

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

Mayor Tom Katsanis called the regular monthly meeting of the Town of Lake Placid Town Council to order on Monday July 6, 2007 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Drew Severance of the First Presbyterian Church gave the invocation and led in the Pledge of Allegiance to the American Flag.

ROLL CALL:

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

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

ABSENT:

Council Member Debra Worley

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of Monthly Report and Payment of Monthly Reports
- B. Approval of Minutes for the June 11, 2007 regular meeting
- C. Highway 27 Beautification Grant – Maintenance Agreement Approval

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

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Attorney:
 - 1. Annexation – West Interlake Boulevard – Atty. Harris stated he would bring back more information on this matter at the August 2007 meeting.
 - 2. Interlocal Agreement – Highlands County Planning Department – Mrs. Tuck stated she had received the Interlocal Agreement for Highlands County Planning Department Services and that the only change from the last agreement signed is that the fee increased from \$50,800.00 to \$60,366. Council Member Waller made a motion the Interlocal Agreement between the Town of Lake Placid and the Highlands County

Planning Department be approved as presented; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

B. Town Planning Department:

1. Council Member Worley – appointment to assist with Ms. Rafat’s transmittal to DCA – Council felt this matter should be postponed until the August 2007 meeting when Council Member Worley is present.

C. Police Chief:

1. Chief Williams informed the Council he had an officer resign this past week and his intention was not to replace the officer this budget year.
2. 1997 Crown Victoria – Chief Williams stated he would ask that the Council declare the 1997 Crown Victoria surplus equipment so that he can sell the vehicle. He stated it is a vehicle that is not needed at this time. Council Member Waller made a motion the 1997 Crown Victoria be declared surplus equipment; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.
3. Chief Williams stated he recently attended a seminar and was informed about a device that is placed on traffic lights that take pictures of vehicles running red lights. The vehicle is then sent a ticket for the incident. Chief Williams stated he would be getting more information on this matter.
4. Council Member Brantley asked he would like to see the Code Enforcer attend the Local Planning Agency Meetings. He stated she could be placed first on the agenda, give her report and answer any complaints that might come up and then leave. Chief Williams stated he would make sure she attends the meetings.

D. Recreation Director:

1. Bid on multi-purpose field lighting – Mr. Komasa stated he had received a proposed quote from the Musco Lighting Company for lighting the soccer fields of \$106,000.00. He Komasa stated the lights were guaranteed for life. He also stated the Musco Lighting Company was a City of Jacksonville Bid price. Council Member Waller made a motion the quote from Musco Lighting Company of \$106,000.00 be accepted; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
2. Appointment of RPAC representatives – Mr. Komasa stated the County Recreation Director asked the Town to reappoint two members and an alternate to the RPAC Committee. Council Member Waller made a motion John Komasa be appointed to the RPAC Committee for a 4-year term, Jim Fulton be appointed to the RPAC Committee for a 2-year term, and Arlene Tuck be appointed as the alternate; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.
3. Miracle League – Mr. Komasa stated he had contacted the Miracle League for more information concerning their program. The Miracle League is a baseball league for children who have a disabling handicap. Mr. Komasa stated the field would have to have a special covering so that wheelchairs and walkers could be used on it. There is also special equipment that will be needed, such as sound balls, etc. Mr. Komasa stated this would be the first field of this kind in Highlands County. Mr. Komasa stated he was asking Council for permission to approach RPAC for \$250,000.00 to help

construct the field. He stated through the FRPHD grant he is having a tee-ball field built. This field can serve as a field for the Miracle League. Mr. Komasa also stated he had already had several companies state they would support the project. He also stated he had been working with John Varady, an ESP teacher at the school system. Mr. Varady stated there are 41 students at this time in the high school, middle school and Lake Placid Elementary School who would qualify for the program.

Council Member Brantley made a motion Mr. Komasa proceed with his request to approach RPAC for funds and proceed with the Miracle League; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

E. Town Utility Director – No comments

F. Town Clerk:

1. Proposed Ad Valorem Tax – 4.5925 – Mrs. Tuck asked the Council to approve the proposed ad Valorem tax of 4.5925. Council Member Waller made a motion the Town tentatively set the ad Valorem tax mileage at 4.5925; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.
2. Update Enterprise Zone – Council asked that this matter be placed on the August Council agenda when Council Member Worley is present because she has worked on this project.
3. Special Meeting – July 23, 2007 – Atty. Harris stated the Growth Management would be presenting their Report to the County Commissioners on July 24, 2007 and that the Council needed to review it and decide whether to approve it before it goes to the County Commissioners. He also stated the meeting with the County Commissioners would be a joint meeting with the Town Council, Growth Management Committee and County Commissioners. Council asked the Clerk to advertise the special meeting for July 23, 2007 and to advertise the joint meeting of the Town Council, Growth Management Committee and County Commissioners on July 24, 2007.
4. Mrs. Tuck stated she would like to schedule the first budget workshop on Monday July 30, 2007 at 5:30 P.M. All Council Members stated they could attend.

G. Mayor/Town Council Members:

1. Mayor Katsanis stated he recently has had many calls concerning the condition of the service road in front of Wendy's (between Wendy's and U.S. Highway 27). Mayor Katsanis stated he had met with the property owners along that road and they were willing to help correct the problem. He further stated he wanted to announce that the Town does not maintain the service road, that it is owned and maintained by the property owners it serves.

