans presented a Capital Improvement Element she has been working on for the Town. The Council felt they would rather wait to take any action on this matter until after hearing the Highlands Cove proposal. Council Member Worley made a motion Ordinance 2010-603 be postponed until the June 2010 meeting; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner:
 - 1. Need member and alternate for LPA – Council Member Worley made a motion the Clerk advertise for resumes from individuals who would be interested in serving on the Local Planning Agency as a permanent member or alternate; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- B. Public Works Director – Mr. Fulton explained that the Flag on U.S. 27 has been taken down because we are trying to repair the top of the pole. He stated he hoped to have it completed this week.
- C. Recreation Director:
 - 1. Need 3 new members for Recreation Committee – Council Member Royce made a motion the Clerk advertise for resumes from individuals interested in serving on the Recreation Committee; motion seconded by Council Member Bastardi. On roll call, Council Member Royce, Council Member Worley and Council Member Davis voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.
 - 2. Mr. Komasa stated Mayor Katsanis had sat as the alternate on RPAC and he was wondering if Mayor Holbrook would like to continue serving that position. Mr. Komasa also stated a member of the Recreation Committee would have to be appointed to serve on RPAC because Council Member Davis was our representative

from the Recreation Committee, but being as she was no longer on the Recreation Committee, someone else needed to fill the vacancy. Mr. Komasa stated the Recreation Committee had a meeting Wednesday night and he would bring it up to them.

3. Recreation Interlocal Agreement with Highlands County for 2010 – Council discussed the problem of the upcoming budget for recreation. It has been suggested that the County will be further reducing their funding to the municipalities this year. Council reiterated their concern of having to foot the bill for the Greater Lake Placid Area recreation facilities. They feel the County should be allocating the funds in a different method so that the Town could benefit from the funds for the County residents. Council Member Bastardi was very adamant that he does not support continuing to providing recreation facilities for the County when the County is not assisting the Town. Council Member Royce stated we really needed to go ahead and approve the 2010 Interlocal Agreement for this year because we had already approved the amount and placed it in our budget. However, he stated he would be supportive of changing the recreation system for the coming year, whether going to a user fee, non-ad valorem tax, or going as far as closing the ball fields to County residents if the County will not help us. Council Member Worley reluctantly made a motion the Council approve the Recreation Interlocal Agreement with Highlands County For 2010 as presented by the County; motion seconded by Council Member Royce. On roll call, Council Member Royce, Council Member Worley and Council Member Davis voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.
4. Council Member Royce made a motion that the Town Council instruct the Town Attorney to look into past and current agreements in regards to County funding of recreation infrastructure in Lake June Park to see what our legal obligations are; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Council Member Royce asked that this item become a priority on Atty. Harris's Town work.

D. Police Chief:

1. Lake Placid Christmas Parade – Chief Williams stated he just wanted to bring the new Council Members and Mayor up to date on some of the former Council Members' policies and see if the new members were willing to continue with the same policies. Former Councils had given Chief Williams the authority to close streets when he felt it necessary. Chief Williams stated after viewing the Christmas Parade last year he feels no vehicles should be parked on the parade route after 4:00 P.M. He stated he noticed spaces in front of businesses being closed the day before the parade and vehicles were parked on the parade route by 9:00 A.M. the day of the parade. He stated there would be signs posted a day or two before the parade warning the citizens there would be no parking in the parade route after 4:00 P.M. the day of the parade. Council Member Bastardi made a motion to leave the decision about closing streets to the Chief's discretion; motion seconded by Council Member Worley. On roll call, Council Member Worley, Council Member Davis, and Council Member Bastardi voted yes; Council Member Royce voted no. Motion carried 3 to 1.

E. Utility Director: No Comments

F. Town Attorney:

1. Set special meeting for April 20, 2010 at 5:30 P.M. for the following:
 - a. Lake Placid Merchants – Amending Sign Ordinance

b. Public Hearing on Ord. 2010-600 Water/Sewer Changes (adoption hearing)

