

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
JANUARY 11, 2010 5:30 P.M.

Mayor Tom Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday January 11, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Fred Ball, of the Memorial United Methodist Church gave the invocation and Hannah Waller, of Lake Placid Christian School led in the pledge of allegiance to the flag.

ROLL CALL:

Mayor Tom Katsanis  
Council Member Carol Smart  
Council Member Steve Bastardi  
Council Member Ray Royce  
Council Member Charles Wilson

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

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- C. Approval of Monthly Reports and Payment of Monthly Bills

Council Member Smart made a motion the Consent Agenda be approved; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Ordinance 2010-600 – Water/Sewer Ordinance (1<sup>st</sup> hearing) Atty. Harris asked Mr. Freeman if notification had been placed on the water/sewer billings concerning the public hearing. Mr. Freeman said no it had not been done. Atty. Harris stated before we could have the public hearing notification on the water/sewer bills or a letter had to be sent to each customer. Mr. Freeman stated it would be done this month. No action was taken on the Ordinance.

Council did discuss the Ordinance with public comments. The Ordinance will be brought back to Council at their next meeting.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Attorney:

1. Paul Property Easement – Atty. Harris stated the Town had received notice from the County that an area within the Town’s notification area was asking for a right-of-way vacation by the Paul Family which is adjacent to their proposed business park. The Town previously objected to closing the subject road (or in the alternative requested that a utility easement be retained in the event the road was closed.) After negotiations with the Paul Family Atty. Harris presented a Resolution of the Lake Placid Town Council Regarding the Paul Utility Easement. The Resolution states the Town Council withdraws their objection to the vacation of the right-of-way and the Paul Family agrees to convey to the Town of Lake Placid a 15 foot wide utility easement over the east-west road right of way as described in Exhibit A (attached hereto). Council Member Royce made a motion that we adopt the Resolution in regard to the right-of-way swap offered by the Paul Family and withdraw our objection to their vacation of the right-of-way as stated as further conditions in the Resolution; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
2. Special Magistrate – Atty. Harris stated the Town advertised for a special magistrate and received three applications. One from Roberto Ceyela, Kevin De’Espies and Pamela Karlson. Atty. Harris stated Pamela Karlson presently serves as the Special Magistrate for Highlands County. Chief Williams stated he would like to see Mrs. Karlson also serve for the Town. Atty. Harris stated it would take an Interlocal Agreement and he would have to research the law and see if she would be eligible to hold dual positions. Council Member Royce made a motion that we authorize and direct the Mayor to manage the negotiations to seek and enter into a Interlocal Agreement with the County to utilize their Special Magistrate; motion seconded by Council Member Smart. On roll call motion carried unanimously.
3. Special Magistrate – Alternative – Council Member Wilson made a motion to adopt a Resolution as drafted to employ and designate the special magistrate, assuming the Mayor can come to terms with them on price; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

B. Town Planner:

1. Lake Sirena Amendment Development Agreement: Mrs. BuChans stated that due to the change in ownership of the Lake Sirena Development to Heartland National Bank, changes have been made to the original Development Agreement dated April

10, 2006, and the provisions contained in the minutes of the Town Council of July 9, 2007. The changes within this Amended Development Agreement are:

- a. Change in ownership to Heartland National Bank.
- b. Contribute \$15,000 to the Town to construct the Green Dragon Drive multi use path;
- c. Enter into a Water Use Agreement with the Town; and
- d. Enter into a Wastewater Use Agreement with the Town.
- e. Change the timeframe of the preliminary plat extension to five years (5 successive one-year extensions)

Mrs. BuChans stated staff was recommending the Town Council move to approve the Lake Sirena Amended Development Agreement. Council Member Bastardi made a motion to approve the amended Lake Sirena Amended Development Agreement; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

C. Public Works Director:

1. Cemetery Well – Mr. Fulton stated he contacted Southwest Florida Water Management District concerning if the Town needed permits to place a new well. He stated it will require a permit. The fee is \$50.00. Mr. Fulton stated he has talked to several well drillers and they recommended we put in an 8” well with a 4” turbine. Council Member Royce made a motion that we drill a new well in the general location and assign Council Member Bastardi the task of citing the well in consideration of future plans; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
2. Cemetery Committee Report – Council Member Bastardi presented Council with a list of recommended rules for Oak Hill Cemetery. Council Member Royce made a motion that the Town of Lake Placid have a cemetery advisory committee with the members to be appointed by the Mayor; motion seconded by Council Member Wilson. On roll call, motion carried unanimously. It was recommended that there be five members appointed to the Cemetery Advisory Committee.

D. Recreation Director:

1. Town Restrooms – Mr. Komasa stated after talking to an electrician and a builder, their suggestions were that we close the present building at Stuart Park immediately. The electrician stated the electrical wires are exposed and need to be repaired immediately if the building is going to continue to be used. The builder stated the building needed to be demolished because of deteriorating condition. Mr. Komasa stated he asked the builder about rebuilding the current facility into a restroom. The builder gave him a price of approximately \$40,000.00. Mr. Komasa stated the cost would probably run approximately \$70,000.00 by the time all other expenses, such as

- demolition, utilities, removal and reinstatement of shuffleboard courts, etc. Mr. Komasa stated he did not think this was the time to do the restrooms and moving the shuffleboard courts. He stated he would prefer to wait a one or so and see if we can get some FRDHAP funds. He stated restrooms and shuffleboard courts are acceptable projects for FRDHAP funds. Council Member Royce stated he did not want to see this problem dropped. He asked that Mr. Komasa continue to pursuing a solution. He asked that Mr. Freeman, Mr. Komasa and staff continue to work on this matter. The Mayor asked that it be brought back up at the next meeting.
2. Utility Vehicle Bid – Mr. Komasa stated he had received three bids for the utility vehicle he advertised for. The lowest bid and containing what was requested in the bid was from Fields Equipment for \$6,439.20. Council Member Wilson made a motion the Town accept the bid for \$6,439.20 from Fields Equipment; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

E. Town Utility Director:

1. Four-Log Virus Treatment – Mr. Freeman stated this procedure was working, but that the second well cannot yet be turned on until DEP gives their okay.
2. Cross Connection Control financial plan - Mr. Freeman presented the Council with four possible financial funding plans to implement the installation and testing of all the required Florida Department of Environmental Protection Regulations for our public water system. Mr. Freeman stated because cross connection control protects the entire water system, his suggestion is to choose funding plan “A” which spreads the cost to all water customers because the entire water distribution system will be protected by backflow assemblies and fulfills what the mandatory FDEP requirements are. The funds collected would be a pass-through amount and put into a designated account to be used only for the installation, maintenance/repair and testing of backflows that will be under the total control of the Town and contracted out through the bidding process. Backflow installation would not start until the total amount is collected. Council asked that Mr. Freeman get with Atty. Harris and bring back an Ordinance next month.
3. Highlands Utilities – Council Member Bastardi gave an update on Highlands Utilities. He stated the Town has done all the work they needed to and now it is up to the owner to provide certain documents. Council Member Bastardi stated he thought this item would be ready to talk about tonight, but we are still waiting on the owners. Council Member Bastardi stated they have another meeting tomorrow morning and are hoping they have a report next month.

F. Town Clerk:

1. Deletion of Section 33.16 (Double time Pay) in Personnel Policy – Mrs. Tuck stated staff had done some investigation with other cities on whether or not they pay double time for employees who work on holidays. She stated most cities do not pay double

- time. She also stated Chief Williams stated Fair Labor Law only requires time and one-half after forty hours. Council Member Wilson made a motion Section 33.16 be deleted from the Employee's Personnel Policy and that Sanitation employees not receive double time pay on holidays, but do receive time and one-half; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
2. Early Voting – Mrs. Tuck stated Joe Campbell, Supervisor of Elections asked for Council to make a decision whether or not they wanted early voting for the April 6, 2010 election. Mrs. Tuck stated the Town would have to pay the cost of it. Council asked Mrs. Tuck to advise Mr. Campbell they were waiving early voting.

G. Mayor/Town Council:

1. Council Member Royce:
  - a. FDOT projects – Council Member Royce stated between our last meeting and this one, an opportunity came up for us to apply for funding for infrastructure projects through the County. The Town staff requested from the County improvements on Tangerine Road. They also requested multi purpose paths and trails on Tangerine. Council Member Royce asked if anyone had a problem with what was requested we could rescind our request. Council felt the projects requested were the correct projects.
  - b. Highlands county Comp. Plan – EAR update – Council Member Royce stated the County was moving on with the EAR, which contains the Town's Growth Management Area Visioning Plan. The meeting will be January 19, 2010 if anyone wants to attend.
  - c. Town Structure – Council Member Royce stated he felt we needed to start thinking about the future of the town's structure. He stated Mrs. Tuck has already announced she will be retiring in approximately two and one-half years. He stated he thought the Town should look into maybe a Town Manager or City Administrator form of government. He felt there should be someone overseeing the operations of the Town on a daily basis. Council Member Royce stated he would like the Council to think about this procedure. Council Member Royce stated he would like for us to check with other cities and maybe the Florida League of Cities and find a structure that suits the Town of Lake Placid.
2. Council Member Bastardi:
  1. Cogsdale – Council Member Bastardi stated the Council had instructed the Town Attorney to write Cogsdale and ask for our money back. Council Member Bastardi stated he has been asked to remove the Cogsdale software, but he is concerned in removing it in case something comes of a lawsuit and we need to have it. Council Member Bastardi stated he was not going to delete anything until Council voted to delete it.

2. North Main Street Beautification Forestry Grant – Council Member Bastardi stated the irrigation is in, the trunk lines are in and the trees are coming. He stated we would be coordinating a community day.
3. Council Member Smart – Comments on Large Scale Comp. Plan – Lykes Brothers – Council Member stated there will be a lot of public hearings involved before anything is granted in this matter. He stated it would be going for a DRI. He stated he thought we should ask someone from Lykes Brothers to come talk to us about it, like Atlantic Blue did. He stated he would be at the County Commissioners meeting tomorrow and would see if he could get a chance to speak to a representative of Lykes Brothers to come talk to us.

Council Member Wilson made a motion the meeting adjourn; motion seconded by Council Member Smart. Mayor Katsanis hearing no objections declared the meeting adjourned at 9:50 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
FEBRUARY 8, 2010 5:30 P.M.

Mayor Tom Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday February 8, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The Invocation was given by Rev. Ray Cameron of the First Presbyterian Church of Lake Placid. The Pledge of Allegiance to the Flag was led by Lake Placid Christian School.

ROLL CALL:

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

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

ABSENT:

Council Member Smart

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- C. Approval of Monthly Reports and Payment of Monthly Bills

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

PRESENTATION:

- A. Chief Phil Williams presented an Officer Award: Lifesaving to Sgt. Mark Schneider. Chief Williams stated Highlands County Sheriff's Sergeant Monica Sauls report that Lake Placid Police Sergeant Mark Schneider assisted with performing CPR and airway clearance on an infant on Aaron Drive. Sergeant Sauls said she was sure that Sergeant

Schneider's actions were crucial to the infant's recovery. Sgt. Schneider was given a standing ovation.

- B. Shuffleboard Court Participates – Mayor Katsanis asked the group from the shuffleboard to present their case. They stated they had heard the shuffleboard courts were going to be removed and the building taken down. Mr. Komasa stated at this time there was no plans to remove the shuffleboard courts, however Council had made the decision at the last meeting to get prices on removing the Town's building at Stuart Park because of faulty electricity and the deteriorating condition of the building. Mr. Komasa stated he had two certified contractors inspect the building and was told by both the building was not in a repairable condition. Council Member Royce made a motion that the Town craft a Resolution to the Highlands County Board of County Commissioners asking them to waive the tipping fees associated with the demolition of the building in the park commonly referred to as the Shuffleboard Building if and when the Town of Lake Placid demolitions the building and that we ask Mr. Komasa to come back to Council with a price to accomplish that; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- C. Envisors – Steve Elias, of Envisors was present to present a potential FDEP Drinking Water SRF Grant Funding for New North Water Production Facility. This funding would be 85% grant and 15% low interest (2.8%) loans using federal economic stimulus dollars. Mr. Elias stated the project would have to be “shovel ready by June 1, 2010 (approved construction plans, permitted, and land available). Envisors believe the Town's considered new North Water Production Facility would have an excellent chance to receive 85% grant funding. Council asked that Mr. Elias put together a package showing all costs and when the Town's liability for this type of project would be. Council asked that Envisors return in approximately two weeks with the information and that the Mayor could call a special meeting for this purpose.
- D. Pam Fentress – was present and stated the Highlands County Board of County Commissioners Planning & Zoning Board would be considering the EAR at their meeting tomorrow. She stated the Town's Growth Management Plan had changed and she wanted everyone to know. She stated her family had requested from the time the Growth Management Committee stated that Lost Lake property not be included in the plan and now it is included. Council Member Royce made a motion that the Town Council of Lake Placid make a recommendation to the Highlands County Board of County Commissioners, Highlands County Planning & Zoning Commission, Highlands County Planning Staff and the staff of the Central Florida Regional Planning Council that the property that is owned by the Durrance Family of 351 acres that it be taken off the map that is shown as part of the Lake Placid Overlay due to the fact that it was not originally on the map and it was always clearly understood by the members of the Lake Placid Growth Management Committee that the property was not to be included in that overlay; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

## DEPARTMENT HEADS:

### A. Town Planner:

1. Glades Electric – Mr. Paul McGahee, representing Glades Electric stated they would be holding their annual meeting in Lake Placid this year. He stated they always raffle off a truck and that they would like to place the truck in the Winn Dixie parking lot with a banner on it stating the date, time and place of the annual meeting for Glades Electric. Mrs. Buchans stated our Code allowed the banner if the Council approved it. Council Member Wilson made a motion the Town approve the temporary sign; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
2. First Presbyterian Church – Road Vacation – Mrs. BuChans stated the First Presbyterian Church is petitioning the Town to close/vacate a portion of East Belleview Street. She stated our Code requires the Town Council to approve advertising of the Public Hearing for the Road closure/vacation. Council Member Royce made a motion to allow the First Presbyterian Church to advertise for a public hearing to consider the closing/vacating of E. Belleview Street on March 8, 2010; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

### B. Public Works Director:

1. Bid Opening – Well at Cemetery – Mr. Fulton stated we had received two bids on the well for the Cemetery. One from Riles Pump, Inc. for \$19,298.00 and one from Thomas Bush Irrigation, Inc. for \$18,693.00. Council Member Royce made a motion we ask Mr. Fulton to get in touch with the Southwest Florida Water Management District and to make application for the appropriate consummation use permit for a 180 foot 8 inch well at that location; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

### C. Recreation Director:

1. Recreation Interlocal Agreement – 2010 – Mr. Komasa stated we had received our Interlocal Agreement for 2010 from the Highlands County Board of County Commissioners. He stated we wanted to bring it to the Council because of Section 7 which requires at any time a fee is charged for use of the recreation facilities, the same among as to be charged to County residents as is charged to Town residents. Council Member Royce made a motion we accept the Interlocal Agreement by striking Section 7 and Section 8 from the Agreement; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
2. Council Member Bastardi stated he had several problems with the way the Council distributes funds between the cities. He stated Lake Placid's facilities are used by only about 10% of the Town's residents, when in fact over 90% of the County's residents use the facilities. Council Member Bastardi stated he felt we needed to challenge this inequity. Council Member Royce stated if we wanted to do this, we

need to state now because the County is already starting to work on their budget. Council Member Royce made a motion we immediately ask for a special meeting with the County Administrator and start talking with him about this situation; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

3. Dog Park – Mr. Komasa stated the Mayor had given him a petition signed by 86 individuals (8 from the Town of Lake Placid) who would like for the Town to build a dog park. Mr. Komasa stated the Mayor had mentioned Spruce Park. Mr. Komasa stated he checked with the Humane Society and they suggested the fence needed to be at least six foot high, ours is four feet. We would also need to put in irrigation and water and two opening for the dogs to come in and go out. Council felt this was a good idea and something to consider in the future.

