

REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
FEBRUARY 28, 2011 5:30 P.M.

Vice Mayor Ray Royce called the regular meeting of the Lake Placid Town Council to order on Monday February 28, 2011 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Vice Mayor Royce announced that Mayor Holbrook is running a little later, but would be here. So Vice Mayor Royce stated he would state the meeting until Mayor Holbrook arrived. A quorum was present. Rev. Mike Ford, of the First Baptist Church, led in the invocation, and the Lake Placid Christian School led in the Pledge of Allegiance to the American Flag.

ROLL CALL:

Mayor John Holbrook (arrived at 6:00 P.M.)
Vice Mayor Ray Royce
Council Member Steve Bastardi
Council Member Cheryl Davis
Council Member Debra Worley

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

CONSENT AGENDA:

- A. Approval of Agenda: Council Member Bastardi made a motion Items 5. (PRESENTATION) A. Pamela Karlson – Cub Scouts – Duck Project and 6. (DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS: A. Town Planner-1. First Presbyterian Church – Request for dual-use parking be moved to above Item 4, which was Public Hearings; B. Approval of monthly reports be approved as presented; and C. Approval of Meeting Minutes be approved as presented; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

PRESENTATION:

- A. Pamela Karlson – Cub Scouts – Duck Project –Mrs. Karlson stated she was representing Cub Scout Pack 426 stated they would be again having their Duck Puck project to raise money for the pack, as they did last year. Mrs. Karlson stated the Duck is an 8 foot blow up. The Duck will be placed in different business around Town for a day or two and then moved to a different location. She asked for a variance to the sign ordinance so that they can proceed with placing the Duck. Council Member Worley made a motion to grant Cub Scout Pack 426 a variance from April 15 through April 29, 2011, with the site available to be worked out with Chief Williams and with proper safety positions; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner:
 1. First Presbyterian Church – Request for dual-use parking – Mrs. BuChans stated the First Presbyterian Church of Lake Placid, Florida is making a formal request to appear before the Town of Lake Placid Town Council. Mr. Jeff Kennedy is representing the Church in its request for dual-use parking, per Section 161-8 of the Town Code. The Church is in the

planning process to construct a multi-purpose building adjacent to the current church and would like the Council to consider its need for a reduction in parking based upon the application of Section 161-8. This Section allows for the Council to consider the reduction in the required number of parking spaces for two facilities which share the same parking areas. Section 161-8 requires the developer submit sufficient data to demonstrate that hours of maximum demand for parking at the use does not normally overlap; the developer and the town enter into a development agreement in which the developer guarantees the joint use of the off-street parking spaces as long as the uses requiring parking are in existence or until the required parking is provided elsewhere; and the development agreement shall be recorded in the public records of Highlands County and shall prohibit an increase in use of the affected property until the then required parking is provided.

Council Member Royce made a motion that the Council in principle agree to allow the Church to utilize the clause in our Ordinance for dual-parking and that the Church will work with the Town Staff to come back with a developer's agreement that would outline how that was to be accomplished; motion seconded by Council Member Bastardi. On roll call, Council Member Royce, Council Member Davis and Council Member Bastardi voted yes; Council Member Worley abstained from voting due to a conflict of interest. Motion carried 3 to 0.

Council Member Worley made a motion that the agenda be amended to include **6. DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS** item B.1; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

6. DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

B. Public Works Director:

1. Todd Moore – Discussion on community cleanup of Cemetery – Mr. Moore stated he would like to spearhead a basic maintenance and cleanup of the cemetery grounds to include but not limited to painting of sign at US 27, trash pickup on grounds, raking of leaves, weed pulling, trimming of trees and beautification of front entrance on April 9, 2011 from 8:00 A.M. until 11:00 A.M. Mr. Moore stated Ibanez Nursery has agreed to replant the front entrance once a year in exchange for a small sign placed highlighting their donation and Morris Lawn & Garden Service has agreed to trim trees once a year in exchange for a small sign placed highlighting their donation.

Council Member Worley made a motion to go ahead and allow Todd Moore to move forward with his proposal for the Oak Hill Cemetery cleanup with the appropriate waivers for liability and that this will happen under the supervision and control of the Public Works Director; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Ordinance 11-627 – Amending 2010-2011 General Fund Budget – Mrs. Tuck stated this Ordinance is being requested to amend our 2010-2011 General Fund Budget to include the funds recently approved from FDOT for the caretaking of U.S. 27, deducting \$33,400. from the amount to be received from Highlands County for recreation reimbursement, and eliminating Town Manager amounts placed in the Budget. Council Member Royce made a motion that Ordinance 11-627 be approved on first hearing by reading of title only and as changed by Council; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

