

REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
SEPTEMBER 12, 2011 5:35 PM.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday September 12, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

Mayor John Holbrook
Council Member Debra Worley
Council Member Cheryl Davis
Council Member Steve Bastardi
Council Member Ray Royce

Town Clerk Arlene Tuck
Town Attorney Bert Harris
Town Police Chief Phil Williams
Town Public Works Director John Komasa
Town Utility Director Gary Freeman

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Minutes
- C. Approval of Monthly Bills
- D. Approval of Monthly Reports
- E. Accept UF preliminary estimate of Town's population
- F. Approve Facility Site Agreement from Highlands County Health Department

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

PUBLIC HEARINGS:

A. Ordinance 2011-636 – Write-off Due Tos & Due Froms – Mayor Holbrook read the title to Ordinance 2011-636 in its entirety. The Town Council was still having trouble comprehending the Due Tos and Due Froms and asked that this Ordinance be brought back to the Town Council at the September 26, 2011 meeting.

B. Ordinance 2011-637 – Amending 2010-2011 Budget for Sewer and Water (2nd Hearing) Mayor Holbrook read the title to Ordinance 2011-637 in its entirety. Council Member Royce made a motion Ordinance 2011-637 be approved and adopted on final reading; motion seconded by Council Member Bastardi.

Council Member Royce made a motion to amend his former motion to include “Now, therefore, be it Ordained, instead of Resolved; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Ordinance 2011-638 – Adopting Final Millage for 2011-2012 Budget (1st hearing) Mayor Holbrook read the title of Ordinance 2011-638 and informed the audience the proposed millage rate for the Town is 3.6500 mills, which is less than the rolled-back rate of 3.9364 by -7.28%. Council Member Bastardi made a motion Ordinance 2011-638 be approved on first hearing by reading of title; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

D. Ordinance 2011-639 – Adopting 2011-2012 Budget (1st hearing) Mayor Holbrook read the title of Ordinance 2011-639. Council Member Royce made a motion Ordinance 2011-639 be approved on first

hearing by reading of title only; motion seconded by Council Member Worley. On roll call, Council Member Royce, Council Member Bastardi, and Council Member Davis voted yes; Council Member Worley voted no. Motion carried 3 to 1.

E. Ordinance 2011-640 – Amending Commercial Sanitation Collection for Small Businesses (1st hearing) – Mayor Holbrook read the title of Ordinance 2011-640. Mrs. Tuck explained this Ordinance will change the fee for small businesses generating two or less bags per pickup (two pickups per week) from \$22.00 to \$15.00. She explained this was the only change made in the Ordinance. Council Member Bastardi made a motion Ordinance 2011-640 be approved on first hearing by reading of title only; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Attorney:

1. Ordinance 10-625 – Local Preference – *Adoption only* - Atty. Harris stated he had met with Mr. Robert Brown, president of the Lake Placid Merchants Association, who had proposed Ordinance 10-625. Atty. Harris stated he still had some questions for the Council concerning the Ordinance. The following are some of the corrections that were made:

1. Page 1 Section 4-1.1 **Competitive bidding.** The last sentence should read: “The Town staff shall use its best efforts to make purchases less than five thousand dollars (\$5,000.00) from vendors maintaining a business within the Town of Lake Placid limits, if the offered price is determined by the respective staff to be reasonable.” The rest of the sentence is to be excluded.

2. Page 2 Sections 4-2. **Procedure when no bids received and Section 4-3. Procedure to suspend bid requirement in emergency.** Remove Town Clerk or the Town Superintendent and put in Town Mayor.

3. Page 3 Section 4-5.3 **Definitions.** (A) (1) Change twelve months to six months and delete (2).

4. Page 4 Section 4-5.3 (E) Third paragraph change twelve months to six months.

Delete “This local preference applies to

5. Page 5 Sections 4-6. **Preference to Businesses with drug-free workplace programs.** Use “The Town may reject any bid or proposal which does not certify that it has implemented a drug-free program according to Section 287.087, Florida Statutes.”

Council asked that the revisions be made and that Atty. Harris present it to Council at their next regularly scheduled meeting.