c. Discussion on Town Manager Ordinance

Council Member Royce made a motion the Town Clerk advertise for a special meeting on Tuesday April 20, 2010 at 5:30 P.M. for the above referenced matters; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Lake Clay Easement – Atty. Harris presented Council with a Drainage and Flowage Easement between the Town of Lake Placid and CHL Tower Group, LLC. He stated the purpose of the easement is to allow for construction of a storm water management improvement under that certain Joint Funding Agreement between the Town, the South West Florida Water Management District and the Board of County Commissioners of Highlands County, Florida. Council Member Royce made a motion that Town Council approve the drainage and flowage easement format entered into by the Town and CHL Tower Group, LLC; motion seconded by Council Member Bastardi. On roll call, Council Member Bastardi, Council Member Davis and Council Member Royce voted yes; Council Member Worley abstained from voting due to a conflict of interest. Motion carried 3 to 0.
3. Annexation – West Interlake Boulevard – Atty. Harris stated the Council has already approved, several years ago, to go ahead with the annexation on West Interlake Boulevard, but at the time we were annexing Alan Grigsby’s property it was not feasible. Atty. Harris stated he would now like to rekindle the process and move forward. Atty. Harris stated he would like to begin the process as a Town sponsored events, meaning the Town would waive the normal annexation fees. Atty. Harris stated most of the property owners along West Interlake Boulevard are willing to annex as long as they get zoning of commercial. Council Member Worley made a motion to approve Town sponsored annexation and comprehensive plan amendments along West Interlake waving all fees; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

G. Town Clerk:

1. Selection of Vice Mayor – Council Member Bastardi made a motion Council Member Royce be appointed Vice Mayor; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Highlands County Addressing System – Mrs. Tuck stated when the County held their meeting in Lake Placid to discuss the new Highlands County Addressing system only Mayor Katsanis, Council Member Carol Smart and Council Member Steve Bastardi were present. Council Member Bastardi felt he needed more information before he could approve of the concept. Therefore, no action was taken at the meeting. Mayor Katsanis had asked that this matter be placed on the April 12, 2010 agenda when we would have a full Council. Council Member Bastardi made a motion the Town Council not support it until all aspects of the plan and a complete financial analysis of the plan of action has been under taken; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

H. Mayor/Town Council Members:

1. Council Member Bastardi:
 - a. Budget Accountability – Council Member Bastardi made a motion that we put in place a procedure that causes the budget managers to fill out a form with a summary of their budget for the month and year- to-date identifying overages and

underage's and reasons why; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

- b. Cemetery Committee Status – Council Member Bastardi stated at the last meeting he had given a report the rules, job description and problems the Cemetery Committee had come up with. He stated the Council asked Atty. Harris to proceed with an Ordinance, but that former Mayor Katsanis had asked Atty. Harris to hold up on the Ordinance. Council Member Bastardi stated he did not know why, but he would like to see Council instruct Atty. Harris to restart the procedure for the Ordinance. Council Member Royce made a motion that we direct the Town Attorney to work with the Chairman of the Cemetery Committee to put potential cemetery rules into the form of an Ordinance for further consideration; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Royce made a motion that the Town Council accept the report of the Cemetery Committee and take under advisement the recommendations and proposed operating procedures for the Oak Hill Cemetery and adopt the recommended job description for the cemetery as part of our Employee Manual ; motion seconded by Council Member Bastardi. On roll call, Council Member Royce, Council Member Davis and Council Member Bastardi voted yes; Council Member Worley voted no. Motion carried 3 to 1.

2. Council Member Royce:

- a. Initiating a process to select a consultant to assist the Town in the creation of our EAR based Amendments – Pat Steed of Central Florida Regional Planning was present and stated CFRP would be able to do our amendments within 12 months at a price of \$15,000.00. She stated if it is put out for bids they would not apply, because it is there policy not to compete against the private sector. She also stated if we wanted to put it out for bids, CFRP would be happy to assist us with formulating the RFP. Council Member Royce stated he wanted us to consider this for a month and decide at that time.
- b. Council Member Royce stated County Administrator Mike Wright and Development Director Mark Hill has told him on several occasions that they are not interested in doing planning next year for the Town. Atty. Harris stated he discussed this matter with County Commissioner Chairman Donald Bates and he was not aware that the County was concerning not doing our planning. Council Member Royce stated it is up to the County Commissioners whether or not to negotiate with the Town. Council Member Royce made a motion we write a letter to the Chair of the County Commissioners and copy the County Administrator and ask whether or not the County is interested in continuing to provide planning services at some fee for the Town of Lake Placid; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- c. Consider special Charter Election on June 29, 2010 - Council Member Royce stated he and Atty. Harris have talked with Supervisor of Elections Joe Campbell and he has stated he could hold an election for the Town prior to or on June 29, 2010, but he would not be comfortable holding it any later.

Council decided to wait until after our special meeting April 20, 2010 to further decide on this matter.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Davis. Mayor Holbrook hearing no objections declared the meeting adjourned at 10:20 P.M.