

REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
DECEMBER 10, 2010 5:30 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday December 10, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Atty. Bert Harris gave the invocation and Camille Shattell, of Lake Placid Christian School led in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

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

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of minutes for monthly meetings and special meetings
- C. Approval of monthly reports and payment of monthly bills

Council Member Bastardi made a motion to approve the consent agenda; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

PRESENTATION:

A. Chief Williams introduced Lynn Connolly, a Lake Placid Resident. Chief Williams stated Mrs. Connolly donates funds to the Lake Placid Police Department and this year she donated \$1,000.00. He stated the LPPD felt they wanted to thank Mrs. Connolly by presenting her a plaque to show their appreciation. Chief Williams stated the fund will go into the Police Department's donation fund where they purchase items needed by the Police Department.

PUBLIC HEARING:

A. Ordinance 10-624 – Amending 2010-2011 Water/Sewer Budget (2nd hearing) Council Member Royce made a motion Ordinance 10-624 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Attorney –
 - 1. Cemetery Ordinance – Atty. Harris stated he was just about completed with the Cemetery Ordinance and would have it for first hearing at the next meeting.

2. Miracle League – Atty. Harris stated he was looking into the problem with the County not reimbursing the Town for the payment of the Miracle League. The County had stated they would donate up to \$120,000.00 to the Town for the Miracle League rubberized surface. He stated he had a little more investigation to do and he would have a report by the next meeting.

3. Highlands Cove – Atty. Harris stated the Wohls, who are purchasing the property previously owned by Ted Schiafone, behind Publix, would like to use the property they are donating to the Town to store their construction materials on during construction. Atty. Harris stated the Wohls were willing to cover the Town on their insurance policy for any damages or liability issues that might come up on the property while they are using it. After much discussion on whether or not to charge the Wohls for the use of the property, Council Member Royce made a motion that we ask the Town Attorney to formalize an agreement with the Wohls for permission to store construction material there for up to one year, contingent upon the Town owning the property; motion seconded by Council Member Bastardi. Council Member Royce stated his intend in making the motion was for the Wohls to prepare an agreement and send it to Atty. Harris; if he was comfortable with it and that the Town was adequately protected by it, then the Mayor would sign the agreement. On roll call, Council Member Davis and Council Member Royce voted yes; Council Member Worley and Council Member Bastardi voted no. Mayor Holbrook voted yes to break the tie. Motion carried 3 to 2.

4. County Recreation Interlocal Agreement – Atty. Harris stated he would do an Interlocal Agreement for free and send it to the County. Atty. Harris stated he would state in the Interlocal Agreement because we provide recreation for conservatively 90% of the County residents, this would be an affect to help educate the new County Commissioners. Atty. Harris stated he would take the old form and use it with new wording. Council Member Bastardi made a motion Atty. Harris proceed with preparing the Interlocal Agreement; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. Public Works Director:

1. Mr. Fulton informed the Council Lykes Brothers/Mulch Division gave the Town 160 pallets (11,200 bags, which comes out to about \$.19 a bag) of mulch for free. All we had to pay for was transporting the mulch to the Town. Mr. Fulton stated Lykes Brothers needed to be thanked for their donation.

2. Tree at Schooni's – Mr. Fulton stated the Oak Tree at Schooni's, which we cut down a couple of years old, is coming back up. It has lifted up the sidewalk and the sidewalk needs to be fixed.

3. Tangerine Sidewalk – Mr. Fulton stated the sidewalk on Tangerine, which has been put in by the State, will have its final walk through this week. He stated it looks as if it is pretty well completed.

4. Public Works/Recreation Position – Mr. Fulton stated he wanted to inform Council he has been working with Mr. Komasa and feels Mr. Komasa is very well suited for the job of Public Works Director. Mr. Fulton stated he felt Mr. Komasa should be given at least six months in the position before Council decides to do anything further. Mr. Fulton further stated he felt if the Council is going to go out and interview, they should wait until the next budget year. Council Member Worley stated she would like to look further into the job descriptions that had been finished to the Council. She also stated she would like the Town's job descriptions and she would like to know the population for the City's whose job descriptions were presented.