D. Police Chief:

1. Special Magistrate – Atty. Harris stated we had received three applications for a Special Magistrate. He stated we had received one from Pam Karlson who is the Special Magistrate for Highlands County. He stated she is considered an official of Highlands County and for us to use Mrs. Karlson we would have to enter into an Interlocal Agreement with the County and contract with Mrs. Karlson. He stated Mrs. Tuck had already contacted the County about this matter. He further stated we had received an application from Roberto Celaya and Kevin D’Espies. Mrs. Karlson had requested \$150.00 per hour, Mr. Celaya \$40.00 per one half hour and Mr. De’Espies \$85.00 per hour. Council Member Royce made a motion we set the rate at \$40.00 per one half hour and that Roberto Celaya be our Special Magistrate and that Kevin D’Espies be our first alternate if he accepts our billing of \$40.00 per one half hour; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

E. Utility Director:

1. Cross Connection Control Financial Plan – Mr. Freeman presented the Council with revised alternative plans for financing backflow cross connection controls to all residents within the Town. Mr. Freeman stated he felt Plan AD would be the best to work with. Plan AD would cost \$14.08 per month for 36 months or \$10.56 per month for 48 months. After the three or four years of collecting the above funds, then a regular annual testing/repair/maintenance funding plan will replace the above \$14.08 (or \$10.56) per month with a new \$2.56 CCC surcharge. Council Member Bastardi made a motion to adopt Plan AD and put it on a 10-year plan; motion seconded by Council Member Royce. On roll call, Council Member Bastardi voted yes, Council Member Royce voted no and Council Member Wilson voted no. Motion failed 2 to 1.

F. Town Attorney:

1. Cogsdale – Atty. Harris stated he had written Cogsdale concerning reimbursement for the computer system the Town bought that the Town is still having problems with. He stated he did not feel the company was going to refund any of what we paid. His

suggestion was to have Council Member Bastardi remove it from the computers. Council Member Royce made a motion we ask Council Member Bastardi or the appropriate person to remove the Cogsdale software from the computers in Town office; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

G. Town Clerk:

1. Election April 6, 2010 – Mrs. Tuck reminded everyone the qualifying dates for the Town’s upcoming election is 12:00 noon February 15, 2010 thru 12:00 noon February 19, 2010.

H. Mayor/Town Council Members:

1. Council Member Royce:

- a. Town Structure – Council Member Royce stated he would like to see us contact the gentleman from Florida League of Cities (Range Rider) and invite him to a special meeting of the Town Council to discuss a possible change in the Town’s governing structure. Council asked Mrs. Tuck to set up a special meeting with the Range Rider.
- b. Closing of Cemetery Gates – Council Member Royce stated he was surprised to learn the only individuals with keys to the cemetery gates was the police department. He stated he felt the cemetery employee and Mr. Fulton should have keys to the gate. Chief Williams stated he would see that they received keys.

2. Council Member Bastardi:

- a. Cemetery Rules/Recommendations – Council reviewed the list of rules and recommendations the Cemetery Committee had worked up. Council asked that Atty. Harris work on an Ordinance to include the rules and recommendations and return it to the Council for their review.

PUBLIC HEARINGS:

- A. Ordinance 2010-600 – Water/Sewer (1<sup>st</sup> hearing) Atty. Harris presented the Council with a proposed ordinance on the water/sewer. After review of the ordinance, Council Member Bastardi made a motion to approve Ordinance 2010-600 on first hearing by reading of title only as amended; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- B. Luis Celaya – Mr. Celaya stated he was contacted by the Town office and told from now on all properties had to be in the owners’ name. Mr. Celaya stated he would like some care of consideration being as he owns many parcels and he has no way to collect his money once a tenant is delinquent. He stated the Town can turn off their water, but he cannot. Mr. Celaya stated he would be willing to put up an amount of \$1,000.00 for all his units, the Town would then get a deposit from the renter and send the renter the bill. Once the renter moves out we would continue to collect monthly base charge from Mr. Celaya. Atty. Harris stated he would incorporate a section concerning this matter into the Ordinance 2010-600 and bring it back next meeting.

Council Member Royce made a motion the meeting adjourn; motion seconded by Council Member Wilson. Mayor Katsanis hearing no objections declared the meeting adjourned at 10:45 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MARCH 8, 2010 5:30 P.M.

Mayor Tom Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday, March 8, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The Invocation was given by Rev. Fred Ball of the Memorial United Methodist Church of Lake Placid. The Pledge of Allegiance to the Flag was led by Lake Placid Christian School.

ROLL CALL:

Mayor Tom Katsanis  
Council Member Charles Wilson  
Council Member Ray Royce  
Council Member Steve Bastardi  
Council Member Carol Smart

Deputy Clerk Jackie Haynes  
Town Attorney Bert Harris  
Town Planner Sue BuChans  
Town Public Works Director Jim Fulton  
Town Recreation Director John Komasa  
Town Utility Director Gary Freeman  
Town Police Chief Phil Williams

ABSENT:

Town Clerk Arlene Tuck

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- C. Approval of Monthly Reports and Payment of Monthly Bills
- D. Proclamation for Water Conservation Month
- E. Proclamation for National Public Works Week
- F. Approval of Amended 2010 County Interlocal Agreement for Recreation
- G. Set FRWA Rate Study Workshop – April 26<sup>th</sup> at 6:00 P.M.

Council Member Royce made a motion the consent agenda be approved with F. Approval of amended 2010 County Interlocal Agreement for Recreation be moved to Action with Recreation Director; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

PRESENTATION:

- A. Relay for Life- Ginger Keimel, event chair for Lake Placid Relay for Life stated to Town Council Relay for Life would like permission to:

1. Put purple bows on the light poles and some trees along Interlake Boulevard, Main Avenue and Dal Hall Boulevard from the second week in March until the second week in April.
  2. Put there goal thermometer on the north wall of Wauchula State Bank on Interlake Boulevard. This sign would go up during March and would remain their for 3 months.
  3. Hang a 10-foot banner on the property of Sun Trust Bank near the corner of Interlake Boulevard and US 27. Permission from Robert Brown has been obtained. The banner will be placed the second week of March and would be removed by April 12, 2010. Council Member Wilson made a motion the Town approve the requests made by Ginger Keimel of Lake Placid Relay for Life; motion seconded by Council Member Royce. On roll call, Council Member Wilson, Council Member Bastardi and Council Member Royce voted yes, and Council Member Smart voted no; motion carried 3 to 1.
- B. Lake Placid Christian Ministerial Association- Mike Ford stated that the Lake Placid Christian Ministerial Association would like to place small wire signs for Greater Lake Placid Day of Prayer. This event will take place on Sunday, March 21, 2010 on Devane Circle. Mr. Ford asked if he could put 20 signs up on Saturday March 20, 2010 around the circle and pick them up on March 21, 2010 after the event. Council Member Royce made a motion the Town approve Lake Placid Christian Ministerial Association to place the signs on Devane Circle; Motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Bastardi and Council Member Royce voted yes, and Council Member Smart voted no; motion carried 3 to 1.
- C. Lake Placid Cub Scout Pack 426 – Pamela Karlson stated that Lake Placid Cub Pack would like permission to place an inflatable duck at will 3 businesses in Town the week of April 18, 2010. This duck will represent a fund raiser that Cub Pack 426 will be doing on April 24, 2010. The businesses involved will be Karlsons Law Office, Klohn’s Office building and Lake Placid Marine. Council Member Wilson made a motion the Town approve Lake Placid Cub Scout Pack 426 inflatable duck; motion seconded by Council Member Bastardi. On roll call, Council Member Wilson, Council Member Bastardi and Council Member Royce voted yes, and Council Member Smart voted no; motion carried 3 to 1.

**DEPARTMENT HEADS:**

**A. Town Planner:**

1. Proposed Roadway Closure – First Presbyterian Church – Mrs. BuChans stated the First Presbyterian Church is petitioning the Town to Close/vacate a portion of East Belleview Street. Mrs. BuChans presented maps to show where First Presbyterian Church wants to close off the road, noting that lots 10, 11, 12 and 13 and lot 18 are owned by a private property owners. Mrs. BuChans noted that both land owners have agreed if they would ever sell there property, the First Presbyterian Church will have the first offer to buy the property. Mrs. BuChans stated that she proposed to Mr. Whidden of a Cul-De-Sac. Mr. Whidden stated that East Belleview Street will not be closed until the First Presbyterian Church starts building there new development. Mrs. BuChans also stated that Mr. Whidden contacted Atty. Pam Karlson and she has

prepared a Cross Easement Agreement. Mr. Tompkins stated that he has agreed with the Cross Easement Agreement and that He wanted to have the easement placed as is for the purpose of delivery trucks to enter without a problem. Mr. Gilde stated that First Presbyterian Church does not expect to immediately close the road off. First Presbyterian Church will only close the road for church activities. Mr. Gilde also stated that N Oak Avenue will not be closed permanently and when closed at times it will be done by cones. Mrs. BuChans stated that she does not object to the closure of a portion of East Belleview Street right-of-way and recommends to the Council that this request be approved contingent upon: (1) reserving, and recording a Cross Easement Agreement over the vacated and abandoned portion of East Belleview Street right-of-way; (2) reserving, and recording a Cross Easement Agreement to provide roadway access to the private land owner on Lots 10, 11, 12 and 13, Block 2 and the private land owner on Lot 18, Block 1; (3) submitting the proposed Cul-De-Sac Improvement for the northern most end of Magnolia Avenue built to the Town's current roadway standards, and a timeline of construction of the project proposed; and (4) recording a Quit Claim Deed of the Church land proposed for the Cul-De-Sac Improvement for the northern most end of Magnolia Avenue. Atty. Harris stated that the Mrs. BuChans recommendations be changed to include private access to all lots of the road. Ms. Worley stated that she does not oppose the closing of East Belleview Road. Ms Delaney stated that she is concerned about the traffic flow that will come on East Park Street, which her house is on, if the road should be closed on both ends of East Belleview Street at a later date. Council Member Royce made a motion the Town approve the First Presbyterian Church closure of a portion of East Belleview Street contingent upon: (1) reserving, and recording a Cross Easement Agreement over the vacated and abandoned portion of East Belleview Street right-of-way; (2) reserving, and recording a Cross Easement Agreement to provide roadway access to the private land owner on Lots 10, 11, 12 and 13, Block 2 and the private land owner on Lot 18, Block 1 with lots 13,14,15,16 and 17, Block 1 in absence of unity of title and Block 2, Lots 1,2,3,4 and 5 in addition to Lots 10,11,12 and 13 Block 2 in absence of unity of title; (3) submitting the proposed Cul-De-Sac Improvement for the northern most end of Magnolia Avenue built to the Town's current roadway standards, and a timeline of construction of the project proposed and closure is suspect to conveyance and actual construction of Cul-De-Sac; and (4) recording a Quit Claim Deed of the Church land proposed for the Cul-De-Sac Improvement for the northern most end of Magnolia Avenue; and include private access to all lots of road. Motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

**B. Public Works Director:**

1. Lake Clay Watershed Project- Debra Worley issued a pamphlet guide to area lakes and stated that the total maximums for daily loads for lakes are not compliant with EPA, who now develops standards for Highlands lakes. Ms. Worley stated that the Tower owner and Atty. Harris met on Thursday March 4, 2010 and the property owner has been cooperative. Mr. Michael Peck, SWFWMD Staff Engineer for the Lake Clay Project, stated he is requesting that the Mayor signs and Town Clerk attest the easement agreement signed by the property owner after it has been prepared by

Atty. Harris. After signed and recorded the agreement can be sent to SWFWMD. Mayor Katsanis and Atty. Harris assured Ms. Worley that the agreement would be done and signed by next week.

2. Mr. Fulton Public Works Director stated that the flag on US 27 can not come down because there is a problem with the flag pole. Progress Energy will be coming to help repair the pole. Mr. Fulton also stated that he received the Conceptive Use Permit from SWFWMD for the cemetery well. Mr. Fulton also, stated that the lowest bid for the cemetery well project is Thomas Bush Irrigation. Council Member Royce motioned to accept the low bid for the cemetery well as long as the previous bid is still valid and funded by the cemetery trust budget which the cemetery budget should be amended to do cemetery well; motioned seconded by Council Member Wilson. On roll call, motion carried unanimously.
3. Mr. Fulton stated that he has asked Better Roads to come and look at Tangerine Drive for road repair. Council Member Royce stated that we need to check with Mr. Gavarette before we spend any money that Highlands County may be able to repair. Council Member Wilson stated that Green Dragon Drive should also be looked at. Mr. Fulton stated that he has spoken with Highlands County School Board and they have not agreed to repair it. Council Member Royce stated the Town should send a letter asking Highlands County Board of County Commissioners and Highlands County School Board if they would assist in repairing Green Dragon Drive. Council Member Royce made a motion to ask Highlands County Board of County Commissioners and Highlands County School Board to cooperate with the Town in the funding of the resurfacing of Green Dragon Drive; motion seconded by Council Member Bastardi. On, roll motion carried unanimously.  
Atty. Harris stated that Clerk Tuck should write a letter to both parties asking for there cooperation.

C. Recreation Director:

1. Lake June Ball Fields Practice and Softball Field Lighting – Mr. Komasa stated that the bids were opened for the Lake June Ball field Lighting and there were two different specifications; one for the practice field lighting and the other for the softball field lighting. Mr. Komasa stated that there was only one bid received from Central Contractors. Mr. Komasa stated that there bids were for Lake June Ball Field Practice Lighting \$7,762 and for Lake June Ball Field Softball Field Lighting \$19,583. Mr. Komasa stated that the total cost is \$27,345 which leaves \$4,655 out of \$32,000 coming from Highlands County. Mr. Komasa stated that he would like to use the remaining balance to help with the offset of the lighting of the Men' Softball field. Council Member Bastardi stated that he is not opposed to putting the lights up but he is opposed to hooking them up to the electricity for fear that the cost would be placed on the Town's tax payers. Council Member Royce made a motion to accept the bid from Central Contractors for the Lake June Practice Field Lighting for \$7,762; motioned seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Royce and Council Member Smart voted yes, and Council member Bastardi voted no; motion carried 3 to 1.

Council Member Royce made a motion to accept the bid from Central Contractors for the Lake June Softball Field Lighting for \$19,583; motioned seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Royce and Council Member Smart voted yes, and Council member Bastardi voted no; motion carried 3 to 1.

2. Spruce Park - Mr. Komasa stated that Spruce Park has been renovated and all of the equipment has been painted. Mr. Komasa also stated that the Shuffle Board Court shed is demolished and he has spoke with Mr. Eisenhart to see if he would help landscape the vacant area.
3. Approval of amended 2010 County Interlocal Agreement for Recreation- Council member Royce made a motion to approve the Interlocal Agreement for Recreation between Highlands County and Town of Lake Placid deleting paragraph 7 and 8 and adding paragraph 15; motion seconded by Council Bastardi. On roll call, motion carried unanimously.

D. Police Chief:

1. Chief Williams invited Town Council Members to come to the Police Station and see how the Police Station is run. Chief Williams also invited the Town Council to ride with Town Police during the day when time is available for them.

E. Utility Director:

1. Schedule special meeting for discussion on Highlands Utilities Proposed Contract- Mr. Freeman stated the special meeting will be March 22, 2010 at 6:00 PM.
2. Purchase of Vehicle- Mr. Freeman stated the truck that will be purchased will replace vehicle #3 truck that is now being used to read all of the water plants and sewer lift stations and also takes water samples on a daily basis. Council Member Royce made a motion to approve the purchase of the new vehicle; motioned seconded by Council Member Wilson. On roll call, motion carried unanimously.

F. Town Attorney:

1. Oak Island Property Owners- Atty. John McClure stated that he is the representative for Oak Island Homeowners. Atty. McClure stated to request and petitions the Town to vacate the public dedication of the roads in Oak Island. Atty. McClure published the sign petition by the home owners. Council Member Royce motioned for the Town to set a public hearing to consider the petition of Oak Island to vacate the public dedication of road way on April 12, 2010 at 5:30 P.M. or soon there after unless Oak Island home owners see different; motion seconded by Council Member Bastardi. On roll Call, motion carried 3 to 1, with Council Member Smart sustaining her vote. Atty. McClure stated he has retrieved the petition to attempt to obtain the final signatures of the remaining home owners.

- G. Interlocal Agreement- Lake Placid Planned Vision- Council Member Royce stated the reason to review the Interlocal Agreement is because tomorrow March 9, 2010 the Board of County Commissioners will be presented the JPA and if everything goes as anticipated they will vote on it on March 16, 2010. Mr. Harris stated he will suggest to the Highlands County Board of County Commissions on the JPA draft the following changes be made: (1) page 1, last paragraph be removed because the Town did not have an Interlocal Service Boundary Agreement;(2) page 2 paragraph 3 be changed because the Town did

not vote to have adopted amendments; (3)Page 2 number 1, the wording *To work on a* should be taken out because the Town already has a planned vision;(4) Page 7 Exhibit C title should read: Utilization of the following Sustainable Growth Principles; (5)Page 8 number 9 and 10 the last sentence should be removed from each; (6) Page 9 Number 1, the word *sustainable* should be removed. Mr. Harris stated that he and Council Member Royce will meet with the Highlands County Board of Commissioners and will bring back the amendments that may have to be adopted.

