

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
JUNE 9, 2008 5:30 P.M.**

Vice Mayor Bill Brantley called the regular monthly meeting of the Town of Lake Placid Town Council to order on Monday June 9, 2008 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.

ROLL CALL:

Vice Mayor Bill Brantley
Council Member Steve Bastardi
Council Member Ray Royce
Council Member Charles Wilson

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

ABSENT:

Mayor Thomas Katsanis
Town Recreation Director John Komosa
Town Public Works Director Jim Fulton

APPROVAL OF AGENDA:

Council Member Wilson made a motion the agenda be approved as presented; 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

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

PRESENTATION:

- A. Highlands County Supervisor of Elections – Early Voting - Supervisor of Elections Joe Campbell stated the County was requesting to use the Council Room for early voting. He stated the early voting would be August 11, 2008- August 22, 2008 and October 20, 2008 – November 1, 2008, 8:30 A.M. until 4:30 P.M. Monday thru Saturday. Mr. Campbell stated he would be in charge of opening and closing the Council Room on Saturday. Council Member Wilson made a motion to allow the Highlands County Elections Office to use the Council Room as requested; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- B. Lake Placid Recreation Committee – Horace Durrance, Chairman – Chairman Durrance presented the Council with a needs chart showing what the Committee and members of the different sports felt was necessary for to bring the Lake Placid area up to date with recreation.

Chairman Durrance also stated the company that was hired to level the soccer fields at Lake June Sports Complex, did not accomplish what they were hired to do. Chairman Durrance stated the fields are off in some places as much as two feet. Atty. Harris stated he has talked to the company several times and the company, Optimums, feels it was due to the Town going in and planting grass, laying irrigation and mowing.

Chairman Durrance stated he had obtained a price from Excavation Point, Inc. and Hathaway's Diversified Material to mix the grass prior to balancing and balancing to proposed elevation of \$7,700.00. This does not include the additional grass that will need to be purchased and new irrigation laid. Chairman Durrance stated this project would probably run an additional \$3,000 to \$4,000 on top of the \$7,700.00. It would be a total of approximately \$10,000.00. Mrs. Tuck stated she thought there was approximately \$18,000.00 felt in the Recreation repair and maintenance budget. Council Member Bastardi was concerned we were moving too fast on this matter. Chairman Durrance stated the County is free at this time to come in and push the marl and they would like the fields try to play on by September when the league will start.

Because the price is over our bid limit of \$5,000., Chairman Durrance was asked if he felt he could get the bill broken down between Excavation Point, Inc. and Hathaway's Diversified Material. Council Member Wilson made a motion to request the breakdown of the bids (under \$5,000.), and together not to exceed \$7,700 also make sure County can come in and do the work and make sure it is to grade; motion seconded by Council Member Royce. On roll call, Council Member Bastardi and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 2 to 1.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner:

1. Riley Tucker – Lots 1 & 2, Block 20, 2nd Sub Hoffman's Grove – Mrs. BuChans stated Mr. Tucker is purchasing the two lots. Our Code lists the lots as “*nonconforming lots of record*” because of their size. However, our Code does state when two or more lots, or combination of lots, or portions of lots with continuous frontage and single ownership are of record at the time of the passage of this code and if all or part of the lots do not meet the requirements established for lot areas, width or depth, the lands involved shall be considered to be an undivided parcel and no portion of such parcel shall be used or sold in a manner which diminishes the degree of compliance with established lot width, area and depth requirements, unless approved by Town Council to be separate, buildable lots for single-family dwellings. Mrs. BuChans stated Mr. Tucker was requesting Council's consideration on this matter.

Council Member Royce made a motion that Mr. Tucker's property (Lots 1 and 2, Block 20, 2nd Sub Hoffman's Grove, Plat Book 1, Page 96, of Highlands County, Florida) shall be separate, buildable lots for single-family dwellings; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Carports in C-1 Zoning District – Mrs. BuChans stated she has received a request for a carport in the rear of Lake Placid Eye Clinic, located at 211 U.S. 27 South. The carport is proposed to be placed behind the building in the rear of the parking lot. The carport would be 16’ in length, 10’ in width and 10’ at its peak. She further stated in reviewing the C-1 zoning district, accessory uses are permitted. However, she stated she drove around Lake Placid’s commercial area and could not find any other such accessory use of a carport. She asked if Council’s past vision was to not allow free standing carports in commercial areas. Council Member Royce made a motion for this matter to be presented to the Town of Lake Placid Local Planning Agency for their recommendations and for Atty. Harris and Mrs. BuChans to present it back to the Council in a legal form after the LPA have made their recommendations; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

