

ORGANIZATIONAL MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
MAY 12, 2008 5:30 P.M.

Mayor Tom Katsanis called the organizational meeting of the Town of Lake Placid Town Council to order on Monday May 12, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Rev. Richard Norris, of the Trinity Lutheran Church of Lake Placid gave the invocation and a representative from the Lake Placid Christian School led in the Pledge of Allegiance to the Flag.

ROLL CALL:

Mayor Tom Katsanis
Council Member Steve Bastardi
Council Member Bill Brantley
Council Member Charles Wilson
Council Member Ray Royce

Town Clerk Arlene Tuck
Town Attorney Bert Harris
Town Utility Director Gary Freeman
Town Recreation Director John Komosa
Town Planner Sue BuChans
Town Police Chief Phil Williams

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approve request from Henscratch Farms to conduct wine tasting and sales at Caladium Festival.

Attorney Harris asked for the Council to consider pulling C from the Consent Agenda because he needed to revise a portion of the documentation that has been sent for this issue.

Council Member Wilson made a motion to approve A and B and to pull C; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Attorney Harris stated the application listed the address of the function as Interlake Boulevard, Lake Placid, Florida. Atty. Harris stated by law it has to have a physical address. Council Member Royce moved to grant a permit to Henscratch Farms to conduct wine tasting and sales at the Caladium Festival in Stuart Park, Lake Placid, Florida on August 22, 23 and 24, 2008; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

PRESENTATIONS:

- A. Water Department – Jackie Haynes – Poster Contest – Ms. Haynes stated this year was the Town’s third year of sponsoring a Poster Contest for grades kindergarten

through the eighth grade concerning water conservation. She stated this year she had several sponsors and the winners would be given savings bonds, tickets to Lowry Park in Tampa, free meal at Golden Corral and Wendy's, pencils, and a backpack. As she called the names of the winners, each child was presented at the front of the Council Chamber and given their awards. Ms. Haynes was thanked for another great job which she took on by herself.

- B. Lake Placid Chamber of Commerce – Pam Karlson, past President of the Lake Placid Chamber of Commerce gave an update on the progress of the Lake Ridge Community Center and Hurricane Shelter. Mrs. Karlson showed plans of the proposed building. She stated the committee would be turning the building over to the Town once it is completed and would venture it could be used for administrative buildings for the Town. Council Member Royce asked about the road to the Center and Council Member Brantley asked about the upkeep. The Committee stated they would check on the price of the road and see if they could come up with an amount for the upkeep of the building. The Committee also stated they had hired Corbett Alday to do grants for them. The Committee also stated they have been ranked #1 project by the County for funds from the State and Federal appropriations. Mrs. Karlson also informed the Council the Committee had been granted matching funds from the County for funds that had previously been earmarked for the School Board to upgrade the Lake Placid High to hurricane specs. which the School Board had returned to the County.

Mrs. Tuck stated the Town had started back in 2005 putting funds in an account to build a new Town Office, because the present building has been outgrown. She stated there is approximately \$285,000.00 in the account. She stated she would like to see these funds designated for the building of the Community Center.

The Committee stated they would keep the Council updated on their progress.

- C. Lynn Connolly – Downtown Activities – Mrs. Connolly presented the Council with a map and notes concerning alleyways south of Interlake Boulevard. She stated she had walked many of the alleyways and they are in dire need of cleaning up. She stated children walk through the alleys and people ride bikes. She further stated she would like permission to have a group clean up the alleys. She would also like to see the Town start a program of cleaning up the alleys. Council asked the Clerk to call our insurance company to see if there is any liability involved in a group going around cleaning up the alleys. The Mayor will talk to Mr. Fulton about his crew cleaning the alleys.

Mrs. Connolly then stated she would like to see the Town draft a renter's ordinance. Council Member Bastardi made a motion the Council hold a special meeting on June 23, 2008 at 5:30 P.M. at Town Hall, to consider the development of an renters ordinance and that all appropriate officials be asked to attend; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner – Mr. Polatty, Highlands County Development Director, informed the Council he had just been advised by the Florida Department of Community Affairs that until the School element of the Comprehensive Plan is adopted by the city, no comprehensive plans can be submitted to DCA. He stated the Lake June

Properties large scale comprehensive plan which was recently adopted and voted on to be transmitted to Tallahassee, will have to wait until the school element is adopted.