H. Town Clerk:

1. Election- April 6, 2010- In Clerk Tuck's absence, Deputy Clerk Haynes stated that the Election for the Town of Lake Placid will be on April 6, 2010 at the First Baptist Church.

I. Mayor/ Town Council Members:

1. Council Member Bastardi:
  - A. Cemetery Rules- Council Member Bastardi stated the cemetery rules are still outstanding.

6. PUBLIC HEARINGS:

- A. Ordinance 2010-601- Amending 2009-2010 Budget (1<sup>st</sup> hearing) - Atty. Harris presented the Council with ordinance 2010-601. After review of the ordinance, Council Member Royce stated that there is a error in the fiscal year. Atty. Harris stated it should read the fiscal year 2009-2010. Atty. Harris also stated that this ordinance can be passed on first hearing with the error and make the correction the second hearing. Council Member Royce made a motion to approve Ordinance No. 2010-601 on first hearing being it is amended on 2<sup>nd</sup> hearing; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
- B. Ordinance 2010-600- Water/ Sewer (2<sup>nd</sup> hearing)- Atty. Harris stated Ordinance 2010-600 will be presented at the special meeting on March 22, 2010 at 6:00 P.M.

Mayor Katsanis declared the meeting adjourned at 8:30 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
THURSDAY MARCH 11, 2010 6:00 P.M.

Mayor Tom Katsanis called the special meeting of the Lake Placid Town Council to order on Thursday March 11, 2010 at 6:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. The meeting was called to discuss the possibility of going to a Manager/Council form of government. A quorum was present.

ROLL CALL:

Mayor Tom Katsanis  
Council Member Carol Smart  
Council Member Charles Wilson  
Council Member Steve Bastardi  
Council Member Ray Royce

Income Council Member Cheryl Brantley-Davis

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

Mayor Tom Katsanis stated because of the impending retirement of Town Clerk Arlene Tuck on March 31, 2013 and the retirement of Jim Fulton at the end of this year, he would like to see us employ a Town Manager who has a degree in accounting and he would be responsible for the fiscal operation plus having the five department heads answer to the Town Manager. He further stated he would like to see Jackie Haynes promoted to Clerk with a 10% increase in salary; not replace Jim Fulton's position, but promote Jim Westcott to Jim Fulton's position and give him a 10% increase in salary.

Council Member Royce stated he felt we should consider changing the Town's Charter (through a vote of the registered voters of the Town) to incorporate a Council/Manager form of government. He stated he felt this form of government would allow for the most effective and cost efficient use of the Town's limited resources to provide the wide range of services that our residents require and/or desire. He also stated this governmental format change would also provide a great opportunity to structurally reorganize our Town department responsibilities and oversight functions.

Mayor Katsanis then introduced Dick Williams, of the Florida City and County Management Association. Mr. Williams explained he is a former City Manager and now serves as a Range

Rider for the Florida League of Cities. The Range Riders are retired city and county managers who work with cities and counties that have the C-M form, or are interested in it. They aren't consultants, but act instead like Counselors. Mr. Williams explained the position of a City Manager and stated he felt a good City Manager was one with business management education, planning education and a little engineering background. Mr. Williams answered questions from the Council and audience.

After listening to Mr. Williams, Mayor Katsanis asked the Council Members if they had any discussion on the matter. All Council Members felt we should pursue further investigation into the Council/Manager form of government.

Council Member Bastardi made a motion to officially ask the appropriate staff to move forward with determining what process is necessary to pursue changing the Town Charter to a Council/Manager form of government and report back to the Council; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Meeting adjourned at 7:00 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY MARCH 29, 2010 6:00 P.M.

Mayor Tom Katsanis called the special meeting of the Lake Placid Town Council to order on Monday March 29, 2010 at 6:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. The meeting was called for Highlands County to introduce a new addressing system for the County.

ROLL CALL:

Mayor Tom Katsanis  
Council Member Steve Bastardi  
Council Member Carol Smart

Town Clerk Arlene Tuck  
Town Police Chief Phil Williams

ABSENT:

Council Member Charles Wilson  
Council Member Ray Royce  
Town Public Works Director Jim Fulton  
Town Recreation Director John Komasa  
Town Utility Director Gary Freeman

PRESENTATION:

Capt. J. P. Fane, 911 Coordinator for the Highlands County Sheriff's Department presented a power point presentation showing the updating of the Highlands County Roadway naming and addressing standards and procedure manual. Capt. Fane stated many roads in the County are similar such as Beech/Beach Street and there are a lot of north/northwest/south/southwest, etc streets. These will all be changed. He stated there were a lot of mobile home parks who do not even have street numbers. They go by lot numbers.

He stated another big problem is with addressing along U.S. Highway 27. He stated they are considering starting in Venus with 1,000 and going straight to Avon Park ending in the 20,000.

Council Member Bastardi stated he would like to know what this change will cost the businesses. He felt now was not a good time to ask businesses to change all the addressing. He stated when it changes about 4 years ago it cost him several thousand dollars to change over.

Capt. Fane stated no one has done a survey on how much the cost could be to businesses.

Council Member Smart asked if there would be any cost to the Town for this change. Capt. Fane stated he could not think of any.

Mrs. Tuck stated she was concerned about Section 16 which allows for variances and appeals. She stated it calls for "The Board of County commissioners **or municipality** shall schedule a meeting on the matter and shall notify the owner of the date and time of the meeting. She feels this will cost for advertisements and mailings. She stated if the County is the one changing the system it should be up to the County to handle all variances and appeals. Mr. Hanna, with the Planning Department, stated he would look into changing the Section.

Council Member Smart made a motion to back the proposed system as presented by Capt. Fane with the Highlands County Sheriff's Department. Motion failed due to a lack of a second. Mayor Katsanis asked that this matter be placed on the Council's April 12, 2010 agenda for further discussion with the full Board.

Council Member Smart made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Katsanis hearing no objections declared the meeting adjourned at 6:45 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
APRIL 12, 2010 5:30 P.M.

Mayor Thomas Katsanis called the regular meeting of the Lake Placid Town Council to order on Monday April 12, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Invocation was delivered by Rev. Wayne Godwin and the Pledge of Allegiance was led by the Lake Placid Christian School.

ROLL CALL

Mayor Tom Katsanis  
Council Member Charles Wilson  
Council Member Carol Smart  
Council Member Ray Royce  
Council Member Steve Bastardi

APPROVAL OF MONTHLY MEETING MINUTES AND SPECIAL MEETING MINUTES:  
Council Member Bastardi made a motion the monthly meeting minutes and special meeting minutes be approved as presented; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

PRESENTATION OF RESOLUTIONS:

- A. Council Member Carol Smart – this being Council Member Smart’s last meeting as Council Member, Atty. Harris read a very appropriate Resolution to her. Mayor Katsanis presented her with the Resolution. Council Member Smart was given a standing ovation and greatly thanked for the work she has done for the Town of Lake Placid.
- B. Council Member Charles Wilson – this was also Council Member Wilson’s last meeting as Council Member. Atty. Harris also read a very appropriate Resolution to him. Mayor Katsanis presented him with the Resolution. Council Member Wilson was also given a standing ovation and greatly thanked for the work he has done for the Town of Lake Placid.

Council Member Royce made a motion that both Resolution be approved by the Town Council and our grateful appreciation extended to both Council Member Wilson and Council Member Smart for all their participation in the Town of Lake Placid Government; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

ELECTION REPORT:

- A. Declaration of Election Results – Mrs. Tuck read a report concerning the election held by the Town of Lake Placid on April 6, 2010 to elect a Mayor. She stated the Town of

Lake Placid Canvassing Board, consisting of Council Member Wilson, Council Member Royce and Council Member Bastardi met on April 6, 2010 at 6:00 P.M. at the office of Supervisor of Elections Joe Campbell at 580 South Commerce Avenue, Sebring, Florida and over saw the absentee ballots and counting of the official ballots. They determined there were 181 votes cast as follows:

John M. Holbrook	123	(68.33%)
Thomas A. Katsanis	57	(31.67%)

The Canvassing Board then declared that John M. Holbrook had won the election for the Mayor of the Town of Lake Placid by 66 votes.

Mrs. Tuck also stated in her report that the Town Council needed two Council Members, but that there were only two individuals (Debra Ann Worley and Cheryl Brantley-Davis) who qualified and were therefore declared the winners.

Mrs. Tuck asked that the Council approve the report. Council Member Royce made a motion the report be approved; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### SWEARING IN OF MAYOR/COUNCIL MEMBERS:

Mrs. Tuck swore in Debra Ann Worley and Cheryl Brantley-Davis as Council Members and John M. Holbrook as Mayor for the Town of Lake Placid. Each to hold office for four years.

#### PRESENTATION:

Atty. Harris read a very moving and appropriate Resolution to Mayor Katsanis, stating that he is to be known as "Mayor Katsanis" from this day forward and that he is entitled to use all parks and attend all park functions free of charge.

#### CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of Resolution honoring Bill Nichols (retirement)
- D. Approval of Transportation Maintenance Agreement with State for Sidewalks

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

#### PRESENTATION:

- A. Corbett Alday – Lake Ridge Civic Center/Hurricane Shelter – Mr. Alday updated the Council on the progress of the Civic Center. He stated a new RFP had been let for architectural design. He stated we have received 32 requests. The bids will be opened on April 19, 2010 and presented to Council at their next meeting. Council Member Royce stated he wanted to stress again that all the Council was doing was allowing the Committee to obtain a product to determine if the project is even feasible with the amount of funds available for the project. Council Member Royce stated he also wanted to stress the Town was only allowing up to \$20,000 as their portion for the work to be done by the architect and the County was allowing \$20,000. Mr. Alday stated that is his understanding.

**PUBLIC HEARING:**

- A. Petition of Oak Island Property Owners to vacate the public dedication of road way – Atty. John McClure, representing Oak Island Property Owners stated he had a signed petition from 42 of the 44 lot owners in Oak Island requesting the Town to officially vacate any interest of the public in the roads lying within the Oak Island Subdivision so as to create a clear and unambiguous record that such roadways are private and not open to the public. Mr. McClure stated the property owners are willing to provide to the Town permission for all municipal purposes, including fire and police protection, emergency vehicles, garbage collection and similar matters. Atty. Harris suggested a Resolution be produced with the following:
1. Utility easements will be allowed in the road right of ways
  2. Road rights-of-way will continue to be used for municipal service and police
  3. 42 of the 44 current property owners have requested this action
  4. No evidence of acceptance of the roads has been located
  5. Once action is taken, will you recite your opinion on who owns the roads
  6. Declaration of Restrictive Covenants will be added showing the roads were declared private in 1976

Council Member Bastardi made a motion to reject the public dedication of the road way in Oak Island Subdivision this includes the roadway commonly known as Deana Drive and Melanie Drive within the subdivision with the stipulation as outline by Atty. Harris and such that the Resolution prepared and approved by the Mayor; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

- B. Site Plan Review – EMTM, LLC – Mrs. BuChans stated the applicant is requesting site plan approval for a project proposing a 7,000 square feet medical office with limited medical retail, necessary parking, loading and unloading, landscaping and irrigation improvements, and storm water retention in an area zoned C-2, located at the southwest corner of West Interlake Boulevard and Green Dragon Drive. Mrs. BuChans stated this matter had been before the Town of Lake Placid's Local Planning Agency and they were

had made the recommendation the site plan be approved by Town Council contingent upon providing/correcting the following on a revised site plan, revised landscape plan and ancillary documents:

1. Applicant utilize the existing building's loading space and that it be shown on the site plan;
2. The floor area ratio should show 10,050 square feet of buildings;
3. The landscape plan certification language should be corrected according to Mr. Bennett's suggestion;
4. The size of the water meter will be determined at time of installation
5. The location of the water meter is to tap into the main line on Interlake Boulevard should be shown;
6. The location in which the sewer will be tied into the main line should be shown;
7. The location of a dumpster or appropriate trash receptacle, with adequate screening from the public view should be shown on the site plan;
8. Locate one right-of-way reservation for Green Dragon Drive as a 15' right-of-way reservation and a right-of-way reservation for Interlake Boulevard as a 10' right-of-way reservation.
9. The legend should depict:
  - a. A future land use designation of RO, Residential/Office
  - b. The C-2 zoning district states that for uses other than churches there shall be no minimum lot coverage restrictions except for that needed to provided side, front and rear yards, where required;
10. Driveways:
  - a. Green Dragon Drive: Show a right-out only, and a right-in and left-in.
  - b. West Interlake Boulevard: Show full access.
11. A Development Order that should stipulate that the landscaping be maintained and if any trees or shrubs should die, new ones shall be planted of the same size in their place, and the required screening of the trash receptacle should be maintained in operational order. Also that no food service shall be allowed.

After much discussion concerning the Local Planning Agency's recommendations, Council Member Royce made a motion pursuant to the LPA's motion, the Town Council approve the site plan contingent upon providing the following on the revised site plan, revised landscape plan, and ancillary documents:

Conditions Numbered 1 through 7 as presented  
Condition Numbered 8 show full access for all driveways  
Conditions Numbered 9 and 10 as presented

Motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- C. Ordinance 2010-601 – Amending 2009-2010 Budget (2<sup>nd</sup> Hearing) Mrs. Tuck explained funds were received after the budget was approved, for the U.S. Highway 27 beautification project. The Ordinance amends the budget ordinance to include the funds received. Council Member Bastardi made a motion Ordinance 2010-601 be approved on second hearing by reading of title only and adopted with the noted changes; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
  
- D. Ordinance 2010-603 – Capital Improvement Element (Final Hearing) – Mrs. BuChans presented a Capital Improvement Element she has been working on for the Town. The Council felt they would rather wait to take any action on this matter until after hearing the Highlands Cove proposal. Council Member Worley made a motion Ordinance 2010-603 be postponed until the June 2010 meeting; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner:
  - 1. Need member and alternate for LPA – Council Member Worley made a motion the Clerk advertise for resumes from individuals who would be interested in serving on the Local Planning Agency as a permanent member or alternate; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
  
- B. Public Works Director – Mr. Fulton explained that the Flag on U.S. 27 has been taken down because we are trying to repair the top of the pole. He stated he hoped to have it completed this week.
  
- C. Recreation Director:
  - 1. Need 3 new members for Recreation Committee – Council Member Royce made a motion the Clerk advertise for resumes from individuals interested in serving on the Recreation Committee; motion seconded by Council Member Bastardi. On roll call, Council Member Royce, Council Member Worley and Council Member Davis voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.
  - 2. Mr. Komasa stated Mayor Katsanis had sat as the alternate on RPAC and he was wondering if Mayor Holbrook would like to continue serving that position. Mr. Komasa also stated a member of the Recreation Committee would have to be appointed to serve on RPAC because Council Member Davis was our representative from the Recreation Committee, but being as she was no longer on the Recreation Committee, someone else needed to fill the vacancy. Mr. Komasa stated the Recreation Committee had a meeting Wednesday night and he would bring it up to them.

3. Recreation Interlocal Agreement with Highlands County for 2010 – Council discussed the problem of the upcoming budget for recreation. It has been suggested that the County will be further reducing their funding to the municipalities this year. Council reiterated their concern of having to foot the bill for the Greater Lake Placid Area recreation facilities. They feel the County should be allocating the funds in a different method so that the Town could benefit from the funds for the County residents. Council Member Bastardi was very adamant that he does not support continuing to providing recreation facilities for the County when the County is not assisting the Town. Council Member Royce stated we really needed to go ahead and approve the 2010 Interlocal Agreement for this year because we had already approved the amount and placed it in our budget. However, he stated he would be supportive of changing the recreation system for the coming year, whether going to a user fee, non-ad valorem tax, or going as far as closing the ball fields to County residents if the County will not help us. Council Member Worley reluctantly made a motion the Council approve the Recreation Interlocal Agreement with Highlands County For 2010 as presented by the County; motion seconded by Council Member Royce. On roll call, Council Member Royce, Council Member Worley and Council Member Davis voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.
4. Council Member Royce made a motion that the Town Council instructs the Town Attorney to look into past and current agreements in regards to County funding of recreation infrastructure in Lake June Park to see what our legal obligations are; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Council Member Royce asked that this item become a priority on Atty. Harris's Town work.