Mayor Holbrook stated since this was Mr. Fulton's last meeting before he retires, he wanted to thank him for all the years he has dedicated his time to the Town.

C. Town Planner – Mayor Holbrook stated since there were no items for the Town Planner, they were not present.

D. Town Utility Director:

1. South Sewer System-Mr. Freeman stated Florida Rural was working on a rate study for the town on the utilities. He stated the study would be presented January 24, 2011. Council Member Royce stated he would suggest we not get a presentation from Florida Rural on what the rate study with what the current set of inputs is. Council Member Royce stated he would suggest what he needs to do is come to us and we need to talk about what other scenarios he needs to model, because he does not want to have what he considers a whole bunch of missed information that comes out of that meeting. He stated, he for one, really thinks we need to run five or six other models before we hear what any rate study has to say. Council Member Royce stated he really felt Florida Rural needed to come in for a workshop and the Council needed to talk about the different scenarios.

Council Member Worley made a motion to set a workshop to discuss different scenarios for utility rates; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. Mike Woods – of Quick Lube and the Lake Placid Car Wash was present. Mr. Woods stated since the Town has taken over Highlands Utilities his sewer bill has gone up 60%. He asked the Town to consider some reduction in the rates. Mark Tharpe, of Golden Corral was also present. Mr. Tharpe stated his sewer bill had also gone up 63%. Council stated they would be working on these matters at the workshop to discuss utility rates.

D. Town Police Chief:

1. Surplus Police Car – Chief Williams stated he had a 2003 Ford patrol vehicle #42, with over 100,000 miles used for code enforcement that has developed a grinding sound. He stated he feels the repairs would be expensive. He stated the code enforcement officer has been transferred to another spare vehicle and he will be purchasing another vehicle after the first of the year. He stated he would appreciate it if the Council would declare this vehicle surplus. He stated we place our surplus vehicles on the gov.org website for sale. Council Member Royce made a motion the Chief's request be granted; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Sign Ordinance – Chief Williams stated he would like Council to make a determination on an illuminated sign inside a building. He stated there was a business in Lake Placid who has a sign approximately 2' x 1' that has an illuminated sign on the inside of their store that hangs in the window. The sign swirls, blinks and changes colors. He stated our Ordinance disallows this on outside signs. However, the Ordinance does talk about inside signs also and his opinion is that it covers all signs, inside or outside. The owners were present and stated when the Chief mentioned it to them; they changed it to one color and slowed it down to the slowest it could go. They stated they are willing to cooperation in any way they can with the Ordinance. Some of the Council Members felt this was a gray area in our Ordinance and needed to be discussed at a later meeting. In the meantime, Council Member Royce made a motion that the Town Council direct the Chief of Police to not enforce the sign code as it pertains to sign inside a business until such time as Council has clarified the intent of the Code as it relates to

indoor flashing, blinking, moving signs; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

E. Town Clerk:

1. RFP for Audit Services – Mrs. Tuck stated we had received two proposals on our request for audit services. One from Wicks, Brown, Williams & Co. and the other from NCT Company. Mrs. Tuck stated she, John Komasa and Jim Fulton had reviewed the submissions and found them to be equally acceptable. She stated they did not have a recommendation on which one to select and was leaving that up to the Council. After some questions to the applicants and a short interview, Council Member Royce made a motion that the Mayor be asked to be in touch with Attorney Harris and determine whether in your judgment he or some other entity he knows of has an appropriate ranking sheet criteria and if you determine that you feel that the ranking criteria can be applicable to our Town that you then forward those ranking sheets to us in the next few days and that we rank independently rank the firms and come back at our next regularly scheduled meeting and tally those sheets and then begin negotiations with the top ranked firm; motion seconded by Council Member Bastardi. On roll call, Council Member Bastardi, Council Member Davis and Council Member Royce voted yes; Council Member Worley voted no. Motion carried 3 to 1.

G. Mayor/Town Council Members:

1. Council Member Bastardi – brought up his concerns about the County funding for Recreation and the Miracle League. Council Member Bastardi was reminded that Atty. Harris is working on the Miracle League issue and that he is also working on an Interlocal Agreement asking the County to send us their proposed \$100,000.00 contribution to each City for recreation.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 11:05 P.M.