B. Police Chief:

1. Red Light Cameras – Chief Williams stated he was ready to proceed or withdraw the issue of red light cameras. Council Member Brantley made a motion Chief Williams proceed with presenting a proposed Ordinance and contract to the Council for their review; motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Royce and Council Member Brantley voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.
2. Grant for Shutters on Police Building – Chief Williams informed the Council the State had contacted him and informed him they were approving a grant he applied for two years ago. The grant involved placing shutters on the police building. It is a 75%/25% match, meaning the Town would pay \$12,000. and the state would put in the balance. Chief Williams stated he ready felt with the economy the way it is, he could use a new care rather than shutters. Council Member Royce made a motion Chief Williams cease pursuing the grant for shutters; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
3. Walgreens – Site Plan – Mrs. BuChans stated she had received a letter from Walgreens in response to her letter concerning the removal of four trees along Eucalyptus Street (as suggested by the County Engineer to ease the safety issue of not being able to see around the trees). Mrs. BuChans stated Walgreens advised her they wanted to abide by all safety rules and would be willing to remove the four trees. However, they did want something in writing so that future Code Enforcement Officers or Town Council would not require they replace the trees.

The Council asked that Mrs. BuChans contact Walgreens and request they submit an application to amend their site plan to show the removal of the northern four trees on the west side of the building and insertion of a ground cover or shrub (not to exceed three feet in height) replacing the trees. The Council stated that staff should prepare the application, that Walgreens would not have to appear at the meeting and that all expenses would be paid by the Town.

C. Town Attorney:

1. Atty. Harris informed the Council the Growth Management Committee had met on Monday May 5, 2008. He stated Mr. Polatty stated the meeting was called for the Growth Management Committee and Local Planning Agency to make recommendations to the Town Council concerning the Objections, Recommendations and Comments from the Department of Community Affairs in reference to the Highlands County Comprehensive Plan for the Town of Lake Placid Vision Plan. Atty. Harris stated the Growth Management Committee and the Local Planning Agency were recommending to the Town Council that they approve the following:

- a. Delete the Urban Service Boundary and the Administrative relief from the plan and request additional time to consider related and other changes.

Council Member Brantley made a motion to delete the Urban Service Boundary and the Administrative relief from the plan and request additional time to consider related and other changes; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

D. Town Clerk:

1. Mrs. Tuck informed the Council we had bid out the Town Hall's internet service because we have always used The Home Town Network and that is owned by our new Council Member Steve Bastardi. She stated she advertised the bid in the Lake Placid Journal and the Highlands Today. She further stated there was only one bid received and that was from The Home Town Network. She also stated Council Member Bastardi had filed a Form 3A Interest in Competitive Bid for Public Business which is required by the Commission on Ethics.

Council Member Brantley made a motion The Home Town Network bid for internet service and onsite technical support be approved; motion seconded by Council Member Wilson. On roll call Council Member Brantley, Council Member Wilson and Council Member Royce voted yes; Council Member Bastardi abstained from voting. Motion carried 3 to 0.

2. Mayor/Town Council Members:
 - a. Election of Vice Mayor – Council Member Royce made a motion Council Member Brantley be appointed Vice Mayor; Council Member Wilson seconded the motion. On roll call, motion carried unanimously.
 - b. Council Member Royce – Utility Advisory Committee – Council Member Royce stated because of the issues confronting the County and Town concerning utilities, he would like to revisit the Utility Advisory Committee Ordinance. Atty. Harris stated the Council had been given a draft of an Ordinance several months back. Council Member Brantley made a motion to give Atty. Harris authority to redraft the Utility Advisory Board ordinance and resubmit it to the Council; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Heartland Realty – Amend Site Plan and Development Order – Mrs. BuChans stated the applicant is requesting a site plan amendment and their development order be amended for the Heartland Pharmacy building in an area zoned C2-A, located at the southeast corner of Royal Palm and Spruce Avenue. This site plan and development order was approved by Town Council in their January 9, 2007 meeting and in LPA's December 11, 2006 meeting.