D. Police Chief:

1. Lake Placid Christmas Parade – Chief Williams stated he just wanted to bring the new Council Members and Mayor up to date on some of the former Council Members' policies and see if the new members were willing to continue with the same policies. Former Councils had given Chief Williams the authority to close streets when he felt it necessary. Chief Williams stated after viewing the Christmas Parade last year he feels no vehicles should be parked on the parade route after 4:00 P.M. He stated he noticed spaces in front of businesses being closed the day before the parade and vehicles were parked on the parade route by 9:00 A.M. the day of the parade. He stated there would be signs posted a day or two before the parade warning the citizens there would be no parking in the parade route after 4:00 P.M. the day of the parade. Council Member Bastardi made a motion to leave the decision about closing streets to the Chief's discretion; motion seconded by Council Member Worley. On roll call, Council Member Worley, Council Member Davis, and Council Member Bastardi voted yes; Council Member Royce voted no. Motion carried 3 to 1.

E. Utility Director: No Comments

F. Town Attorney:

1. Set special meeting for April 20, 2010 at 5:30 P.M. for the following:
  - a. Lake Placid Merchants – Amending Sign Ordinance
  - b. Public Hearing on Ord. 2010-600 Water/Sewer Changes (adoption hearing)
  - c. Discussion on Town Manager OrdinanceCouncil Member Royce made a motion the Town Clerk advertise for a special meeting on Tuesday April 20, 2010 at 5:30 P.M. for the above referenced matters; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Lake Clay Easement – Atty. Harris presented Council with a Drainage and Flowage Easement between the Town of Lake Placid and CHL Tower Group, LLC. He stated the purpose of the easement is to allow for construction of a storm water management improvement under that certain Joint Funding Agreement between the Town, the South West Florida Water Management District and the Board of County Commissioners of Highlands County, Florida. Council Member Royce made a motion that Town Council approve the drainage and flowage easement format entered into by the Town and CHL Tower Group, LLC; motion seconded by Council Member Bastardi. On roll call, Council Member Bastardi, Council Member Davis and Council Member Royce voted yes; Council Member Worley abstained from voting due to a conflict of interest. Motion carried 3 to 0.
3. Annexation – West Interlake Boulevard – Atty. Harris stated the Council has already approved, several years ago, to go ahead with the annexation on West Interlake Boulevard, but at the time we were annexing Alan Grigsby’s property it was not feasible. Atty. Harris stated he would now like to rekindle the process and move forward. Atty. Harris stated he would like to begin the process as a Town sponsored events, meaning the Town would waive the normal annexation fees. Atty. Harris stated most of the property owners along West Interlake Boulevard are willing to annex as long as they get zoning of commercial. Council Member Worley made a motion to approve Town sponsored annexation and comprehensive plan amendments along West Interlake waving all fees; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

G. Town Clerk:

1. Selection of Vice Mayor – Council Member Bastardi made a motion Council Member Royce be appointed Vice Mayor; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Highlands County Addressing System – Mrs. Tuck stated when the County held their meeting in Lake Placid to discuss the new Highlands County Addressing system only Mayor Katsanis, Council Member Carol Smart and Council Member Steve Bastardi

were present. Council Member Bastardi felt he needed more information before he could approve of the concept. Therefore, no action was taken at the meeting. Mayor Katsanis had asked that this matter be placed on the April 12, 2010 agenda when we would have a full Council. Council Member Bastardi made a motion the Town Council not support it until all aspects of the plan and a complete financial analysis of the plan of action has been under taken; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

H. Mayor/Town Council Members:

1. Council Member Bastardi:

- a. Budget Accountability – Council Member Bastardi made a motion that we put in place a procedure that causes the budget managers to fill out a form with a summary of their budget for the month and year- to-date identifying overages and underage’s and reasons why; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- b. Cemetery Committee Status – Council Member Bastardi stated at the last meeting he had given a report the rules, job description and problems the Cemetery Committee had come up with. He stated the Council asked Atty. Harris to proceed with an Ordinance, but that former Mayor Katsanis had asked Atty. Harris to hold up on the Ordinance. Council Member Bastardi stated he did not know why, but he would like to see Council instruct Atty. Harris to restart the procedure for the Ordinance. Council Member Royce made a motion that we direct the Town Attorney to work with the Chairman of the Cemetery Committee to put potential cemetery rules into the form of an Ordinance for further consideration; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Royce made a motion that the Town Council accept the report of the Cemetery Committee and take under advisement the recommendations and proposed operating procedures for the Oak Hill Cemetery and adopt the recommended job description for the cemetery as part of our Employee Manuel ; motion seconded by Council Member Bastardi. On roll call, Council Member Royce, Council Member Davis and Council Member Bastardi voted yes; Council Member Worley voted no. Motion carried 3 to 1.

2. Council Member Royce:

- a. Initiating a process to select a consultant to assist the Town in the creation of our EAR based Amendments – Pat Steed of Central Florida Regional Planning was present and stated CFRP would be able to do our amendments within 12 months at a price of \$15,000.00. She stated if it is put out for bids they would not apply, because it is there policy not to compete against the

private sector. She also stated if we wanted to put it out for bids, CFRP would be happy to assist us with formulating the RFP. Council Member Royce stated he wanted us to consider this for a month and decide at that time.

- b. Council Member Royce stated County Administrator Mike Wright and Development Director Mark Hill has told him on several occasions that they are not interested in doing planning next year for the Town. Atty. Harris stated he discussed this matter with County Commissioner Chairman Donald Bates and he was not aware that the County was concerning not doing our planning. Council Member Royce stated it is up to the County Commissioners whether or not to negotiate with the Town. Council Member Royce made a motion we write a letter to the Chair of the County Commissioners and copy the County Administrator and ask whether or not the County is interested in continuing to provide planning services at some fee for the Town of Lake Placid; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- c. Consider special Charter Election on June 29, 2010 - Council Member Royce stated he and Atty. Harris have talked with Supervisor of Elections Joe Campbell and he has stated he could hold an election for the Town prior to or on June 29, 2010, but he would not be comfortable holding it any later. Council decided to wait until after our special meeting April 20, 2010 to further decide on this matter.

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 10:20 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
TUESDAY APRIL 20, 2010 5:30 P.M.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Tuesday April 20, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. The meeting was called to discuss the Sign Ordinance, Town Manager and adopting on the water/sewer ordinance. A quorum was present.

ROLL CALL:

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

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

CONSENT AGENDA:

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

LAKE PLACID MERCHANTS ASSOCIATION:

- A. Discussion on revising the Sign Ordinance – Robert Brown, President of the Lake Placid Merchants Association, stated his group had been working on reviewing and revising the Town’s sign Ordinance for over two years. He stated former Mayor Tom Katsanis asked them to do it. He said the proposed changes were approved by his committee.

Council went through the proposed changes and made the following changes:

1. Under definitions:

*Construction Sign* - Council Member Worley made a motion Construction Signs be described as: “a sign erected at a building site that identifies the contractor, the main contact person and displays permits issued for the construction; motion seconded by Council Member Bastardi. On roll call, Council Member Worley, Council Member Bastardi, and Council Member Davis voted yes; Council Member Royce voted no. Motion carried 3 to 1.

*Holiday decorations* definition had been changed to include “and seasons without noncommercial messages” which was agreeable to Council without a vote.

*Reader board signs mean a changeable copy sign whether automatic or manual.* Was agreeable to Council without a vote.

*Real estate sign* The Committee had inserted “This includes any and all forms of directional signage. Council Member Bastardi made a motion this sentence be deleted; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Under 154-15.3. Sign permits:

2. *Permit fees* – The Committee asked that under Permit Fees it be changed to read as: “A permit fee shall be paid to the town clerk with each approved application for a sign permit. Council Member Royce made a motion a schedule be delivered that will address both an application and actual signage permit fee; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
8. *Removal of illegal signs.* The Committee asked that “remove all illegal signs from public property immediately” be deleted and “Be responsible for the removal of all illegal signs. Signs on public property or right of way shall be removed immediately. Signs located on private property shall be given written notice for removal within a reasonable time frame.” be added. Chief Williams suggested “for violation of applicable ordinance be added to the end of the sentence. Atty. Harris stated he would work on this sentence.

Under 154.15.4 *General requirements.*

3. *Minor deviations.* Council asked that Minor be stricken.

Under 154-15.6

4. *Public events permits.* Committee asked that “sponsored by more than one (1) entity and” be removed. The Committee also asked that “Event banners are prohibited” be removed from the sentence. Council approved without a vote.

5. *Community service.*

The Committee asked that this section be divided into three sections.

- (a) The Town Council upon application submitted to and recommendation of the Town’s planning and zoning director, may by resolution allow signs recognizing projects benefiting and contributions to the Town of civic organizations and the charitable contributions to the Town of residents and businesses. Individual signs shall be less than two (2) square feet each, less than three (3) feet above grade and uniform in style. The location of the sign should reasonably relate to the respective contribution.
- (b) Council Member Royce made a motion the Council allow Atty. Harris to work on a potential program that would incorporate community banners; motion seconded by Council Member Davis. On roll call, motion carried unanimously. Council Member

Royce reminded Atty. Harris that this is an issue we probably should not expend two hours of billable time on before coming back for further action.

Under 154.15.6 Prohibited *signs*.

11. The Committee wanted Sandwich signs taken out. Council Member Royce made a motion Sandwich signs remain as a prohibited sign; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

17. *Banners*. The Committee wanted banners taken out and “Off premise advertising banners commercial in content put in. Council Member Worley made a motion to leave Banners in and add, “except as otherwise specifically authorized in the Code.”; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Under 154-15.7. *Exemptions from permit requirements*.

14. *Construction signs*. The committee wanted to change six (6) square feet to thirty-two (32) square feet. Council Member Royce made a motion the six (6) square feet be changed to twelve (12) square feet; 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.

19. *Grand opening signs*. The Committee wanted to change the period from ten (10) days to thirty (30) consecutive calendar days and add on the end “ground/building mounted inflatable’s”. Council Member Royce made a motion the ten (10) consecutive days be changed to thirty (30) consecutive days, “upon application” be placed right after “A new business, upon application may display grand opening signs...building signs.” And take out what the Committee wanted to put in at the end; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

20. The Committee had added this paragraph. Council Member Bastardi made a motion this paragraph be deleted in its entirety; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Under 154-15.8.1. *Nonconforming signs*. Council Member Bastardi made a motion Section 70.02 be changed to Section 70.20, Florida Statutes; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

#### TOWN ATTORNEY:

A. Discussion on Town Manager System – Atty. Harris stated he had contacted Florida League of Cities who put him in touch with an attorney on their staff who assisted him with this project. Atty. Harris stated the attorney suggested he look at Vero Beach’s Town Manager section. Atty. Harris stated he found Vero Beach’s Code on the Town Manager to be very informative and, he felt, what we

were looking for. He asked that Council review the ordinance and set it for public hearing at the next meeting.

Atty. Harris also presented the Council with a Resolution asking Supervisor of Elections Joe Campbell to schedule a special election for this matter on July 27, 2010. Council Member Worley made a motion we adopt the Resolution of the Lake Placid Town Council regarding amendment of the Town Charter to adopt a Town Manager Form or Government, excluding Section 3 and adding the dates May 10, 2010 and May 24, 2010 and in Section 5 we add July 27, 2010; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

**PUBLIC HEARING:**

- A. Ordinance 2010-600 Amending Water/Sewer Ordinance – Mayor Holbrook read Ordinance 2010-600 by title. Council Member Worley made a motion **Section 5. Section 135-73 of the Code of the Town of Lake Placid, Florida is hereby amended as follows, to wit:** Section 135-73 (c) entitled *Master Meter System Development Charge* be deleted in its entirety; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Council Member Royce made a motion SECTION 4. SECTION 135-51 OF THE CODE OF THE TOWN OF LAKE PLACID, FLORIDA IS HEREBY AMENDED AS FOLLOWS, TO WIT:

135-51. Sewer policies. be changed to read:

- (a) *Connection with sewer required.* This section applies only to parcels or lots with buildings or structures; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce made a motion we accept (p) under this section with the following changes:

(p) *Low pressure line of 2006* paragraph shall remain as written.

- (1) The Town shall maintain the customer's grinder pump, but only for normal wear and tear. The customer is responsible for extraordinary maintenance; such as but not limited to large objects (rocks, wood, metal, plastic, etc.) or excessive usage as determined by the Director Utilities.
- (2) All customers served by the Town's low pressure line will pay the cost (labor and material) of installing the elements required to connect to the Town's low pressure line (including for example, the tank, grinder pump, and related items).
- (3) The system development charge shall be assessed for owners directly connecting to the Low Pressure Line of 2006 after June 1, 2010.
- (4) It is the landowner's responsibility (and expense) to pay the cost of bringing their waste water outfall to the connection point in a working manner.

motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Royce made a motion that Ordinance 2010-600 be adopted as amended through the previous motions tonight; motion seconded by Council Member Bastardi., On roll call, motion carried unanimously.

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 11:10 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY APRIL 26, 2010 6:00 P.M.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Monday April 26, 2010, at 6:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. The meeting was called to review a presentation by Tom Gustafson of Florida Rural Water on Water/Wastewater rates. A quorum was present.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Utility Director Gary Freeman

PRESENTATION:

Mr. Tom Gustafson, of Florida Rural Water, showed a power point concerning the Town's water and wastewater rates. He also presented some proposed rates. Mr. Gustafson stated a minimum 10.7% increase in water system revenues is needed in order to meet the full cost of system and maintain a financially sound utility. This increase is needed to subsidize wastewater capital loan expense. If not for the wastewater capital loan expenses paid from water funds, the Water System would only need an increase of 0.22% to meet the cost of system operation and maintain a financially sound utility.

A minimum of 6.10% increase in wastewater system revenues is needed in order to meet the cost of system operation, maintain financially sound utility (with transfers from water fund). In order to fully fund wastewater needs a 47% increase would be required.

Mr. Gustafson stated these water and wastewater rate increases should be implemented immediately to reverse losses in the utility fund. He further stated the water and wastewater accounts should be self-supporting; the rates should be adjusted to achieve this goal. This could be implemented in steps over the next few years. (See attached proposed rate increases)

Council asked that Mr. Gustafson redo the study putting in Highlands Utilities, which Council Member Bastardi stated Atty. Harris had received the signed Contract today. The Council stated they would like to analysis what the rate increase should be with Highlands Utilities involved.

Mr. Gustafson stated he would be willing to come up with something. Council Member Royce asked that Council Member Bastardi be involved with Mr. Gustafson and Mr. Freeman during this project being as he was instrumental in the Highlands Utilities project.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Holbrook hearing not objections declared the meeting adjourned at 7:15 P.M.

**SPECIAL MEETING**  
**TOWN OF LAKE PLACID TOWN COUNCIL**  
**FRIDAY MAY 7, 2010 12:00 P.M.**

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Friday May 7, 2010 at 12:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. The meeting was called to discuss the possible purchase of Highlands Utility Company. A quorum was present.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Utility Director Gary Freeman

Council Member Bastardi started the discussion about Highlands Utility Company and gave an update on how the possible purchase of Highlands Utility Company came about and why they started working on purchasing it. He then turned it over to Town Clerk Arlene Tuck who gave the history of the sewer plants and the financial conditions. Town Utility Director Gary Freeman did a report on the function the Highlands Utility Company system would be and Atty. Harris discussed the Agreement for Contract.

Jon Iglehart, Director of District Management for Florida Department of Environmental Protection was present. He informed the Council under the Agreement between the Town and Pugh Septic Tank Service, Inc. and Highlands Utilities Corporation Paragraph 11.

**REPRESENTATIONS AND WARRANTIES OF SELLERS.** (E). *Environmental Matters.* *There is no civil, criminal or administrative action, suit, demand, claim, hearing, notice of violation, investigation or proceeding pending or, to the best knowledge of Sellers, threatened against Sellers relating in any way to applicable environmental, health and safety laws or regulations. AND (F). Compliance with Laws and Regulations. To Sellers' best knowledge, Sellers have not violated or failed to comply with any applicable statute, law, ordinance or regulation of any governmental agency and Sellers have not received any notice asserting that such violation or failure of compliance has occurred that has not been corrected, are not longer in force.*

Atty. Harris stated when they were negotiating the Agreement there was a truck included in the Agreement. He stated the truck has now been taken out. This will be up to the Council to decide if they want to go back to Pugh Utilities and tell them they will have to reduce the price of the Agreement by the value of the truck. It will also be up to the Council what process they want to take in handling the deletion of E. and F. as stated by Mr. Iglehart.