PUBLIC HEARING CLOSED.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

C. Utility Director:

1. Envisors – Drinking Water State Revolving Fund Grant – Mr. Freeman introduced Roger Homann, of Envisors, Inc... Mr. Homann's was at the Council's special meeting on February 21, 2011 to present a drinking water state revolving fund grant opportunity. Council had voted that the project proceed with Mr. Homann's bring back to Council the Scope of Work. Mr. Homann's stated, he, Mr. Freeman and Atty. Harris had gotten together and what was being presented tonight is the scope of work they came up with. Mr. Homann stated there is no objection for the Town to have to continue with the project, even if they find contaminated wells. Council Member Worley made a motion that we go forward with Envisors Contract and take the fee of \$38,250.00 out of the water account category Contributions Account and Contributions Account to be reimbursed from the grant when the monies are received; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
2. South Sewer System – Mr. Freeman stated they would be scheduling DEP to come to review the plant due to the consent order.
3. Regional Utility Authority – Council Member Royce stated he wanted to make sure we give Atty. Harris the authority he needs to be comfortable when he starts strategizing with Mr. Freeman, Mayor Holbrook and Council Member Bastardi on what we want to do when we get ready to make the presentation to the Highlands County Commissioners on the County's utilities. Council Member Royce made a motion to grant authority to Atty. Harris, Mayor Holbrook and Council Member Bastardi as to the sunshine law allows, separately, and Mr. Freeman to move forward on to developing the strategy to approach the Highlands County Commissioners in regards to transfer of the utilities; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Mayor Holbrook reconvened the Public Hearing:

PUBLIC HEARINGS:

- B. Ordinance 11-628 – Amending 2009-2010 Cemetery Budget – Mrs. Tuck stated Staff would like to amend the 2009-2010 Cemetery Budget to reconfigure the allocation for Mr. Fulton. She stated Staff felt, after one year of tracking Mr. Fulton's time at the Cemetery, that we were deducting too much. They felt 10% was more accurate than 33%. Council Member Royce made a motion Ordinance 11-628 be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- C. Ordinance 11-629 – Amending 2010-2011 Cemetery Budget – Mrs. Tuck stated Staff need to amend the 2010-2011 Cemetery Budget to reconfigure the amount to be received for permits. Mrs. Tuck stated she did not feel we would be receiving what was budgeted and wanted to reduce it by 50%. She also stated we needed to add to the Contractor's price, as we had not budgeted enough. Council Member Royce made a motion Ordinance 11-929 be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- D. Ordinance 11-630 – Amending 2010-2011 Sanitation Budget – Mrs. Tuck stated Staff was asking to amend the Sanitation Budget to reallocate the expenses that had been put in the Budget for the Town Manager.

Council Member Royce made a motion Ordinance 11-630 be approved on first hearing by reading of title only; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- E. Ordinance 11-631 – Amending 2009-2010 General Fund and Sanitation Budget – Mrs. Tuck stated Staff was asking to amend the 2009-2010 General Fund and Sanitation Budget to reallocate funds for Mr. Fulton’s salary and benefits, being as the funds were reallocated in the 2009-2010 Cemetery Budget. Council Member Royce made a motion Ordinance 11-631 Be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

PUBLIC HEARING CONCLUDED.

6. DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- D. Police Chief – Mayor Holbrook stated he and Mr. Komasa had met with Ramon Gavarrete concerning Eucalyptus Road, just west of Walgreens. Mayor Holbrook stated Mr. Gavarrete assured them he would work on this matter and come up with some solution to try and correct driving problems at this location. Chief Williams stated he would wait to hear from Mr. Gavarrete.
- E. Town Attorney:
 - 1. Ordinance 10-623 – Cemetery Fee increases – Adoption only – Atty. Harris stated he had made the corrections as requested by Council and that the two public hearings have been held. Atty. Harris stated the only matter left is adoption of the Ordinance. Council Member Worley asked Atty. Harris to change the wording under Section 2. Sec. 103-2 (2) (e) (i.) and (ii) to read Standard Bronze Vases. Atty. Harris stated he would do it. Council Member Royce made a motion to adopt Ordinance 10-623 with the suggested change; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
 - 2. Miracle League – Atty. Harris presented the Council with a determination of County’s Reimbursement to the Town on the Miracle League Field. Atty. Harris stated he had supplied County Administrator Ricky Helms with a copy, but had not heard anything from him. Atty. Harris stated he and Staff had worked on the determination and felt it should be acceptable. Council Member Worley made a motion we adopt the Miracle League Determination of County’s Reimbursement to the Town of \$103,199.30, less the \$30,000.00 they have already paid with a balance due from the County of \$73,199.30; motion seconded by Council Member Davis. On roll call, motion carried unanimously.
- F. Mayor/Town Council Members:
 - 1. Mayor John Holbrook – Job Descriptions – Mr. Holbrook stated we had placed Job Descriptions for the Supervisors in the Council’s packets. Council asked that these descriptions be discussed at the visionary session the Council wants to hold the first of April.
 - 2. Council Member Royce stated he wanted to say often we beat ourselves up on matters of the Council, but he stated he felt the Council should give themselves a pat on the back. He stated it is refreshing to hear from the media that they perceive that the Lake Placid Town Council is doing a good job and being very thoughtful.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Davis. Mayor Holbrook hearing no objections declared the meeting adjourned at 9:00 P.M.

Council asked during the meeting that Staff schedule a visionary meeting so that Council can discuss what direction the Town needs to be heard in. They want to discuss utilities, job descriptions, etc. Mayor Holbrook stated he would get with Mrs. Tuck and schedule the workshop.