

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
DECEMBER 11, 2006 5:30 P.M.**

Mayor Tom Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday December 11, 2006 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The invocation was given and the Pledge of Allegiance to the Flag was led by students of Lake Placid Christian School.

ROLL CALL:

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

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

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of monthly reports and payment of monthly bills.
- B. Approval of minutes
- C. Approval of Lake Placid High School Junior Class using DeVane Park for a car show.

Council Member Waller made a motion the Consent Agenda be approved subject to the Junior Class furnishing the Town with an insurance binder naming the Town as a loss payee and the Class having port-a-johns at the show; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBER:

- A. Town Attorney
 - 1. Police Department – Mayor Katsanis stated during the budget the Council had heard the mention of lowering taxes. He stated he has had several citizens mention to him about dissolving the police department and going with the Sheriff’s Department for Town protection being as the citizens pay the Sheriff through taxes. He stated Atty. Harris and him had contacted Sheriff Benton and she stated she was willing to look into the matter. He said she further stated if she were to take over the policing of

the Town she would most likely hire most of the police officers presently serving the Town. Council Member Brantley made a motion this matter be placed on a special Council meeting to be held January 9, 2007 at 5:30 P.M. at Town Hall; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

B. Town Utility Director

1. CDBG Hotel Bid – Mr. Freeman stated he held a bidding opening for the construction of the water line to the new Holiday Inn. He stated the lower bidder was KDL. Council Member Waller made a motion the lowest bid be accepted by the Council; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
2. Kathy Lawens – Impact Fees – Mrs. Lawens stated she was concerned about the impact fees being charged to residents for sewer service. Council asked the Town Clerk to schedule a special workshop on January 29, 2007 at 5:30 P.M. to discuss the sewer project including impact fees.

PUBLIC HEARINGS:

- A. Lake Sirena Cove – Road Abandonment – Council Member Waller made a motion the Resolution be approved; motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Waller and Council Member Brantley voted yes; Council Member Worley voted no. Motion carried 3 to 1.
- B. Site Plan Review – Boston Mining Company – Mrs. BuChans state the applicant is requesting final site plan approval of a proposed office building in an area zoned C-2 at the southeast corner of Dal Hall Boulevard and Oak Street. It is approximately .73 acres in size with a future land use designation of RO, residential/office. She stated the LPA’s recommended motion was made by Commissioner Royce for the Town Council to approve the final site plan approval with the following conditions:
 1. Locate fire hydrants on site plan.
 2. Address all of staff’s Development Order stipulations.
 3. Lighting compatible with Dal Hall Boulevard.

The motion was seconded by Commissioner Celaya and on roll call passed unanimously. Mrs. BuChans stated staff was recommending the Council approve the LPA’s recommendation. Council Member Brantley made a motion pursuant to the LPA’s motion, move to approve the final site plan with the LPA’s stated conditions; motion seconded by Council Member Worley. On roll call, Council Member Brantley, Council Member Wilson and Council Member Worley voted yes; Council Member Waller had to leave the Chambers during the vote and was not present for the vote. Motion carried 3 to 0.

- C. Site Plan Review – Patrick McCaun – Mr. William Kholin stated he was the spokesperson for Mr. McCaun. He stated Mr. McCaun was not able to attend. He further stated he has no financial interest in the project.

Mrs. BuChans stated the applicant is requesting a final site plan approval of a proposed office building in an area zoning C-1, south of Tower Street, east of U.S. 27. It is

approximately 1.82 acres in size with a future land use designation of CG, commercial general.

She further stated the LPA's recommended motion was made by Commissioner Royce to recommend to the Town Council they approve the final site plan with the following conditions:

1. No food service allowed.
2. The storage area for office storage not be air-conditioned.
3. Address all of staff's Development Order stipulations after paragraph 8.
4. Final Development Order be recorded.
5. Show fire hydrant location on site plan.
6. Site plan say Office Space and Storage Space and subject to permanent wall between storage area and office space.

The motion was seconded by Commissioner Celaya. On roll call, motion carried unanimously.

Council Member Waller made a motion pursuant to the LPA's motion to approve the final state plan with the conditions as stated by the LPA; motion seconded by Council Member Worley. On roll call, Council Member Waller, Council Member Wilson and Council Member Worley voted yes; Council Member Brantley abstained from voting due to a conflict of interest. Motion carried 3 to 0.

Council Member Waller made a motion to allow one unit in the development to have climate control in the storage area; motion seconded by Council Member Worley. On roll call, Council Member Waller, Council Member Worley and Council Member Wilson voted yes; Council Member Brantley abstained from voting due to a conflict of interest. Motion carried 3 to 0.

- D. Ordinance 06-543 – Amending Ordinance 06-513 – PD Ordinance (2nd hearing)
Council Member Brantley made a motion to approve Ordinance 06-543 on second hearing by reading of title only and adopt; motion seconded by Council Member Waller. On roll call, motion carried unanimously.
- E. Ordinance 06-537 – Sanitation/Dumpster Fee Ordinance –(2nd Hearing) - Council Member Brantley made a motion to approve Ordinance 06-537 on second hearing by reading of title only and adopted; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- F. Ordinance 06-542 – Reliable Sanitation Franchise Ordinance (2nd hearing)
Council Member Brantley made a motion Ordinance 06-542 be approved on second hearing by reading of title only and adopted, subject to acceptance by Reliable Sanitation Company; motion seconded by Council Member Waller. On roll call, motion carried unanimously.
- G. Ordinance 06-544 – Bullard Regulations (LDRs consistent with County's) (2nd hearing) Council Member Brantley made a motion to approve Ordinance 06-544 on second hearing by reading of title only and postpone adoption until Atty. Harris has had an opportunity to discuss the Ordinance with our Planners in

further detail; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

- H. Ordinance 06-522 – Large Scale Comprehensive Plan – HIW (adoption hearing) Council Member Waller made a motion Ordinance 06-522 be approved on final hearing and adopted; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- I. Ordinance 06-523 – PD/DO – HIW (1st hearing) Mrs. BuChans stated the applicant is requesting a rezone to amend the Land Use Map from Highlands County Agriculture (AU) and Lake Placid Agriculture (A-1) to Town of Lake Placid Multi family Residential District (R-2) with a Planned Development (PD) overlay for approximately 17.725 acres of property located in a portion of the Northwest Quarter of Section 31, Township 36 South, Range 30 East, Highlands County, Florida, east of Main Street and north of Heartland Boulevard. The applicant intends to develop the site for residential dwelling units.