Discussion was had and Council Member Royce stated he was for proceeding forward. He said there was two things he would like to see: 1) Mr. Freeman reconfigure all the numbers and put them in a more understandable method; and 2) to add whatever his initial figure is to make the Lake Clay lift station so that it runs properly and does not run down the street. Council Member Royce also suggested that someone make a call to Dale Polston, Engineer, and ask Mr. Polston for a ball park estimate, not spend any money, but assuming the Pughs did not get the things covered and back into compliance (under E. and F.) what would you imagine it would cost to bring those into compliance. Council Member Royce stated if Mr. Polston stated it would be \$20,000 or \$30,000 to bring it into compliance then we would go back to the Pughs and state we will bring them into compliance, but we want a credit for what it will cost.

Council Member Bastardi warned the Council to please make sure they want to proceed with the purchase because it was going to cost money for us to proceed. Council Member Bastardi further asked the Council to please don't put any more money into this matter until the Contract is exactly where they want it to be.

Atty. Harris stated he felt Council should thank Council Member Bastardi for his work and ask him to continue and in the scope of continuing he felt we should ask Council Member Bastardi to supervisor Mr. Freeman to the greatest extent possible and to the less extend possible because of cost with determining the cost of coming into compliance and see if he feels it is something we should undertake. He further suggested that Council Member Bastardi be asked to call a special meeting, probably within seven days, to review that. He also suggested when it comes to diligence you better be ready to do certain things. One would be to redirect the flow and replace two or three lift stations. Since you know you are going to do that within the first sixty days do that engineering as part of your diligence. Atty. Harris stated in his humble opinion we need to get on with this.

Council Member Worley made a motion to thank Council Member Bastardi for all the work he has done and ask that he continue to negotiate with Pugh based upon the current violation and truck and any other relative factors and ask Mr. Freeman to bring back a request for proposals from Dale Polston, not to exceed \$3,000.00, addressing: 1) Redirecting the flow; 2) which stations should be junked and initially which should be repaired; 3) Council Member Bastardi supervisor Mr. Freeman to the greatest extent possible and to the less extend possible because of cost with determining the cost of coming into compliance;

4) and, open ended, any other recommendations Mr. Polston has about our acquiring this system; and 5) how long will it to accomplish this project; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

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 3:30 P.M.

**REGULAR MEETING**  
**TOWN OF LAKE PLACID TOWN COUNCIL**  
**MAY 10, 2010 5:30 P.M.**

Mayor John Holbrook called the regular meeting of the Town of Lake Placid Town Council to order on Monday May 10, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The invocation was given by Rev. Drew Severance of the First Presbyterian Church of Lake Placid. The Pledge of Allegiance with led by Hannah Waller of the Lake Placid Christian School.

**ROLL CALL:**

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

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

**CONSENT AGENDA:**

- A. Approval of Agenda
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of monthly meeting and special meeting minutes
- D. Approval of Maintenance Agreement for Tangerine Drive Sidewalks – with FDOT
- E. Approval of Maintenance Agreement for DeVane Park – with FDOT

Council Member Bastardi made a motion items A through C of the Consent Agenda be approved and that items D and E be moved under the Public Works Director; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

**PRESENTATION:**

- A. Drinking Water Poster Contest – Jackie Haynes, coordinator of the Drinking Water Poster Contest and Gary Freeman, Utility Director, presented this year's winners of the drinking water poster contest the Utility Department holds each year. Posters were received from students from Grades 1 through 12. The first place winners were given a Savings Bond, compliments of Seacoast National Bank. All winners, first and second

place winners were given a back pack with certifications, pencils, pens, and other novelties.

- B. Approval of Bid on Civic Center/Hurricane Shelter – Architect – Mrs. Tuck advised the Council the Mayor had appointed a Committee of John Komasa, Joy Eberhart, Arlene Tuck, and himself to short list the applications received. Mrs. Tuck stated we had received 12 applications and they were short listed to five. She asked that the Council members review the applications and be ready to rank them at the next meeting. They will then be called in for interviews.

#### DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

##### A. Town Planner:

1. Member and Alternate for LPA – Mrs. Tuck stated she had not received any applications for members for the LPA. She stated she would like to readvertise. Council Member Royce made a motion we readvertise for a permanent member and an alternate member for the LPA; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Lake Sirena Development – Water/Wastewater Agreement – Mr. John McClure, representing the Town of Lake Placid (because Atty. Harris had a conflict with this matter) stated he had read the Agreement and felt it was appropriate for the Town to sign it. He stated the only change that had been made from what the Council agreement on was in paragraph 2.1, the Owner would use its “best efforts” to keep the consumptive use permit valid with the water management district. Council Member Royce made a motion the Town of Lake Placid approve the Water and Wastewater Use Agreement By and Between the Town of Lake Placid and Heartland National Bank with one change to 4.5 (B) that specifically precludes Heartland National Bank from providing the letter of credit; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
3. Town initiated zoning/land use amendments to update omissions in the map and consistency – Mrs. BuChans stated the Town’s Planning Staff had identified eight lots within the Town’s limits that carry the County’s zoning and future land use designations. This occurs when lots are annexed into the Town. Until the Town procedurally submits a formal application to change the zoning designation and future land use designation of these lots, the County’s zoning and land use designations will remain in effect. She further stated the Town Planning staff had identified several lots within the Town’s limits whose zoning designation is inconsistent with its future land use designation. She stated further Council direction should be given to the Town’s Planning staff with respect to rezoning and/or amending the future land use of the properties. Council Member Worley made a motion to approve Planning Staff’s recommended zoning designations and future land use designations and move to direct the Staff to initiate the zoning map changes and/or Future Land Use Map

changes for the aforementioned lots/tracts; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

B. Public Works Director:

1. Maintenance Agreement for Tangerine Drive Sidewalk – with FDOT – Council Member Royce stated the reason for the maintenance agreement is that FDOT is going to build us a sidewalk from West Interlake Boulevard to Heartland Boulevard with stimulus money in an approximate amount of \$180,000.00. They want to make sure someone will maintain them. Council Member Royce made a motion we approve the Project Maintenance Agreement between Florida Department of Transportation and Town of Lake Placid, FPID # 428381 1 52/62 01 which speaks to the maintenance of the sidewalk that they are going to build; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Maintenance Agreement for DeVane Park – Council Member Royce made a motion that the Town approve the Transportation Post Project Maintenance Agreement Between Florida Department of Transportation and Town of Lake Placid, FPID # 409096 1 32/52/62 01, with one minor correction on Exhibit A number 6 that we strike the words “See attached concept plan for clarification”; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
3. Mr. Fulton informed the Council the new well at the cemetery was in and they hoped to try it out tomorrow.

C. Recreation Director:

1. Recreation Report – In Mr. Komasa’s absence, Mrs. Tuck stated Mr. Komasa had asked her to inform the Council that he had developed a proposal, (by power point) for the County on how the Council could help fund the recreation for the municipalities. He stated he would like Council’s permission to present the program first to the Town Council and then to the Highlands County Commissioners. Mrs. Tuck stated Mr. Komasa would like to present the program to the Town Council at their special meeting on May 24, 2010. Council Member Worley made a motion that Mr. Komasa present his proposal to the Council at their special meeting on May 24, 2010 and that the members of the Recreation Committee be invited; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

D. Police Chief:

1. Chief Williams talked about his budget and stated it looked as if it was going to be under in overtime pay. Council asked that Chief Williams continue to monitor his budget.

E. Utility Director:

1. Mr. Freeman presented some of his budget matters and was asked to monitor his budgets.

F. Town Attorney:

1. County Impact Fee Ordinance – Council Member Royce stated that according to a subsection in the Interlocal Agreement between Highlands County, Florida and the Town of Lake Placid, Florida, relating to impact fees, it requires the County provide at least sixty (60) days notice to the City prior to any amendment to Ordinance 05-06-44, which has been codified as Chapter 13 of the Code of Ordinances, Highlands County, Florida. During that period, the City may provide comments and input regarding the proposed amendment. Council Member Royce stated he felt the changes in the Ordinance will be much better for the businesses. Council Member Royce made a motion that we thank the County for their notification and that we waive our right to comment on the Impact Fee Ordinance; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Miracle League Agreement with Glades Electric – Atty. Harris stated Glades Electric was not comfortable with the Ordinance in that it allowed the Town to borrow the money contributed to the Miracle League. Their attorney stated Glades wanted that taken out. There was also a change to be made to their name. Council Member Royce made a motion to set Ordinance 09-599 for public hearing in order to delete Section 5-37; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
3. Update on legal obligations to County and/or grants for recreational facilities – Atty. Harris stated he has not received any information from the County, as he requested.

G. Town Clerk: No comments

H. Mayor/Town Council Members:

1. Council Member Bastardi:
  - a. Department Head Budget Accountability – Council Member Bastardi stated he would like to recommend a change in procedure with regards to how the town's bills are paid. He stated he would like to see each department head be required to sign all bills before they are processed by the Clerk and her staff. Any bill that requires cost allocation between departments must be signed by all departments involved. In short absolutely nothing should be billed to a department's budget unless it is signed for first. Where cost allocation is involved the clerk would prepare a document showing the proposed allocation. If a department head feels the allocation is not fair they would escalate to the Mayor who would make the final decision. Each month the department heads should be required to complete and sign a one page report that would disclose budget variances for the month as well as year to date. The Clerk should function as a safety in the event a

department head fails to report their budget issue. Council Member Royce made a motion that we ask the Town Clerk review the proposed policy amendments as outlined by Council Member Bastardi and bring back to the Town Council within 45 days any recommended policy changes; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- b. Lake June Park Financial Plan – Council Member Bastardi stated he was concerned that he was not aware of the budget shortfall we were to receive from the County last year during budget time. He stated he would like to request a review of the records to determine how we started the budget workshop last year on July 20, 2010 with a proposed budget reflecting \$197,220.50 contribution from the county and ended with an approved budget with only \$114,310.00. He stated he was particularly interested in audio records where this was discussed or disclosed. He stated his position is that Lake June Park is a financial train wreck for the Town and that we should not continue to expend money just because it's in the budget. He further stated we should immediately identify ways to reduce or eliminate expense, impose user fees, or secure additional funding from the County. He stated one example would be to begin charging for lighting as soon as possible. He stated this Council should clearly establish expectation for next year and task John Komasa with establishing a plan to get us there.

#### PUBLIC HEARINGS:

- A. Highlands Cove PD Amendment (1<sup>st</sup> hearing) – Mrs. BuChans stated the development project is called Highlands Cove Phase 1. It consists of approximately 12.89+/- acres of land is located at 755 Hillcrest Street, Lake Placid, Florida. The applicant is requesting an Ordinance Amendment to its Highlands Cove Development R-2/PD Planned Development Zoning District (Planned Development (PD) Ordinance) that was approved for one hundred twenty-eight (128) multiple-family residential dwelling units (town homes, condominium units, and villas). The R-2/PD Zoning District will remain R-2/PD with its designated future land use category of Medium Density Residential (MDR). The applicant's intent for this parcel is to develop up to, but not more than, sixty four (64) multi-family residential dwelling units, parking facilities that are ancillary to the residential units, a community center and associated parking, a community mail center, a playground area and open green space area.

Mrs. BuChans stated this matter had been to the Town of Lake Placid Planning Agency and they have spent several hours on reviewing and making changes to the project.

Council Member Bastardi made a motion to reject the applicants request; motion seconded by Council Member Worley. On roll call, Council Member Bastardi and Council Member Worley voted yes, Council Member Royce and Council Member Davis voted no. Mayor Holbrook voted no to break the tie. Motion failed 3 to 2.

Council Member Royce made a motion pursuant to the LPA recommendation move that the Ordinance Amendment to the Highlands Cove Development R-2/PD Planned Development Zoning District for 12.89 acres be approved subject to the following conditions:

*Section 160.2.3* as codified in *Section 154-27.3. (2) General Conditions, Restrictions and Limitations: (4)(c)* beginning on page 6 of 9.

1. Neighborhood Park to be completed by time third building is built (24 units).
2. (6)(f) beginning on page 7 of 9  
Multi-Use Path and sidewalk: leave the sidewalk during construction to prevent damage to the multi-use path. The applicants will construct a 10' wide multi-use path to Town standards.
3. (6)(b) beginning on page 7 of 9  
The southbound turn lane and entrance on Hillcrest Street will be constructed by the applicant meeting Town standards.
4. (2)(i) beginning on page 4 of 9  
Change (i) COMPLETION DATES AND REZONING: to "date of this amendment Ordinance"
5. *Section 160-2.4 (D):* as codified in *Section 154-27.3. (3)(d)*  
Located on page 5 of 9
  1. Delete Condominium, Condominium units or Villas.
6. (4)(f) beginning on page 6 of 9  
(f) EXTERIOR BUFFERING. A six foot (6') hedge will be installed on the outside of a black vinyl fencing on the south side of the property. A six foot (6') hedge will be installed on the inside of the existing chain link fence on the northern boundary of the property. Oak trees will be planted on the inside of the vinyl fencing around the property. A decorative fence will be placed on the west side of the property. A galvanized fence with landscaping on the inside will be placed along the east boundary of the property.
7. (5)(b) beginning on page 6 of 9  
*Section 160-2.6* as codified in *Section 154-27.3(5) ENVIRONMENT AND NATURAL RESOURCES. (5)(b)* will read: "Florida Friendly landscaping and water conservation irrigation techniques shall be used within the Development. There will be no requirement to connect to the Town's reuse water for irrigation, and irrigation shall be provided by one or more outside irrigation wells."
8. (6)(d)(f) beginning on page 7 of 9  
*Section 160-2.7* as codified in *Section 154-27.3(6) TRANSPORTATION:*  
D. Should be westerly 30 feet of the Development  
F. Should be 10 foot wide multi-use path
9. (7) beginning on page 8 of 9  
*Section 160-2.8* as codified in *Section 154-27.3.(7) MINIMUM MAINTENANCE STANDARDS:* Delete line that reads: All such minimum maintenance standards shall

be subject to the final approval of Florida Housing Finance Corporation and the investor limited partner.

10. (7)(a)(d) beginning on page 8 of 9

*Section 160-2.8* as codified in *Section 154-27.3.(7)* MINIMUM MAINTENANCE STANDARDS:

A. Delete “but specifically excluding the external community park.

D. Change owners to tenants

11. *Section 160-2.9* as codified in *Section 154-27.3.(8)* UTILITIES. (All utilities are to be underground.

12. *Section 160-2-11*. as codified in *Section 154-27.3.(10)* EFFECTIVE DATE. Delete all after The Amendment to this Ordinance shall take effect upon adoption by the Town Council following the second reading of this Ordinance.

13. Move buildings back from Hillcrest.

14. All buildings to have gutters.

15. Roof to be at least 4/12 pitch

16. Exterior of buildings to be Hardie Siding material.

17. Applicants need to furnish a Power of Attorney at the Council meeting.

18. Ordinance should also state “property cannot be subdivided or conveyed into Condominiums.

19. No boat or RV parking within the compound.

The Applicant has provided for landscape buffering six (6) feet in height upon maturity on the inside of the northern existing fence and on the southern side of the new black vinyl fencing , on the inside the western boundary galvanized fencing, and along the western side of the east boundary decorative fencing. Trees are to be located along the entire boundary as appropriate to create a canopy upon maturity. Additionally, the Applicant has provided for a 200 foot taper lane for the southbound left turn lane serving the entrance to the Development. Finally, the Applicant has provided for a ten (10) foot wide multi-use path within the easterly fifteen (15) feet of the Hillcrest Street right-of-way, and the three (3) acre green space depicted on Exhibit “B” shall be planted in grass, irrigated, fertilized and mowed so to be usable for recreational and leisure purposes; and also that Atty. Harris bring his recommendations to the next reading; motion seconded by Council Member Davis. On roll call, Council Member Royce and Council Member Davis voted yes; Council Member Bastardi and Council Member Worley voted no. Mayor Holbrook voted yes to break the tie. Motion carried 3 to 2.

B. Ordinance No. 10-604 – Amending Charter – Town Manager (1<sup>st</sup> hearing) Atty. Harris read the title of the Ordinance which provides for approval by a majority of the electors of the Town of Lake Placid, Florida to go to a Town Manager form of government. The Ordinance calls for July 27, 2010 election. Council Member Bastardi made a motion to approve Ordinance 10-604 on first hearing by reading of title only; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Holbrook hearing no objections declared the meeting adjourned at 10:35 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
THURSDAY MAY 13, 2010 12:00 P.M.

