

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
NOVEMBER 9, 2009 5:30 P.M.**

Mayor Tom Katsanis called the regular meeting of the Lake Placid Town Council to order on Monday November 9, 2009 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Invocation was given by Thelma Becker, of the Memorial United Methodist Church – Manna Ministries and the Pledge of Allegiance was led by Lake Placid Christian School Student Council.

ROLL CALL:

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

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

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

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

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Attorney:

1. Direct Legislative Utility Grant – Atty. Harris presented a Resolution concerning the Direct Legislative Grant that was awarded to the Town of Lake Placid for the purpose of implementing the new water production facility and related lines situated on the north side of the Town of Lake Placid. Since awarded the Direct Legislative Grant, utility needs of the Town of Lake Placid have changed dramatically. It appears that a privately operated wastewater treatment system within and around the Town of Lake Placid is nearing failure. It is in the best interest of the citizens of Lake Placid that the Town of Lake Placid acquire the privately operated facilities for incorporation into the Town's wastewater treatment system. Therefore, the Resolution requests the re-appropriation of the Direct Legislative Grant to be used by the Town for a wastewater treatment system or water system. Also, the Resolution states the Town intends to use the grant funds to purchase and rehabilitate that part of the Highlands Utility Wastewater Collection and Treatment System in and around the Town of Lake Placid, Florida. Council Member Royce made a motion the Resolution be approved; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Cogsdale – Atty. Harris presented a letter he had sent to Cogsdale Corporation concerning the computer program purchased by the Town three years old. Atty. Harris stated he had not received a response to his letter and wanted to know in what respect the Town wanted him to proceed. Council Member Royce made a motion that Atty. Harris follow through one more time and unless in his opinion he receives some sort of information that leads him to believe that we have a case that we not spend anymore money in chasing this matter; motion seconded by Council Member Wilson. On roll call motion carried unanimously. Atty. Harris was asked to work with the Town Clerk and Utility Department to come back with the problems that have been encountered.
3. Building Permits not to be issued without Sewer Hookups – Atty. Harris stated the Resolution being presented is to flag the Highlands County Building Department concerning sewer hookups. The Resolution requires that the Building Department, acting under the Interlocal Agreement between them and the Town, respectfully enforce Section 135-51 of the Code of the Town of Lake Placid which provides that any residential, commercial or industrial building situated within 200 feet of a Town sewer line shall be connected to the Town’s wastewater system. Council Member Bastardi made a motion the Resolution be approved; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
4. Ordinance 09-600 Sewer Policies - Atty. Harris stated this Ordinance was being presented to clean up some issues in our present Ordinance. He stated this Ordinance is for public hearing in December 2009 and January 2010.

D. Utility Director:

1. Magnolia Well – Mr. Freeman informed the Council we have been having problems with our Magnolia well. He stated for over one month, the water samples have not passed. He said DEP has been contacted. However, the last few samples that have been taken, are coming back better. Mr. Freeman stated he feels we need to pull the well and check the casing. He had two bids he presented to the Council. Mr. Freeman stated DEP recommended we pull the well and telescope the line. Council Member Bastardi stated his motion would be to declare an emergency, to try to take advantage of this clause in the ordinance, and then to validate that it does in fact exist and the direction I would recommend in my motion is that we allow these tests to continue without taking any action as far as any of these bids, in hopes that it will come clean by itself and then if that proves not to be the case, understanding the reason we are declaring an emergency is that we have one well and an interconnect with Placid Lakes in providing potable water; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
2. Council Member Royce stated he does not know the well driller other than David Cannon, but he does know David drilled the first well and he is very confident in Mr. Cannon and he does they know what they are doing. He stated unless the other well driller comes extremely recommended he would like to see us stay with the original well driller. Council Member Bastardi made a motion to authorize expenditures up to \$10,000.00, to be transferred from the computer services to water plant maintenance, for a budgetary standpoint until we further find out we still have contamination; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

Council Member Royce made a suggestion to Mr. Freeman that once Cannon Well Drilling has done this he would strongly encourage Mr. Freeman to ask some representative of their company to come here, that are experts in televising a well and talking about casings. Council Member Royce stated we needed to have some experts to come in to talk with us.

E. Public Works Director:

1. Richard Sadler – Consider restrooms in Town – Council Member Royce made a motion that we ask our Public Works Director and Utility Director to explore the options of creating public restrooms in the downtown parks and the first option would be the shuffleboard court; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Council Member Royce stated he would be very comfortable with tearing down the shuffleboard court building and rebuilding something with restrooms. Council Member Royce further stated that maybe we should go to the Country Fair, Caladium Festival, Mural Society and ask for they donations towards the restrooms being as these functions bring in so many visitors that need the facilities.

F. Mayor/Town Council Members:

1. Council Member Bastardi – Gave an update on the Cemetery Committee. He stated they have one problem that has come up and it involves whether the Town actually sales the land or are they selling burial rights. He stated he felt a lot of the decisions to be made hinge on what method the Town uses. He stated he has asked the Town Attorney to look into this matter.

PUBLIC HEARINGS:

- A. Ordinance 09-596 – Increase of Non-residential Sanitation Collection & Dumpsters (1st hearing) Council Member Bastardi made a motion Ordinance 09-596 be approved on first hearing by reading of title only; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- B. Ordinance 09-599 – Miracle League Trust – Council Member Wilson made a motion Ordinance 09-599 be approved on first hearing by reading of title only; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Council Member Royce made a motion the meeting adjourn; motion seconded by Council Member Smart. Mayor Katsanis hearing no objections declared the meeting adjourned at 9:00 P.M.