2. Lake Placid Merchants Association – Robert Brown stated that the Merchants Association’s Fall Festival would be held the end of October. Mr. Brown stated the Committee would like to make some money for the Festival by selling Holiday blowups to merchants. The blowups would have a sign on it stating the date of the Festival, the time and where it will be held and would all be on private property. There would be no advertisement on the sign. Council Member Royce made a motion to allow up to six blowups at any one time to be placed on private property within the Town limits of Lake Placid for up to twenty (20) days and only non-commercial information on the signs for the Fall Festival of 2011; motion seconded by Council Member Worley. 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.

3. Florida Recreation – Atty. Harris stated he had written to the State of Florida concerning charging a different fee to outside residents and they had written back that the grant prohibited charging a different fee to different groups. Atty. Harris stated he felt this was not correct and he would like to pursue it a little further. Atty. Harris stated he would do the letter at no cost to the Town. The Council encouraged him to go forth.

4. Highlands County Utilities – Atty. Harris stated tomorrow September 13, 2011 the County Commissioners would be discussing the Town’s Interlocal Agreement to procure the Highway Park and

Tomoka Heights Utilities from the County. Council Member Royce made a motion that Atty. Harris be the designated speaker for the Town at the County Commissioners Meeting. The Mayor also asked that Council Member Royce be a representative of the Town to answer any questions that might arise.

B. Public Works Director:

1. Miracle League – Glades Electric – Loan to Town/User Fees – Mr. Komasa stated the Town had received a letter from Andy Jackson, attorney for Glades Electric stating the Trust Board passed a resolution to the effect that if Lake Placid decides to charge user fees for the use of the Miracle League Field, they want the \$25,000.00 refunded. Council Member Royce made a motion that he would like the Mayor to send a letter to Glades Electric stating that yes we are going to charge user fees and that we hope Glades Electric will continue to support recreation and in participating the Miracle League of Lake Placid and if they feel that they can no longer support the Miracle League of Lake Placid, then to forward us a copy of the actual Resolution and not just go off Mr. Jackson's email; motion seconded by Council Member Worley. On roll call, motion carried unanimously. Council Member Worley asked that the letter from the State on Recreation received by Atty. Harris be attached.

2. Todd Moore – Miracle League – Mr. Moore, representing the Miracle League, thank the Council for all their support of the Miracle League and invited all the members to their first game scheduled for Saturday September 24, 2011 at the Lake Placid Miracle League field.

C. Utility Director:

1. Opening bids for hand held equipment – Mr. Freeman stated he had gone out for bids for three hand held computer for reading meters. He stated he received two bids. One from Innovative Metering Solutions, Inc. for a total of \$16,937.00 and one from Sunstate Meter & Supply, Inc. for \$17,857.50. He stated the reviewing committee and personnel were recommending the bid from Sunstate Meter & Supply, Inc. for the Neptune CE5320B system (to include cradle pods to charge the units, software and training) for \$17,857.50. Council Member Royce made a motion the Town go with the bid from Sunstate Meter & Supply, Inc. for \$17,857.50; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

D. Police Chief – Chief Williams stated he had sold one of his cruisers and would be using the money to replace outdated software for the police department.

E. Town Clerk:

1. Mrs. Tuck reminded Council we would be having our final budget hearing on Monday September 19, 2011.

2. Mrs. Tuck also stated she would like to thank Representative Denise Grimsley for assisting us with getting FDOT to properly correct problems at DeVane Park, which had been done by the contractor. Mrs. Tuck stated FDOT has had to replace several trees in DeVane Park, which have died. She stated the representative from FDOT told her Mrs. Grimsley was instrumental in him making monthly visits for the next year to DeVane Park.

F. Mayor:

Mayor Holbrook read a letter from Council Member Davis stating it was with deep regret she was tendering her resignation. Mayor Holbrook stated the resignation was as of September 15, 2011. Council Member Davis stated she would change the date to September 20, 2011 so she could be present for the final reading of the 2011-2012 budget.

All Council Members stated their regret in her leaving and wished her well.

Council Member Bastardi made a motion the meeting adjourned; motion seconded by Council Member Royce. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 8:30 P.M.