Mayor John Holbrook called a special meeting of the Town of Lake Placid Town Council to order on Friday May 7, 2010 at 12:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. The meeting was called to discuss the proposed purchase of Highlands Utilities Company. A quorum was present.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Utility Director Gary Freeman

Atty. Harris informed the Council of what funds Highlands Utilities have been receiving from their system. He further showed the Town could be getting approximately \$250,000.00 per year from collections, less the loan payment, monthly expenses, etc., it should leave approximately \$20,000.00 a month. These monies could be placed in a fund to build up for future repairs.

Atty. Harris further stated the State Direct Legislative Grant is sitting on the Governor's desk waiting for his signature. Once it is signed the \$450,000.00 could be applied to the \$550,000.00 purchase price for Highlands Utilities which would leave \$100,000.00 which they were hoping to borrow from General Fund. Mrs. Tuck informed the Council they could take the money out of the Infrastructure Account.

Mr. Dale Polston, of Polston Engineering, was present and stated his company had reviewed some of the lift stations and the plant. He stated the lift station, in his opinion, behind the car wash on Spruce Street, needs to be completely removed and a new one put in. Council Member Royce made a motion to: 1) once again thank Council Member Bastardi for his efforts on doing this, he needs to be repeatedly thanked for all he has put into this; 2) ask Council Member Bastardi and Atty. Harris to continue to: A) Refine the terms of the Contract, if applicable; B) to secure a quote from Polston Engineering on preliminary engineering that would be required for proper due diligence and permit renewal and have the ability to take that quote to the Mayor for his authorization upon notification that the grant funds have in fact been secured through the State budget; C) to have the ability to spend up to \$10,000.00 if they feel it necessary for the

information needed; D) That the Clerk notice for a public hearing on Monday June 17, 2010 at 5:30 P.M. or shortly thereafter to consider the purchase of Highlands Utilities; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce stated the motion does not include the reversing or connecting. He stated his motion only includes what we will need to document what Mr. Polston needs to get the permit renewal in place and probably saying let's spend another couple thousand dollars, lets buy a little man time, to look at all ten holes or eleven holes. Mr. Polston stated he did not think he needed to look at the holes. He stated one of the Town men could go by once a week or so. Mr. Polston stated he felt once the system is maintained on a daily basis in a more proper manner, it will certainly function better. Council Member Royce stated he would like for Council Member Bastardi and Atty. Harris to meet with Mr. Polston. Mr. Polston should be able to come up with a punch list that will tell us what needs to be done whether six months from now or six years from now. Council Member Royce stated the intent of his motion is to start getting the numbers together and having Mr. Freeman start collecting some data. Council Member Royce stated he would not be willing to spend too much more money until we hear we are getting the \$450,000.00 for this project.

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 1:30 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MAY 24, 2010 5:30 P.M.

Vice Mayor Ray Royce called the special meeting of the Town of Lake Placid Town Council to order on Monday May 24, 2010 at 5:30 P.M. Vice Mayor Royce stated Mayor Holbrook called and informed the Town Clerk he was running a little late. A quorum was present. Atty. Harris gave the invocation and led in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Planner Sue BuChans  
Town Recreation Director John Komasa

UTILITY DEPARTMENT:

- A. Budget Amendment – Vice Mayor Royce reminded the Council this budget amendment from the Water Department to the Sewer Department for \$10,000.00 is what Council had requested at their May 13, 2010 special meeting. Council had asked for the amendment to allow Mr. Freeman to get a quote from Polston Engineering on preliminary engineering that would be required for proper due diligence and permit renewal. Council Member Bastardi made a motion the Resolution be approved; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

PRESENTATION:

- A. Recreation Department Presentation – Mr. Komasa presented a power point he had prepared showing some options the County could use in funding recreation through the municipalities. Mr. Komasa stated he had presented the power point to the Recreation Committee and they had voted to recommend to Town Council that the Council allow Mr. Komasa to present the power point to the County Commissioners.

(Mayor Holbrook arrived in the middle of Mr. Komasa's presentation, therefore, Vice Mayor Royce turned the gavel over to him.)

After the presentation, the Council debated again the issues of the County not helping to support the municipalities even though County residents use our facilities. Several issues were brought up and discussed. The issues of discontinuing funding reduce/eliminate active recreation; create non ad valorem assessment tax, and user fees. Council Member Royce stated when the County first stated giving funds to the municipalities for recreation they actually did not have any formula for cost sharing and to date they still do not have one.

Mr. Komasa stated he has been told this year we will be receiving less funds than in previous years. Last year we received \$114,300.00

Council thanked Mr. Komasa for his presentation. Council Member Royce stated he felt by consensus we give Mr. Komasa some direction and he suggested that consensus is to continue to get these numbers together. Council Member Royce stated he thought it was premature for him to go to the County Commissioners and lay out something that would be perceived as our position.

Council Member Bastardi stated he would like to see some user fee structure and how that might add up financially; see some solutions for the lighting, what does it actually cost to operate and some particular solutions. Council Member Bastardi state he would like to see us put it on the agenda at the next most appropriate time. Council asked that this matter be placed on the June 21, 2010 agenda and that the Recreation Committee meeting prior to that date and come up with some solutions. Chairman Durrance stated he would schedule a meeting for June 17, 2010 at 6:00 P.M.

#### PUBLIC HEARINGS:

- A. Ordinance No. 10-602 – Highlands Cove (2<sup>nd</sup> hearing) Mrs. BuChans stated the development project is called Highlands Cove Phase I. It consists of approximately 12.89+/- acres of land and is located at 755 Hillcrest Street, Lake Placid, Florida. The Applicant is requesting an Ordinance Amendment to its Highlands Cove Development R-2/PD Planned Development Zoning District (Planned Development (PD) Ordinance) that was approved for one hundred twenty-eight (128) multiple-family residential dwelling units (town homes, condominium units, and villas). The R-2/PD Zoning District will remain R-2/PD with its designated future land use category of Medium Density Residential (MDR). The Applicant's intent for this parcel is to develop up to, but not more than, sixty four (64) multi-family residential dwelling units, parking facilities that are ancillary to the residential units, a community center and associated parking, a community mail center, a playground area and open green space area. The Town of Lake Placid Local Planning Agency moved to recommend to the Town Council that the Ordinance Amendment to the Highlands Cove Development R-2/PD Planned Development Zoning District be approved – subject to several noted changes.

Mrs. BuChan's presented staff's recommendation, with changes suggested by the Town Council from the first hearing.

Council Member Bastardi was very concerned about the note and mortgage owed to the Town on this property. He feels we should foreclose on the property.

Council Member Bastardi made a motion the request be rejected; motion seconded by Council Member Worley. On roll call, Council Member Bastardi and Council Member Worley, voted yes; Council Member Davis and Council Member Royce voted no. Mayor Holbrook voted no to break the tie.

Council Member Royce made a motion to continue this public hearing for June 14, 2010 at 5:30 P.M. or as soon thereafter as possible for consideration of this matter and that the Town staff make all the necessary public notice available; 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.

- B. Ordinance No. 10-604 – Charter Amendment (2<sup>nd</sup> hearing) Mayor Holbrook read the title of the Ordinance in its entirety. Council Member Worley stated she was concerned about Section 407. Charter Officers paragraph four dealing with removing a Charter Officer. She also felt the people in Town needed more time to review the Ordinance. Council Member Worley made a motion the referendum for the electors to decide whether or not they want the Town to go to a Town Manager form of government be held in November 2010; motion seconded by Council Member Bastardi. On roll call, Council Member Worley voted yes. Council Member Bastardi, Council Member Davis and Council Member Royce voted no. Motion failed 3 to 1.

Council Member Royce made a motion Ordinance No. 10-604 is approved on first hearing by reading of title only and by deleting Section 407. Charter Officers paragraph four, which starts "To remove a Charter Officer, the Council shall...or let the preliminary resolution lapse"; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Mrs. Tuck reviewed the minutes from the last meeting and realized this should have been the second hearing. Council Member Royce made a motion the previous motion to approve the first hearing by reading of title only of Ordinance No. 10-604 and by deleting Section 407, paragraph four, be rescinded; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce made a motion Ordinance No. 10-604 is approved on second hearing by reading of title only and by deleting Section 407. Charter Officers paragraph four, which starts

“To remove a Charter Officer, the Council shall...or let the preliminary resolution lapse”; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Holbrook hearing no objections declared the meeting adjourned at 10:50 P.M.

**SPECIAL MEETING**  
**TOWN OF LAKE PLACID TOWN COUNCIL**  
**MONDAY JUNE 7, 2010 5:30 P.M.**

Vice Mayor Ray Royce called the special meeting of the Town of Lake Placid Town Council to order on Monday June 7, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Vice Mayor Royce gave the invocation and led in the Pledge of Allegiance to the American Flag.

**ROLL CALL:**

Vice Mayor Ray Royce  
Council Member Cheryl Davis  
Council Member Debra Worley  
Council Member Steve Bastardi

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Utility Director Gary Freeman  
Town Public Works Director Jim Fulton

**UTILITY DEPARTMENT:**

Mr. Freeman advised the Council the water line that supplies Lake Blue Estates and runs along the east side of U.S. Highway 27 was broken several times the week before. The breaks were due to the construction of the RaceTrac gas station. It was determined that when the line was installed, it was not installed on the right-of-way and partially to the east of the right-of-way. Mr. Freeman stated the repairs have been made and it is holding at this time, but he cannot determine how long it will last. Mr. Freeman stated he asked one of our engineers (CivilSurv) to give us an estimate of what it would cost to engineer, design and permit the replacement of the line (approximately 300 feet). Mr. Freeman stated it would be approximately \$6,500.00 for CivilSurv to engineer, design and permit the replacement.

Mr. Freeman estimated the cost to do the replacement in house would run approximately \$35,493. With a Contractor's bid it would be approximately \$49,785.

After much discussion, a suggestion was made to only repair the section that was damaged. Mr. Freeman stated he felt sure it could be done. He stated the cost would be approximately \$7,000.00.

Council Member Bastardi made a motion we repair the 340 feet of damaged pipe in and around the gas station (RaceTrac) premises using in-house labor; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Atty. Harris stated he would like permission to meet with RaceTrac officials and see if they would be willing to give us an easement to move the line. Council Member Worley made a motion to give Atty. Harris permission to negotiate with RaceTrac to do a utility easement; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce stated he would like to caution the utility department to sleeve the pipe that is going underneath the driveway for added protection.

Council Member Royce stated Atty. Harris had called earlier when he found out Council Member Royce would be handling the meeting and asked if he was not needed for the cemetery discussion he would request to be able to leave so that the cost of his services are not increased.

#### CEMETERY DEPARTMENT:

Council Member Bastardi, who is serving as the chairman of the cemetery committee, gave a brief discussion of how the cemetery committee came about and what they have been doing. He then presented a document containing a list of recommendations of the Oak Hill Cemetery Committee dated January 11, 2010. (A copy is attached for easy reference) Council reviewed the list and made the following suggestions:

1. Okayed by Council
2. Okayed by Council
3. Council Member Worley made a motion the Council obtain legal counsel on #3 and #4 concerning interment rights instead of a deed sell; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Council Member Royce stated it was his understanding from the motion that the Chairman of the cemetery committee would talk to Atty. Harris about the interment rights, abandonment and what our rights are in declaring lots abandoned. (#3 and #4 will be combined into #3)
5. Will become #4. Council Member Bastardi made a motion that Mr. Fulton be tasked with seeing how a financial plan should be prepared for the cemetery to better understand if perpetual care can be sustained or improved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Bastardi made a motion the Town Council ask legal counsel to draft up a Resolution to the County asking if they would be interested in taking over ownership and maintenance of the area known as Oak Hill Cemetery and agenda it for the July 2010 Council meeting; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

6. Shall remain as is but become #5.
7. Will become #6.
8. Council felt #8 and #9 should be combined with #3 and 4 and that Council would have to come up with some type of detailed plan once #3 is decided. Council did feel all drive areas should be better defined. Mr. Fulton felt some shrubby could be located at the beginning of each drive to define the drive area. Council Member Worley stated she did not agree with any designated parking area or parking lots at the cemetery.
10. Council did not want to take any action on #10.
11. Council Member Bastardi stated the committee thought the Town could get some type of grant for landscaping of the cemetery. Council Member Worley stated she would make a motion to contact our grant writer and see if there would be any possibility of getting a grant for the cemetery; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Council Member Worley stated she would contact our grant writer.
12. Council Member Bastardi made a motion to improve the aesthetics of the onsite maintenance building and new well and pump location at the cemetery; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
13. Vice Mayor Royce stated we had already taken action on #13 (Council had voted at an earlier date that the gates at the cemetery be locked at sunset and opened at dawn by the Police Department).
14. Council Member Bastardi made a motion a set of rules be given to individuals purchasing lots at the cemetery; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
15. Vice Mayor Royce stated his understanding of the landscaping plan would be left up to the Committee. He further stated he did not foresee a landscape plan for several months. Council Member Worley stated she felt if a landscape plan was constructed it should be done with donations. She stated she felt there would be too much upkeep in a landscape

plan. Vice Mayor Royce stated he would assume that #15 would be molded into the other landscaping categories.

The Council then went to the document entitled Oak Hill Cemetery Rules, As recommended by Cemetery Committee on January 11, 2010. Vice Mayor Royce stated if no one had any problems, he would like to go through it paragraph per paragraph. He stated he didn't feel we needed to discuss each subsection unless someone had a questions.

1. Lot Sales:

- a. Okay
- b. Okay
- c. Okay
- d. Council Member Bastardi stated he felt this was the most controversy item in the list.

Council stated they felt #1 could stay as is.

2. Interment:

- a. Okay
- b. Okay
- c. Okay
- d. Okay
- e. Okay
- f. Okay
- g. Okay
- h. Okay
- i. Okay
- j. Okay

Council stated they felt #2 could stay as is.

3. Monuments:

- a. Okay
- b. Okay
- c. Okay
- d. Okay
- e. Change to read: All upright monuments must be placed on suitable foundation (Metal reinforced concrete ~~pad 8" deep and 3" pad~~ at least 6" deep and 6" larger than monument on all sides).
- f. Change to read: The Cemetery staff shall approve ~~the placement of~~ all markers and monuments in advance.
- g. Okay
- h. Delete in its entirety.

- i. Change to read: The Town reserves the right to reject any monument, marker or memorial. ~~which is improper, offensive, dangerous or dilapidated.~~

4. Lot Improvements:

- a. Okay
- b. Delete in its entirety. Vice Mayor Royce asked that the Cemetery Committee meet and come up with the appropriate language to take the place of 4.b in the spirit of determining how adornments may be allowed on the base of a headstone and how large the potential base of the headstone may be.

Vice Mayor Royce stated he would also like when the Committee meets to ask the Clerk to notify Council Member Worley because she has often allured that she has a group of people that are aversely concerned about this and that they be aware of the next meeting date and that they can come participate as the public.

- c. Okay
- d. Okay
- e. Okay
- f. Okay

5. Perpetual Care:

- a. Okay
- b. Okay
- c. Okay

6. Conduct:

- a. Okay
- b. Change to read: No trespass from sundown to sunrise unless authorized by staff.
- c. Okay
- d. Change to read: Children under the age of ~~18~~ 16 shall not be permitted unless accompanied by an adult.
- e. Okay
- f. Okay
- g. No dogs or other domestic animals are permitted in the cemetery unless on a leash or when under the control of their owner and owner will be responsible for all action of their pets.
- h. No consumption of alcoholic beverages.
- i. No ~~loud talking~~ excessive noise shall be permitted within ~~hearing distance of funeral services.~~ the cemetery.

7. Motor Vehicles:
  - a. Okay
  - b. Okay
  
8. Exceptions:
  - a. Okay

Council Member Bastardi made a motion the Council forward the proposed Oak Hill Cemetery Rules to legal counsel for legal review and appropriate rule making; motion seconded by Council Member Worley.

Council decided to proceed to review the proposed Operating Procedures for Oak Hill Cemetery, Owned and Operated by the Town of Lake Placid.

Operating Procedures:

Council Member Worley asked that where ever it states Public Works Director that it be changed to authorized personnel, due to the fact in the future it might not be the Public Works Director who oversees the Cemetery.