The applicant wants to amend the site plan as follows:

1. The depiction of the connectivity between pharmacy/office buildings with office next door (to the east) cannot be met due to the neighboring office's storm water retention pond location. The retention pond is in the area that the parking connectivity would occur resulting in the office losing its storm water retention pond.
2. The applicant proposes two parking spaces "in substitution" to the area for connectivity between pharmacy/office buildings with office next door.

The applicant wants to amend the Development Order as follows:

1. Request reference to pharmacy in paragraph one be removed. There are no current plans to use this property as a pharmacy.
2. Request that the connectivity requirement in paragraph three be deleted in its entirety. There is a problem with connectivity between the subject property and the property next door (to the east).
3. Request that the deed restriction in paragraph five be deleted. This deed restriction has affected the client's final financing with the bank.
4. Request the business closure time of 6:00 p.m. be deleted. The client fees this closure time is burdensome, especially in operating a small neighborhood business.

Mrs. BuChans stated the LPA's recommended motion was: Move to recommend to Town Council to deny the request for amending the Development Order dated January 31, 2007 and recorded February 5, 2007 in Book 2043, Page 1745-1746, Public Records of Highlands County, Florida and that they deny the request amending the site plan dated December 27, 2006.

Mrs. BuChans stated staff was recommending the following:

Pursuant to the LPA's recommended motion the Town Council, move to deny the request for amending a Development Order dated January 31, 2007 and recorded February 5, 2007 in Book 2043, Page 1745-1746, Public Records of Highlands County, Florida and that they deny the request amending the site plan dated December 27, 2006.

OR

The Council could consider tabling this Application for three months and request the Applicant submit a revised site plan and revised development order to Staff and Mr. Harris for an August LPA meeting to address the following issues:

Staff Recommended Town Council Motion: The Town Council, move to table for three months and Applicant resubmits a revised site plan and Development Order to Staff and Mr. Harris in July for an August LPA meeting that addresses the following:

Site Plan

1. Provide parking connectivity between the pharmacy and the office next door, with or without disturbing the adjacent property owner's retention pond. The adjacent property owner is to be made aware of this request.
2. Redesign or relocation of other facilities may be required to the site plan.
3. Close drive through apron to Spruce Avenue and install curbing to County Roadway standards, hedges, and landscaping.

Development Order

1. Delete Special Condition 1.
2. Special Condition 5. add 'medical supply' and clarify the permitted uses allowed under 'professional office'.

After extended discussion on all these matters, Council Member Royce made a motion to amend and restate the Development Order dated January 31, 2007 and recorded February 5, 2007 in Book 2043, Page 1745-1746, Public Records of Highlands County, Florida to delete special condition #1 (drive through pharmacy exit to be a single-lane drive onto Spruce Street) and replace with: Spruce Street exit to be closed in a good workman like manner with curbing, gutter, hedging and landscaping to standards and consistent with the balance of the street; delete special condition #3 (Connectivity between pharmacy/office buildings with office next door (to east)); modify special condition #5 to read: Place in "deed restriction" and in "final development order" that this building will be used only as either:

1. Pharmacy, medical equipment sales and rentals
2. Accounting, auditing and bookkeeping services
3. Architect and design studios
4. Artist's studio
5. Brokerage houses, investment counseling and financial services
6. Data processing and information services
7. Engineering and survey offices
8. Insurance agencies
9. Law firm and other legal services
10. Marketing and advertising services
11. Photographic studios
12. Private investigation and security office
13. Real estate agencies
14. Secretarial, stenographic, telephone and similar business services
15. Travel and touring agencies;

modify special condition #6 to read "All business with the public can commence no earlier than 6:00 A.M and must close at 6:00 P.M.; also an additional special condition shall be added as: No parking on any rights-of-ways; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- B. Ordinance 08-581 – Amend Town's Utility Rates – (1st hearing) Atty. Harris read the title of the Ordinance 08-581. Atty. Harris stated he had added two new paragraphs 135-20. Residential and commercial water use charges and 135-21 Leaks, Breaks and Errors. Council asked that 135-51 be modified at the end of the paragraph to include "except by authority of the Town Council. The Town Council also asked that (r) under 135-51 be deleted in it entirety. Council Member Wilson made a motion to approve Ordinance 08-581 on first hearing by reading of title only and with the noted changes; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Brantley made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Katsanis hearing no objections declared the meeting adjourned at 10:05 P.M.