

REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
MONDAY JUNE 13, 2011 5:35 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday June 13, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

Town Clerk Arlene Tuck
Town Utility Director Gary Freeman
Town Public Works Director John Komasa
Town Police Chief Phil Williams

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of minutes for meetings
- C. Approval of monthly bills
- D. Approval of Highlands County Board of Co. Letter to waive sixty day notice.

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

DEPARTMENT HEADS:

A. Town Planner:

1. Lake June Pointe – Marlene Barger, representing the Homeowners Association of Lake June Pointe, asked Council to consider an Ordinance requiring the Highlands County Building Department to receive a letter or some type of Certificate from the subdivision’s Homeowners Association (if one is organized and active) approving the architectural standards before issuing a building permit to a contractor or home owner. Mrs. Barger stated Lake June Pointe has Deed Restrictions concerning the architectural standards, but they have no way of enforcing the restrictions. Council Member Royce made a motion we ask the Chief of Police to research this concept and the appropriate fee schedule; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. James Donohue – Remax Realtor – Asking for reduction on Code Violation – A representative of Remax Realtor was present in reference to the property located at 315 Sirena Drive, Lake Placid, Florida. She stated US Bank National Association had foreclosed on the property on April 13, 2011 and was now the owners. She stated when the violation was placed on the property US Bank National Association was not the owner and, therefore, they were asking if the Town would consider reducing the Code Violation penalties. She stated she has been told by the Code Enforcement Officer and the Town Staff that the penalties total \$31,500.00. Council Member Worley stated she did not feel Council should reduce the penalties because now that it is in foreclosure, the house will sell right away. Council Member Worley made a motion to deny the request for reduction of the Code Violation Penalties; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

B. Town Public Works Director (Streets, Sanitation, Recreation, Cemetery):

1. Report on South Main Avenue sidewalks and planting of trees – Mr. Komasa stated he estimates the cost to plant the trees on South Main Avenue will be around \$1,500.00. He stated they would have to bore under a Royal Palm and Washingtonia and set three meters. He stated after the trees get going the water could be disconnected. He reminded the Council Hoz Compton volunteered to purchase between 45-50 trees if the Town would plant them and maintain them. Council Member Worley stated she was concerned that the taxpayers are having to pay for the water and she would like to see South Main Avenue stay as it was intended with parking. Council Member Royce made a motion to allow the Public Works and Utility departments to move forward with the installation of the necessary lines to water the areas depicted on Exhibit A (attached hereto) if the cost to the Public Works Department and Utility Department will not exceed \$1,500.00 for material and labor and that the watering will be for the establishment of the trees not to go past August 1, 2012; motion seconded by Council Member Bastardi. On roll call, Council Member Royce, Council Member Bastardi, and Council Member Davis voted yes; Council Member Worley voted no. Motion carried 3 to 1.

Council Member Royce stated the intent of his motion is that if Mr. Komasa and Mr. Freeman have a discussion and the cost is over \$1,500.00, they immediately stop and they come back and the Council talks about it again. Council Member Royce stated the watering will be for the establishment of the trees and his motion does not prevent the Public Works Director from coming back to Council before August 1, 2012 and asking for an extension.

2. Charles Flake – Drainage problem on Hibiscus – Mr. Flake, representing his father-in-law Gonzalo Vasquez, who lives at 120 East Hibiscus Street, stated when it rains Mr. Vasquez has dirt that piles up on the road in front of his house. Mr. Flake asked Council if there is anything they can do to prevent this build up. Mr. Freeman stated he has looked at the road because of the bad drainage problem. He stated the rain comes down from the Baptist Church and turns into South Pine Street. He stated because of the dip in front of Mr. Vasquez's house the dirt remains on the road. Mr. Freeman stated the former Public Works Director did several things to try and fix the situation, but unless we bring in an engineer to evaluate the situation, he didn't know what could be done. Council asked for the time being that the Public Works Department monitor the street and try to keep it clean.

3. Miracle League – Approval of transfer to Miracle League Corporation funds in account – Mr. Komasa stated there was an updated report presented to the Council from the Town Clerk, however, there are a few other expenses that need to be deducted from the amount before turning the funds over to the Miracle League Corporation. Council Member Royce stated he was satisfied with the documents he received, as requested. Council Member Royce made a motion Council approve the transfer the funds the Town is currently for the Miracle League operations account to the Miracle League Incorporation pending Mr. Komasa's approval of all appropriate payments being made; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

4. South U.S. 27 Sign – Mayor Holbrook stated he had a meeting with Mike Eisenhart and DOT concerning some erosion problems next to the sign at the south end of Town on U.S. 27. Mayor Holbrook stated he noticed the sign is in very bad shape and asked that Mr. Komasa check into it and see what can be done. He stated if the sign is not repaired soon, he is afraid it will completely deteriorate.

C. Town Utility Director: Mr. Freeman stated he had no reports.

D. Town Police Chief:

1. Retirement reimbursement – Chief Williams stated he was speaking for all the employees at this time. He stated he had checked with all of them and they agreed for him to represent them in this matter. Chief Williams reminded everyone that beginning July 1, 2011 the Florida Division of Retirement has required every employee to contribute 3% of their salary into their retirement fund. This reduces the amount the Town has to pay into it. Chief Williams stated Mrs. Tuck had prepared a chart showing last year’s budgeted amount compared to what the Town now has to pay. Chief Williams stated he would like to request the Town contribute the 3% to the employees for the July 1, 2011 to September 30, 2011 end. He stated this is something that just came up and the employees were not aware it would be coming up. He further reminded the Council the Town employees have not had a raise in two years. Mrs. Tuck stated if the Town pays the 3% to the employees, they would still be saving on their budget \$14,258.25. Council Member Royce stated he was not against paying the 3% for the employees, but wanted to make sure we were not violating any rules with the Florida Division of Retirement. Mrs. Tuck stated she would get with Rachel Osborne, who recently attended classes on this matter, and see how it can be handled. They will report back at the June 27, 2011 meeting.

2. Towing Ordinance – Chief Williams stated the State has required the County to approve an Ordinance concerning towing fees and policies. Chief Williams stated the County has prepared one and submitted it to him for review. Council Member Royce stated he would like to see the Town proceed with preparing their own Ordinance instead of waiting for the County to prepare theirs and then sending a copy to each municipality for their signature. Council Member Royce made a motion the Council ask Chief Williams to bring back an identical Ordinance for the Town of Lake Placid to be consistent with the County’s Ordinance; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

E. Town Attorney – not present

F. Town Clerk – Mrs. Tuck stated she had been in contact with Atty. Harris’s office and they had informed her Atty. Harris will not be back to work until after next Tuesday, June 21, 2011. She stated the Council had asked her to coordinate the EAR hearing with Atty. Harris being able to be present. She stated she would like to reschedule joint meeting of the EAR for June 27, 2011 at 3:00 P.M. She stated this was the day of our regular meeting and she thought we could just go into the meeting. Council agreed. Council Member Davis stated she might not be able to attend. All other Council Members stated they would be present.

G. Mayor/Town Council Members:

1. Council Member Worley – Watershed Matter – Council Member Worley reminded the Council they had already agreed to pay \$1,500.00 towards the permitting of the Lake Clay Water Shed Project. She stated some other matters have now come up and she would like to ask the Council to allow the \$1,500.00 to be transferred to another use. Council Member Royce made a motion the \$1,500.00 that was in the agreement dated December 5, 2008 as the Town’s in-kind donation be used towards the permitting and easement acquisition for the Lake Clay Water Shed Project; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce made a motion the meeting adjourn; motion seconded by Council Member Worley. Mayor