Council Member Worley made a motion the Cemetery Committee Chairman to call another meeting and ask that Mr. Fulton be attendance and try to further modify the proposed operating procedures; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Worley. Vice Mayor Royce hearing no objections declared the meeting adjourned at 8:30 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
JUNE 14, 2010 5:30 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday June 14, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Mike Ford of the First Baptist Church led in the invocation and pledge of allegiance to the American Flag.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Planner Sue BuChans  
Town Public Works Director Jim Fulton  
Town Utility Director Gary Freeman  
Town Recreation Director John Komosa

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of Monthly Meetings and special meeting minutes
- D. Approval of Florida Water Professionals Week
- E. Approval of Engagement Letter with Wicks, Brown, Williams for SRF Loan Audit

Council Member Royce made a motion to adopt the consent agenda with the correction as noted by Council Member Bastardi of the minutes of May 13, 2010, with item E being pulled for further discussion at a later time; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Royce made motion public hearings be moved to #1 and that we add Consent Agenda Item E to the Town Clerk Item I and I move that we set the action agenda with those modifications; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Highlands Cove PD Amendment (2<sup>nd</sup> hearing) Mrs. BuChans informed the Council the request is for a development project to be called Highlands Cove Phase I and consists of approximately 12.89+/- acres. It is located at 755 Hillcrest Street, Lake Placid, Florida. The Applicant is requesting an Ordinance Amendment to its Highlands Cove Development R-2/PD Planned Development Zoning District that was approved for one hundred twenty-eight (128) multiple-family residential dwelling units. The Applicant's intent for this parcel is to develop up to, but not more than, sixty four (64) multi-family residential dwelling units, parking facilities that are ancillary to the residential units, a community center and associated parking, a community mail center, a playground area and open green space area. The R-2/PD Zoning District will remain R-2/PD with its designated future land use category of Medium Density Residential (MDR).

Mrs. BuChans stated the LPA's recommended motion was as follows: Move to recommend to the Town Council that the Ordinance Amendment to the Highlands Cove Development R-2/PD Planned Development Zoning District be approved, subject to the following changes:

*Section 160.2.3* General Conditions, Restrictions and Limitations:

1. Neighborhood Park to be completed by time third building is built (24 units)
2. Multi-Use Path and sidewalk – leave sidewalk during construction. Dale Polston to figure out what the amount will be for the multi-use path and that amount to be escrowed with the Town. Paths to be 15' wide.
3. Southbound turn lane and entrance on Hillcrest Street to be 60' long with 120 ft. taper, all serving the entrance to the development by construction of third building (24 units).
4. Change I. COMPLETION DATES AND REZONING: to "date of this amendment Ordinance"
5. *Section 160-2.4. (D)*:
  1. Delete Town Homes, Condominium units, Villas.
6. F. EXTERIOR BUFFERING. Six foot hedge will be installed on the outside of a black vinyl fencing on the north and south sides of the property. Oak trees will be planted on the inside of the vinyl fencing around the property. A decorative fence will be placed on the west side of the property.
7. 160-2.6 ENVIRONMENT AND NATURAL RESOURCES. (B) will read: "Florida Friendly landscaping and water conservation irrigation techniques shall be used within the Development. There will be no requirements to connect to the Town's reuse water for irrigation, and irrigation shall be provided by one or more onsite irrigation wells."
8. *Section 160-2.7* TRANSPORTATION:
  - D. Should be westerly 30 feet of the Development
  - F. Should be 15 foot wide multi-use path

9. Section 160-2.8 MINIMUM MAINTENANCE STANDARDS: Delete line that reads:  
All such minimum maintenance standard shall be subject to the final approval of Florida Housing Finance Corporation and the investor limited partner.
10. Section 160-2.8 MINIMUM MAINTENANCE STANDARDS:
  - A. Delete “but specifically excluding the external community park.
  - D. Change owners to tenants.
11. SECTION 160-2.9 UTILITIES. (All utilities are to be underground)
12. Section 160-2.11. EFFECTIVE DATE. Delete all after The Amendment to this Ordinance shall take effect upon adoption by the Town Council following the second reading of this Ordinance.
13. Move buildings back from Hillcrest.
14. All buildings to have gutters.
15. Roof to be at least 4/12 pitch
16. Exterior of buildings to be Hardie Siding material.
17. Applicants need to furnish a Power of Attorney at the Council meeting.
18. Ordinance should also state “property cannot be subdivided or conveyed into condominiums.

Mrs. BuChans stated planning staff’s comments were as follows: attached is the proposed Amended Ordinance meeting LPA’s recommended motion. The proposed Amended Ordinance has been prepared and reviewed by Staff, in collaboration with the Town Attorney and the Applicant’s Attorney. Staff recommends approval of the proposed Amended Ordinance.

Attorney Harris informed the Council if they wanted to proceed with this Ordinance their motion should be: that the Town Council of the Town of Lake Placid (1) that Ordinance 2010-602 be deemed adopted upon filing with the Town Clerk the following: (a) A consent which is a written representation of the landowners (the buyers and the sellers) representing that Highlands Cove, Phase One, LLC acquired the subject property and that the owner consents to the adoption of the Ordinance, as amended, a copy of the amended Ordinance approved tonight on second reading shall be attached to the minutes (b) Terminated Utility Agreement. A fully executed agreement with Lake Partners LLC terminating the 2006 Utility Agreement and reconveying the utility capacity to the Town of Lake Placid (128 units), (c) Executed Utility Agreement. A fully executed replacement utility agreement in the Town’s usual form for the 64 residential units and one commercial unit (clubhouse), receipt of the Warranty Deed to the southerly 2.94 acres of the subject property; (2) Upon receipt of the aforementioned items, regarding the note, mortgage and forbearance agreement the Town would accept the offer to convey the southerly 2.94 acres of the project to the Town in full satisfaction of the outstanding note and mortgage made by Lake Partners LLC to the Town dated 11 December 2006 in the original principle sum of \$563,200.00 secured by that certain mortgage of even date and recorded in O.B. Book 2040, Page 337-340, instrument number 1435908 of the Public Records of Highlands County, Florida; said note and

mortgage shall be satisfied by the Clerk and Mayor but only upon complete performance and conditions mentioned above as evidenced by adoption of Ordinance No. 10-602 and upon receipt of good and marketable title to 2.94 acres in the southerly portion of the development; (3) this action by the Town Council would be void unless all conditions set out in the above are fully met and performed on or before 14 December 2010; (4) Termination. A termination of the forbearance agreement; and (5) Confirmation of Closing between Highlands Cove, Phase One, LLC and Lake Partners LLC (6) Highlands Cove, Phase One, LLC will furnish the Town a utility easement in the event the sewer line is not within the southerly 2.94 acres.

Council Member Bastardi made a motion to continue this matter to the next regularly scheduled Council Meeting; motion seconded by Council Member Worley. On roll call, Council Member Bastardi and Council Member Worley voted yes; Council Member Royce and Council Member Davis voted no. Mayor Holbrook voted no to break the tie. Motion carried 3 to 2.

Council Member Royce moved to approve the motion as represented by Attorney Harris, including the PD in the amendment language offered by Attorney Harris; and that applicant escrow the amounts to build the improvements on Hillcrest with the Town; motion seconded by Council Member Davis. On roll call, Council Member Royce, Council Member Davis and Council Member Bastardi voted yes; Council Member Worley voted no. Motion carried 3 to 1.

- B. Ordinance No. 605 – Amending Ordinance 95-221 Sign Ordinance (1<sup>st</sup> hearing)  
Attorney Harris read the title only to Ordinance No. 10-605. After much discussion and several changes to the draft submitted by Atty. Harris, Council Member Royce made a motion to approve Ordinance No. 10-605 restating Section 154-15 of the Code of the Town of Lake Placid Entitled Signs and Providing for an Effective Date; as amended; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

#### DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

##### A. Town Planner:

1. Amending Fee Schedule Ordinance – Mrs. BuChans stated Staff was trying to clean up some of our Code. She stated when the “Bullard Ordinance” was adopted, it was adopted with the County’s fee schedule for rezoning, comprehensive plans, etc. She stated our Code Book still has our old fee schedule and now the County’s fee schedule. The Ordinance she is presenting eliminates the Town’s fee schedule and continues with the County’s fee schedule. Council Member Royce made a motion the Clerk advertise the Ordinance for public hearing at our next regularly scheduled meeting; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Member and Alternate for LPA – Council was asked to continue to see if they could find someone wanting to serve on the Town of Lake Placid Local Planning

Agency/Board of Adjustment. Mrs. Tuck reminded them we only have three members at this time and we are suppose to have five plus an alternate.

3. Variance for Sign at SFCC – Randy Paepflow – was not present.
4. Youth Football – Signs – Kim Sapp – was not present.

- B. Public Works Director: Mr. Fulton informed the Council the Cemetery Account did not have any monies in it and we needed to transfer some monies from General Fund to continue running the cemetery. Mr. Fulton stated there were several variables this year that caused the deficiencies. One being the allocation of salaries, benefits, and other costs. Because of the allocations, the cemetery fund balance was reduced to zero. Council Member Bastardi made a motion to charge Mr. Fulton with figuring up how the cemetery account ran off the track; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- C. Recreation Director: Mr. Komasa stated he has recently had individuals using metal detectors digging in our parks. He said he is concerned some of them might hit an electrical wire or irrigation and cause damage to Town property, especially at the ball fields. Chief Williams stated he just wanted to be sure the Code (107-14) allows us to stop it. Atty. Harris stated the Code allows it to be a Second Class Violation. Council asked that Mr. Komasa continue doing as he has been doing and calling the Police Department when he notices anyone damaging or defacing Town property.
- D. Police Chief: No action
- E. Utility Director: Mr. Freeman presented an agreement that requests that our Legislative Appropriations fund be designated from Water to Sewer so that the remaining \$450,000.00 can be used for the purchase of Highlands Utilities Company. Council Member Royce made a motion that we authorize the Mayor of the Town of Lake Placid to sign the document at the appropriate time and return it to the folks of the Department of Environmental Protection; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- F. Town Attorney:
1. Atty. Harris asked Council for their permission to hold a meeting with the County concerning Town issues, such as recreation and the Growth Management Plan.
  2. Mrs. Tuck was asked to advertise for a special meeting on June 21, 2010 for the following:
    - a. Recreation for the Town of Lake Placid
    - b. Cemetery Account deficiencies
    - c. Annexation, utilities, Growth Management Comprehensive Plan Amendment
    - d. Growth Management Comprehensive Plan Amendment through Town EAR
    - e. Employment of professional for Town EAR
    - f. Interlocal Agreement with Highlands County

- g. Land Development Regulations
- h. Other issues related to the Growth Management Report
- i. Adoption on Charter Amendment – Town Manager form of Government
- j. Purchase of Highlands Utilities Company

And

Special meeting on June 22, 2010:

- a. Review of 2008-2009 Audit
  - b. Discussion on single audit for Town of Lake Placid Grants
  - c. Interviews with possible architects for Community Center/Hurricane Shelter
3. Ordinance No. 10-604 – Charter Amendment – Adoption only – Atty. Harris asked that this matter be postponed until the next meeting to give him some time to research some of the questions asked by Council.

G. Town Clerk:

- 1. Acceptance of bid on Community Center – Mrs. Tuck stated she needed for Council to rank the Engineers Proposals which were given to them at the last meeting (after the Committee had short listed them) so we can call them for interviews. Council Member Royce stated he had a discussion with the County concerning the building that was recently build at Firemen’s Field. He stated the project manager told him they had worked with LIS (a firm that was not selected by the Committee) and they were very pleased. Council Member Royce stated he would like to add them to the list. Council Member Royce stated he would suggest that LIS, Furr & Wegman and Chastain & Skillman be rank as the top three and that they be asked to come in for interviews; motion seconded by Council Member Davis. On roll call, motion carried unanimously.
- 2. Miracle League Ordinance – Mrs. Tuck asked for permission to advertise for a public hearing for Ordinance 10-609, amending the Miracle League Ordinance. Council Member Worley made the motion; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Holbrook hearing no objections declared the meeting adjourned at 11:10 P.M.



**SPECIAL MEETING**  
**TOWN OF LAKE PLACID TOWN COUNCIL**  
**JUNE 21, 2010 5:30 P.M.**

Mayor John Holbrook called the special meeting of the Town of Lake Placid Town Council to order on Monday, June 21, 2010 at 5:30 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 Attorney Bert Harris  
Town Utility Director Gary Freeman  
Town Public Works Director Jim Fulton

**GROWTH MANAGEMENT:**

Attorney Harris stated he felt the Town should meet with the County to discuss further our growth management plan. He reminded everyone the State has approved the Town's growth management plan, but has not approved the County's. He further stated the Town's growth management plan was contingent upon the County's being approved.

Council Member Royce made a motion to approve the Resolution presented by Attorney Harris that the Lake Placid Town Council hereby requests a joint meeting with the Highlands County Commission in the Highlands County Commission Chambers, Sebring, Florida, prior to the County's adoption of the County's EAR amendments; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

**EMPLOYMENT OF PROFESSIONAL FOR TOWN EAR:**

Council Member Royce stated we needed to proceed with completing our EAR based amendments. Council Member Royce made a motion that the Council approve the Resolution presented by Attorney Harris stating: 1) The Town of Lake Placid hereby hires and employs the Central Florida Regional Planning Council to complete its EAR based amendments. The Mayor and Clerk are authorized to enter the agreement with the Central Florida Regional Planning Council in the form attached replacing July 1, 2010 with October 1, 2010; 2) as part of the Town's EAR process, Central Florida Regional Planning Council shall prepare for adoption

comprehensive plan amendments similar and substantially equivalent to those adopted by Highlands County in its comprehensive plan.; 3) that Section 3 of the Resolution be deleted; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
TUESDAY JUNE 22, 2010 5:30 P.M.

Mayor John Holbrook called the special meeting of the Town of Lake Placid Town Council to order on Tuesday June 22, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALLL:

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

Town Clerk Arlene Tuck  
Town Utility Director Gary Freeman

PRESENTATION OF 2008-2009 AUDIT – John Davis, of Wicks, Brown, Williams & Co. presented the Town’s 2008-2009 audit. Mr. Davis went through the complete packet, listing the deficiencies and managements suggestions. Council Member Worley made a motion the audit be approved as presented; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Council Member Royce asked Mr. Davis if the deficiencies and management suggestions for prior years had been corrected to their satisfaction. Mr. Davis stated he felt they had not been satisfactorily corrected to Wicks, Brown, Williams & Cos standards. Council Member Worley asked that the deficiencies and management suggestions from 2001 to present day from each audit be sent to the Council so they can compare each year.

Mrs. Tuck stated Wicks, Brown, Williams & Co. had presented a management letter to the Town Council at the last meeting for expenses involved in preparing the audit for the State Revolving Fund Loan. The cost to prepare the audit was stated as up to \$5,800.00. Council Member Worley questioned the amount being over our bid limit of \$5,000.00. Mrs. Tuck stated we would call Mr. Davis and see if they could reduce the cost. Mrs. Tuck informed the Council Mr. Davis had stated the engagement letter could be changed to up to \$5,000.00. Mrs. Tuck stated our bid limit states: “in excess of five thousand dollars (\$5,000.00). Council Member Worley made a motion the policies and procedures required for the competitive bidding be followed and that the Town pay not less than \$4,999.99; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Royce asked to be excused from the meeting. He stated he had a previous obligation to attend too.

**INTERVIEWS FOR COMMUNITY CENTER/HURRICANE SHELTER:**

Council had requested to interview LIS, Furr & Wegman, and Chastian & Skillman as possible architects for the Town's Community Center/Hurricane Shelter. Each company was present and answered questions, plus gave a presentation concerning their firm and staff. After the three interviews, Council Member Worley made a motion we negotiate with Furr & Wegman; motion seconded by Council Member Bastardi. On roll call, Council Member Worley, Council Member Davis and Council Member Bastardi voted yes; Council Member Royce had left and did not vote. Motion carried 3 to 0.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Holbrook hearing no objections declared the meeting adjourned at 9:45 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
JULY 12, 2010 5:30 P.M.

Vice Mayor Ray Royce called the regular meeting of the Town of Lake Placid Town Council to order on Monday July 12, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Richard Norris, of the Lake Placid Trinity Church gave the invocation and Council Member Steve Bastardi led the Pledge of Allegiance to the American Flag.