Council Member Waller made a motion to approve Ordinance 06-523 on first hearing by reading of title only and subject to conditions stipulated by the Town Council and that the Mayor is authorized to put in amount due on park's level of service once the attorneys are able to determine the amount; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Atty. Harris presented a document titled Agreements and Covenant Regarding Water and Wastewater Service between the Town of Lake Placid and HIW Development, LLC, a Florida Limited Liability Company. Atty. Harris stated the agreement was ready for Council's approval. Council Member Waller made a motion the Agreement be approved, subject to any and all amendments made as needed; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

- J. Ordinance 06-530 – Large Scale Comprehensive Plan – Lake Partners (Adoption hearing) Council Member Waller made a motion Ordinance 06-530 be approved by reading of title only and adopted; motion seconded by Council Member Brantley. On roll call, Council Member Worley, Council Member Waller and Council Member Brantley voted yes; Council Member Wilson voted no due to a conflict of interest. Motion carried 3 to 0.
- K. Ordinance 06-538 – PD/DO – Lake Partners (2nd hearing) Mrs. BuChans stated the applicant is requesting a rezone to amend the Land Use Map from Lake Placid Agriculture (A-1) to the Town of Lake Placid Multi Family Residential District (R-2) with a Planned Development (PD) overlay for approximately 17.725 acres of property located in a portion of the Northwest Quarter of Section 31, Township 36 South, Range 30 East, Highlands County, Florida, east of Main Street and south of Heartland Boulevard. The applicant intends to develop the site for multi family dwelling units.

Mrs. BuChans informed the Council the LPA was recommending approval to the Town Council for rezone to amend the Land Use Map from (A-1) to the Town of Lake Placid Multi Family Residential District (R-2) with a Planned Development

(PD) overlay for approximately 12.8497 acres of property with the following conditions:

1. Fair share on Heartland Boulevard improvements.
2. Dedicate 30 feet of right of way on Hillcrest Street and 10 feet for multi-use path and whatever other amount is needed based on the revised traffic study.
3. Furnish a revised traffic study.
4. Furnish a revised site plan
5. At the issuance of the 24th unit C.O. Neighborhood Park improvements (LOS) must be in place.

Council Member Worley made a motion that Ordinance 06-538 be approved on second hearing by reading of title only and adopted with changes discussed on the record with left turn at the 64th Co and other noted changes; motion seconded by Council Member Waller. On roll call, Council Member Waller, Council Member Worley and Council Member Brantley voted yes; Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 3 to 0.

Atty. Harris presented a document called an Agreements, Covenant and Lien Regarding Water and Wastewater Service Between The Town of Lake Placid and Highlands Cove Development. Atty. Harris stated he would recommend Council reviewing the document and taking action on it. Council Member Worley made a motion the Council approve the agreement as presented; motion seconded by Council Member Waller. On roll call, Council Member Worley, Council Member Waller and Council Member Brantley voted yes; Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 3 to 0.

L. Ordinance 06-534 – Comprehensive Plan Amendment – Mrs. BuChans stated this Ordinance needs to be approved, subject to all mention of the Silver Company be deleted. Council Member Waller made a motion to adopt Ordinance 06-534 deleting all Silver entries; motion seconded by Council Member Worley. On roll call, Council Member Waller, Council Member Worley and Council Member Brantley voted yes; Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 3 to 0.

M. ORC – 06-2 Adoption – Council Member Worley made a motion to adopt ORC 06-2, subject to the inclusion of the changes made and deleting all referring to the Silver Company; motion seconded by Council Member Waller. On roll call, Council Member Waller, Council Member Worley and Council Member Brantley voted yes; Council Member Wilson abstained from voting due a conflict of interest. Motion carried 3 to 0.

Mrs. BuChans stated the LPA was recommending to the Town Council to move the Council's transmittal hearing to February 19th and March 12th 2007 respectively. Council Member Worley made a motion the next Large Scale Comprehensive Plan Cycle be changed to LPA hearing March 19, 2007, Council hearing March 12, 2007 and the adoption on June 11, 2007; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

MAYOR/COUNCIL MEMBERS COMMENTS:

- A. Mayor Katsanis stated Local Planning Agency/Board of Adjustment member Luis Celaya had turned in his resignation effective December 31, 2006. Mayor Katsanis asked that anyone who is interested on serving on the Board send in a resume before our next meeting and the Council will consider them.
- B. Council Member Brantley stated he felt the County should not review any plans that change from the review by the LPA to when it goes before the Council. He stated he feels if a plan is changed after review by the LPA before it comes to Council it has to go back to the LPA.

Council Member Wilson made a motion the meeting adjourn; motion seconded by Council Member Brantley. Mayor Katsanis hearing no objections declared the meeting adjourned at 10:30 P.M.

The meeting recessed at this time to allow the Town of Lake Placid Local Planning Agency/Board of Adjustment to hold a special meeting.