3. Highlands County Impact Fee Ordinance – Mr. Polatty asked Council to approve an Ordinance amending Ordinance 05-06-44, the Highlands County Impact Fee Ordinance. Mr. Polatty state it appears that the provisions adopted in Ordinance 05-06-44 for assuring that properties receiving an exemption as Affordable Housing are unworkable due to current lending requirements. Mr. Polatty stated the City of Sebring had requested some changes to the proposed Ordinance. Mr. Polatty stated the recommended changes for the Council. Council Member Royce made a motion to waive the 60-day period to obtain comments so that the County can move forward with the amended Ordinance and further state the Council has no comments; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

B. Town Attorney:

1. Atty. Harris presented a First Amendment to FDOT Landscape Maintenance Agreement – He stated this amendment is for the landscaping being done through an FDOT grant and ranges from Heartland National Bank to the railroad overpass. Council Member Royce made a motion to approve the First Amendment to FDOT Landscape Maintenance Agreement; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
2. Lake Partners, LLC (Ted Schiafione) – Atty. Harris stated the Town Council entered into a Water and Wastewater Service and Supply Agreement with Lake Partners, LLC regarding 12.8497 acres of land immediately behind Publix on December 21, 2006. Atty. Harris stated Mr. Schiafione’s attorney, Mike Gallaher, had contacted him and asked if the Town Council would consider entering into an amended and restated water and wastewater service and supply agreement. Mr. Gallaher stated the development does not appear to be going forward as quickly as anticipated and the agreement is a bit more aggressive than some of the Town’s later water and wastewater service and supply agreements. Atty. Harris stated the first issue in this matter would be to determine whether the Town will extend the payment time for the developer (now due June 10, 2008), also to consider: 1) System Development Charge Payment Schedule and 2) Security (Letter of

Credit). Atty. Harris stated he had discussed these matters prior to this meeting with Mr. Freeman.

The Council stated they wanted to review this matter further and wanted Atty. Harris and Mr. Freeman to come back to the next meeting with a revised Agreement. Council Member Bastardi made a motion to table until July 14, 2008; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

C. Public Works Director:

1. Susan Compton – stated she would like some help on her service road with semi trucks parking on the right-of-way in front of her business. She stated the trucks are tearing up the pavement and destroying the beautification. She felt if more parking tickets were given maybe this would alleviate some of the problems. Chief Williams stated this is private property and unless the owner calls to advise them the trucks are on private property there is nothing they can do. After a lengthy discussion, Chief Williams and Atty. Harris were asked to look into methods of more enforcement. One suggestion was to place a weight limit on the road, another was to increase the price of the tickets. Chief Williams and Atty. Harris will report back at the next meeting.
2. Lynn Connolly – stated she would like to see the Council adopt the City of Sebring’s Immigrant Labor Camp Ordinance. She stated there are many labor camps in the Town of Lake Placid and the owners are not keeping up with maintenance. Atty. Harris stated staff had met and will be bringing back an Ordinance concerning landlords responsibilities to renters on maintenance of the facilities.

D. Town Clerk:

1. Mrs. Tuck stated she had attended the Board of Directors Meeting for Public Risk Management of Florida (our insurance carrier) and the Town had been awarded an award for no vehicle accidents for the year 2006-2008. Mrs. Tuck stated this is the 7th year the Town has received the award and she felt the employees should be congratulated for this accomplishment.

PUBLIC HEARING:

- A. Ordinance 08-581 – Amend Town’s Utility Rates (2nd hearing) – Atty. Harris stated the changes he had made which were requested by the Council at the May 12, 2008 (1st hearing) meeting. He asked if there were any other changes. Mrs. Tuck asked that on page 16 of 34, the *Monthly base facility charge* fees be changed to delete penny values and increase it up to the next nickel. Council Member Bastardi made a motion Ordinance 08-581 be approved on second hearing by reading of title only and adopted with the changes requested by Mrs. Tuck; 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 Bastardi. Vice Mayor Brantley hearing no objections declared the meeting adjourned at 8:30 P.M.