PUBLIC HEARINGS:

- A. Ordinance 07-562 – Annexation for Sewer Hookup (1st hearing) – Atty. Harris stated this ordinance required anyone who wants to hookup to the Town's sewer to sign an annexation agreement if they are not already within the town limits. Council Member Brantley made a motion Ordinance 07-562 be approved on first

- hearing by reading of title only; motion seconded by Council Member Waller. On roll call, motion carried unanimously.
- B. Ordinance 07-557 – Creating Lake Placid Regional Utility System (1st hearing)
 Atty. Harris stated this Ordinance creates a utility advisory commission to advise the Town Council regarding the operations of the town’s utility systems. Mr. Freeman, the Town’s utility director, stated he did not feel the commission was necessary and he did not support it. Council Member Brantley made a motion Ordinance 07-557 be approved on first hearing by reading of title only and by deleting in its entirety **Section 135-104. LAKE PLACID REGIONAL UTILITY POLICY**; motion seconded by Council Member Wilson. On roll call, Council Member Brantley and Council Member Wilson voted yes; Council Member Waller voted no. Motion carried 2 to 1.
- C. Preliminary Plat – The Shore Club on Lake Sirena – Gregory Arnone – Mrs. BuChans stated the applicant was requesting a preliminary plat approval for 209 lots located South of Marquata, west/southwest of Green Dragon Drive and west of Lake Sirena. Access will be off Green Dragon Drive during the early phase of the development. Mrs. BuChans stated staff was recommending the Town Council approve the preliminary plat with staff to review revised plat based on Town Engineer Larry Bennett’s third review and comments.

Council Member Waller made a motion to approve the preliminary plat of The Shore Club on Lake Sirena by Carnahan, Proctor and Cross, Inc. sealed 9 July 2007, subject to and expressly provided that the following changes shall be made and approvals shall be obtained from the Town Council prior to the approval of the final plat:

(Recommendations made by the Town of Lake Placid Local Planning Agency:

1. Water Capacity – Developer will amend Development Agreement to cap at up to 216 single-family homes at final plat.
2. Water Capacity Assignment – Developer will assignment to the Town so the Town can acquire their needed water capacity.
3. Impact Fee Credits – Town supports the Developer’s application for no liability of impact fees.
4. Sidewalk – Amend the Development Agreement to require the Town to construct a multi-use path along the westerly side of Green Dragon Drive when the owner contributes \$15,000 toward that construction.
5. Landscape Buffer – Provide a buffer on the easterly side of the property. Also provide a buffer within the development on the westerly side of the property, which will be maintained by the homeowners as designated in the Deed Restrictions.
6. Right-of-Way Dedication – Dedicate the rights-of-way mentioned in Paragraph 7 (c) of the Development Agreement with sixty days of the approval of the preliminary plat.)

and

1. WATER LINE EASEMENT. The owner/developer agreed to show on the plat the location and easements for the Town’s Water Line.
2. LANDSCAPED BERMS AND BUFFERS. The owner/developer agreed to dedicate a landscape easement to the public over all buffers as required

- in the Development Agreement (some were not shown on the preliminary plat). These shall be presented to the Town for approval prior to final plat:
- A. The berm, buffer and landscape design plans;
 - B. The Homeowners Association and Deed restrictions requiring the preservation and maintenance by the Homeowners Association of the berms, buffers and landscape.
 - C. Landscape Easement dedication language and location to be placed on the Plat.
3. RIGHTS OF WAY. The owner/developer agreed to convey to the Town of Lake Placid the right-of-ways to be conveyed to the Town according to the Development Agreement (to be conveyed 60 days of approval of the preliminary plat).
 4. PLAT RESTRICTION ON HEIGHT. The owner/developer agreed that the final plat shall contain a restriction limiting the six homes on the south side of the plat (the six homes nearest to Oak Island) to one-story dwellings.
 5. DEVELOPERS AGREEMENT. All terms of the Developers Agreement, as amended by written agreement, shall be accomplished by or before the final plat.
 6. DENSITY. The owner/developer agreed that there shall be up to but not more than 209 lots for single family residential dwelling units in the final plat.
 7. WATER USE AGREEMENT. The owner/developer agreed to enter the Water Use Agreement with the town within 60 days of the preliminary plat approval.
 8. WATER CAPACITY. The owner/developer agreed to amend the Development Agreement with the Town to reduce the amount of dwelling units to those shown on the plat when the final plat is approved.
 9. IMPACT FEE CREDITS. The owner/developer agreed to amend the Development Agreement to show that the Town has no liability regarding the impact fee credits for the County impact fees.
 10. GREEN DRAGON DRIVE MULTI USE PATH. The owner/developer agreed to amend the Development Agreement to allow the Town to construct the Green Dragon Drive multi use path from Maquata north as far as the owner/developer's \$15,000.00 contribution will fund (after the contribution is made). Additionally this owner/developer will not have a time limitation on the construction of the multi use path on Green Dragon Drive.

Motion seconded by Council Member Wilson. On roll call, Council Member Waller and Council Member Wilson voted yes; Council Member Brantley voted no. Motion carried 2 to 1.

Council Member Brantley stated he was no longer associated with Mr. William Klohn and therefore no longer had a conflict of interest in the Klohn matter.

- D. Site Plan Review – William Klohn – Mrs. BuChans stated Mr. Klohn was not present and she was asking the Council to table this matter until the August 2007 meeting. Council Member Brantley made a motion this matter be tabled until the

August 2007 meeting; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

- E. Site Plan Review – Patrick McCaun – Mrs. BuChans stated Mr. McCaun was not present and she was asking the Council to table this matter until the August 2007 meeting. Council Member Waller made a motion this matter be tabled until the August 2007 meeting; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

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