ROLL CALL:

Vice Mayor Ray Royce  
Council Member Debra Worley  
Council Member Cheryl Davis  
Council Member Steve Bastardi

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

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of Monthly meeting and special meeting minutes
- D. Approval of Early voting at Town Hall (8/9-8/21 & 10/18-10/30 (8:30 am to 4:30 pm))

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

PRESENTATIONS:

- A. Town of Lake Placid Safety Committee Award – Public Risk Management – Mrs. Tuck introduced Marlin Haven, President of the Town’s Safety Committee and Shelly Komasa, Secretary of the Town’s Safety Committee. She informed the Council and audience that the Town of Lake Placid had been recognized at the Public Risk Management (our insurance company) conference as the Most Improved Workplace Safety Performance. The award states the applicant must be eligible for both workplace safety and drug free workshop credit. They stated after reviewing workmen’s comp injuries and illness with

safety committees, utilize PRM loss prevention services and having established a philosophy of safe working practices with all employee groups, the Town with 1-100 employees, including the Police had 100% decrease in frequency and severity. The Town had 0 claims.

- B. Highlands County Economic Development – Steve Fruit, with Highlands County Economic Development gave a presentation on the JOBS Referendum will which will placed on the August 24<sup>th</sup> ballot. He stated the referendum would give Highlands County the authority to consider and authorize tax exemptions on a case by case basis for new businesses and expansions of existing businesses. Mr. Fruit stated would like to have the Town’s support. He presented a letter of support to be put on Town letterhead and signed by the Mayor. Council Member Worley stated she would like the letter revised. Council agreed with the revisions and Council Member Worley made a motion the Council approve the execution of the letter of support by the Mayor with the revisions; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### PUBLIC HEARINGS:

- A. Ordinance No. 10-610 – Amending Sign Ordinance (2<sup>nd</sup> hearing) Council Member Worley made a motion to approve Ordinance No. 610 on second hearing by reading of title only and adopt with the following changes:
1. 154-15.3 Sign permits. (8) Removal of illegal signs from public property. The code enforcement official (or such other Town employee directed by the Mayor) shall remove all illegal signs from public property immediately. Illegal signs on public property are deemed abandoned and considered litter. Illegal signs removed from public property may be held by or at the direction of the Chief of Police for fourteen (14) calendar days. During this holding period, the subject sign(s) may be released to the owner upon payment to the Town of Lake Placid of a \$10.00 per sign removal fee. The Chief of Police shall maintain a log of owners violating this section or claiming their illegal signs. The repeat placement of a snipe sign in violation of this code shall be a class II violation of the Town Code, and shall be penalized according to Section 26-482(a) of the Town Code.
  2. 154-15.5. Specific Signs. (8) Community Event Banner. A community event is one pertaining to recreational events, sporting events, events promotion a local industry (but not a particular business), concerts, non-commercial events and held primarily on public property and within the Greater Lake Placid area. Community events shall be open to the general public and may charge an admission fee. Banners for community events may be allowed by permit issued by the Town Council for the days of the community event, and up to 21 days leading up to the community event. Conditions of the permit shall include: at least one million dollars of public liability insurance coverage related to the banner: indemnification by the event sponsor (including at

least one live person) for claims related to the banner; up to 28 days of display; a rendering to scale of the banner contents; description of the banner's proposed dimension and materials; and the specific location of the banner. Banner locations shall be approved by Resolution of the Town Council, and if across a county road, shall be approved by the County Engineer. Additional requirements may be included in the permit or by Council Resolution.

3. Delete paragraph c. under 154-15.15.2

Motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

B. Ordinance No. 10-607 – Amending Zoning, Planning and Sign-Related Fees (1<sup>st</sup> hearing) Mrs. BuChans stated there is a chapter in our Code Book stating prices, however in 2004 the Town adopted the County's fees for zoning, planning and sign-related fees. She stated this Ordinance is a clean-up ordinance. Council Member Worley made a motion Ordinance No. 10-607 be approved on first hearing by reading of title only; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

C. Ordinance No. 10-608 – Amending and Restating Chapter 5 – Miracle League Trust – Atty. Harris reminded the Council they had approved Ordinance 09-599 in December 2009. Glades Electric asked that the Ordinance be amended showing the loan to be given by Glades Electric Charitable Trust, Inc. and deleting Section 5-37, which gave the Town the option of borrowing the funds. Council Member Worley made a motion Ordinance 10-609 be approved on first hearing by reading of title only; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

##### A. Town Planner:

1. Approval and adoption of the Highlands County Multi Hazard Local Mitigation Plan – Mrs. BuChans stated a five-year comprehensive update of the Highlands County Local Hazard Mitigation Strategy (LMS) was conducted between March 2009 and October 2009. The plan was prepared in accordance with *44 Code of Federal Regulations 201.6*. Local Governments must have an LMS approved by Federal Emergency Management Agency in order to continue eligibility for the Hazard Mitigation Grant Program; Pre-Disaster Mitigation; Flood Mitigation Assistance; and Severe Repetitive Loss. The State of Florida Division of Emergency Management and the FEMA have approved the Highlands County Multi-Hazard Local Mitigation Plan. Mrs. BuChans stated the recommended action would be: Move to approve and adopt by Resolution the Highlands County Multi-Hazard Local Mitigation Plan. Council Member Worley made a motion the Council approve and adopt by

- Resolution the Highlands County Multi-Hazard Local Mitigation Plan; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
2. Staff Report for the Annual Updates to the CIE of the Comprehensive Plan – Mrs. BuChans stated Florida Statute requires that the Capital Improvement Element (CIE) of the Comprehensive Plan be updated annually by adoption, by the local government in a duly noticed public hearing, of a new Capital Financial Strategy (CFS) and Schedule of Capital Improvement. The statutes also require that the School District Five-Year District Work Program be adopted as part of the CFS. Council Member Worley made a motion to adopt Ordinance 10-603 amending the Capital Improvement Element of the Town of Lake Placid’s Comprehensive Plan by: (1) updating the Schedule of Capital Improvements; (2) updating the Capital Financial Strategy; (3) including the School District Five-Year District Work Program as part of the Capital Improvements Element; and (4) amending the text of the Capital Improvements Element of the Town of Lake Placid’s Comprehensive Plan by updating the School District Work Plan adoption date and transmitting LPCP.10.001LS, Ordinance 10-603, to the Florida Department of Community Affairs for compliance determination; and becoming effective as provided by law; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
  3. Large Scale Plan Amendment Proposed Dates – Mrs. BuChans presented an updated Deadlines for Public Hearings for Rezones, Special Exceptions, Variances and Large-Scale Plan Amendments. Application deadlines are from January 11, 2010 to November 8, 2010. Council Member Worley made a motion the dates be approved; motion seconded by Council Member Davis. On roll call, motion carried unanimously.
  4. Member and Alternate for LPA – Council Member Davis stated she had spoken to Walter Kohl, a resident of the Town of Lake Placid, and he was interested in being on the LPA. Council Member Davis made a motion the council appoint Walter Kohl to serve on the LPA; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
  5. Variance for Sign – Venture Group 899 – A representative of the Venture Group 899 stated they were asked by the Code Enforcement Officer to remove two banners they had on the property of South Florida Community College due to them being off-premises signs. They were told to come before the Council to ask permission to place the banners. They said the banners advertise a community function they have at the SFCC each week. Council Member Worley made a motion to approve the banners as to what has been in place for the past, for 28 days, for this one more year, understanding they will have to comply with sign codes next year if you want to do the same thing next year; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

B. Public Works Director:

1. Cemetery – Mr. Fulton was asked to check around and see if anyone knows of a consulting group for cemeteries. Mrs. Tuck suggested he contact Florida League of Cities. He was also asked to come up with a fee schedule to cover our costs.

C. Recreation Director:

1. Mr. Komasa stated he was given a piece of equipment for the fields that allowed him to level the playing fields. The roller now needs work. He asked Council to be allowed to transfer \$5,000.00 from repair and maintenance to Capital Outlay so he could purchase a new piece of equipment instead of trying to repair the old one. Council Member Bastardi made a motion Mr. Komasa's request be approved by Council; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

D. Police Chief:

1. Chief Williams presented Council a copy of an accountability report for his department.

E. Utility Director:

1. Approval for acquisition of Highlands Utilities Company Lake Placid Sewer System – Mr. Freeman gave the Council maps, data and estimated costs from Polston Engineering which will be needed to connect Highlands Utilities Company sewer system to our system. Mr. Freeman stated staff wanted to close the sale on Wednesday July 14, 2010.

Council reviewed and discussed the expenses involved in bringing the HUC system up to compliance with the State of Florida DEP. Polston Engineering estimates the worst case scenario to be around \$80,000.00. His company thought the best case scenario could be around \$52,000.00. Council Member Bastardi stated the contract is for \$550,000.00. Council Member Bastardi stated he would like to see the Town correct the compliance issues because then we know they are done and done right. Therefore, Council Member Bastardi made a motion to make a Counteroffer to Highlands Utilities for their sewer system of \$500,000.00 and this offer must be accepted by noon Friday July 16, 2010; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

2. Heartland National Bank – Mrs. Tuck reminded the Council on May 10, 2010 Council Member Royce made a motion the Town of Lake Placid approve the Water and Wastewater Use Agreement by and between the Town of Lake Placid and Heartland National Bank with one change to 4.5 (B) that specifically precludes Heartland National Bank from providing the letter of credit; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Mrs. Tuck

stated the corrected Water and Wastewater Use Agreement had been provided to her. She stated after reading it she notice the “Reserve Capacity” clause read: “TOWN shall reserve water plant capacity for 209 single-family dwelling units and one club house building for a period of ten (10) years from January 1, 2010. She stated she contacted our attorney of record, John McClure and discussed with him that it should be from the original date the first owners had gotten permission, which was April 10, 2006. She stated Mr. McClure concurred. She stated she was bringing it before Council for them to approve moving the Reserve Capacity clause back to 2006.

Council Member Bastardi made a motion Council approve the change from January 1, 2010 to April 10, 2006 to the Water and Wastewater Use Agreement; motion seconded by Council Member Davis. On roll call, Council Member Bastardi, Council Member Davis and Vice Mayor Royce voted yes; Council Member Worley voted no. Motion carried 3 to 1.

3. Reservation Capacity – Council Member Bastardi stated he would like to see a clause in our Code Book that disallows water or wastewater capacity reservations without monetary funds. Council Member Bastardi made a motion that the Utility Director and Town Attorney research what would be the best interest of the utility department, on how we deal with reservations and to draft an ordinance that will protect us; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
4. Reuse Agreements – Balmoral Assisted Living Facility and Grand Placid Village – Mr. Freeman presented Council with two Agreements for Delivery and Use of Reclaimed Irrigation Water. One for Balmoral Assisted Living Facility and one for Grand Placid Village. He stated this is an Agreement that is required by the State prior to serving reclaimed water. Council Member Worley made a motion the Agreements be approved and executed as required; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

F. Town Attorney:

1. Keep Lake Placid Beautiful – Atty. Harris stated Mike Eisenhart, has been receiving a lot of support from the Highlands County Sheriff through our Keep Lake Placid Beautiful program and he would like to see a Resolution sent to the Sheriff for her support. Council Member Worley made a motion a Resolution be drafted to the Sheriff thanking her for her support; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

G. Town Clerk:

1. Municipal Code Update – Mrs. Tuck presented the Council with a proposal from Municipal Code to update our code book which has not been done since 1994. Mrs. Tuck stated she would like to see Council consider this at budget time because we do not have any books left at this time and Council Member Davis and Council Member Worley need one.
2. Contract with Furr & Wegman – Mrs. Tuck stated she had received the attached contract from Furr & Wegman for the preliminary engineering work on the community center. Council stated they would like to have another meeting for further discuss this project. A meeting was scheduled for August 5, 2010 at 5:30 P.M. Mrs. Tuck was asked to invite all involved with the project.
3. Approval of Millage Rate for 2010 Fiscal Year (4.61 rolled-back rate) Mrs. Tuck stated she needed to inform the tax collector and property appraiser of our suggested millage rate for the trim notices. She stated she would like to set it at 4.61, which is the roll-back rate. She reminded Council we can go below 4.61 but we cannot go above it. Council Member Bastardi made a motion we set our tentative millage rate at 4.61; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
4. Consider going to two meetings per month – starting 10/1/2010 – Mrs. Tuck stated at the last couple of meetings some of the Council Members have suggested going to two meetings a month if they are needed. She wanted to know what Council thought. Council Member Bastardi made a motion that as of October 1, 2010 we will have two meetings at the call of the Mayor; motion seconded by Council Member Davis. On roll call, motion carried unanimously.
5. Public Records Request Charge – Mrs. Tuck stated she recently had a public records request from the State Attorney’s office. The fee came to a little over \$257.00. She stated Chief Williams contacted the Attorney General’s Office and they stated there were no exemptions for charging, however they suggested we reconsider charging the State Attorney’s Office. Council Member Worley made a motion we waive the fee; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

H. Council Members:

1. Council Member Worley stated the County had taken the monies for the watershed out of the budget. She stated after much discussion and support from County

Commissioner Donald Bates and Council Member Royce the County is reconsidering. She stated she would keep the Council advised.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Vice Mayor Royce hearing no objections, declared the meeting adjourned at 10:40 P.M.

**SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY JULY 19, 2010 5:00 P.M.**

Mayor John Holbrook called the special meeting of the Town of Lake Placid Town Council to order on Monday July 19, 2010 at 5:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

**ROLL CALL:**

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Utility Director Gary Freeman

Mayor Holbrook turned the meeting over to Council Member Bastardi who has been working on the Highlands Utilities Corporation purchase, along with Atty. Harris and Mr. Freeman. Council Member Bastardi informed the Council Highlands Utilities had accepted our counteroffer of \$500,000.00. Atty. Harris stated the sellers had requested Addendum Number 5, which states:

1. "Subsequent to the execution of this Agreement, HUC has been made aware of certain alleged non-compliance issues raised by the Florida Department of Environmental Protection ("FDEP" in OGC File No.: 10-1924-28-DW. The Town is aware of the alleged non-compliance issues. The Town acknowledges that the alleged non-compliance issues are the basis for reducing the purchase and sale price as set forth in Addendum 4, and assumes the responsibility for addressing the non-compliance issues with DEP.
2. All other terms and conditions of the Agreement, as amended, remain in full force and effect, except as herein modified."

Council Member Bastardi made a motion the Council approve Addendum Number 5 to Agreement between the Town of Lake Placid and Pugh Septic Tank Services, Inc., and Highlands Utilities Corporation for the sale and purchase of wastewater collection and treatment system (representations and warranties of sellers); motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Holbrook hearing no objections declared the meeting adjourned at 5:20 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
AUGUST 5, 2010 5:00 P.M.

Mayor John Holbrook called the Town of Lake Placid Town Council special meeting to order on Thursday August 5, 2010 at 5:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Planner Sue BuChans  
Town Police Chief Phil Williams  
Town Public Works Director Jim Fulton  
Town Recreation Director Gary Freeman

PUBLIC HEARING:

Ordinance No. 10-603 – Capital Improvements Element (1<sup>st</sup> hearing) Mrs. BuChans stated Florida Statutes requires that the Capital Improvements Element of the Comprehensive Plan be updated annually by adoption, by the local government in a duly notice public hearing, of a new Capital Financial Strategy (CFS) and Schedule of Capital Improvement. The update must take place minimally once a year by the 1st of December. New provisions pertaining to the Capital Improvements Element were included in SB 360, becoming effective as law on July 1, 2005. At a minimum, the update will add a new fifth year to the Schedule of Capital Improvements. In addition, the update is required to:

- A. Add new projects to the schedule
- B. Eliminate a project(s) from the schedule; or
- C. Defer or delay the date of construction of a particular project(s) already included in the schedule.

Council Member Royce made a motion to move to adopt Ordinance 10-603 amending the Capital Improvements Element of the Town of Lake Placid's Comprehensive Plan by: (1) updating the Schedule of Capital Improvements; (2) updating the Capital Financial Strategy; (3) including the School District Five-Year District Work Program as part of the Capital

Improvements Element; and (4) amending the text of the Capital Improvements Element of the Town of Lake Placid's Comprehensive Plan by updating the School District Work Plan adoption date and transmitting LPCP.10.001LS, Ordinance 10-603 to the Florida Department of Community Affairs for compliance determination; and becoming effective as provided by law on first hearing; motion seconded by Council Member Davis. On roll call, Council Member Royce, Council Member Davis, and Council Member Bastardi voted yes; Council Member Worley voted no. On roll call, motion carried 3 to 1.

#### SPECIAL MEETING:

- A. Approval of advertisement for Line of Credit for Sewer Modification – Mrs. Tuck stated the Council needed to approve advertising for a Line of Credit for sewer modification. Council Member Bastardi made a motion to authorize the Mayor and the Clerk to solicit bids for a line of credit for \$400,000.00, \$500,000.00 and \$600,000.00; to be paid back within five years; funds to be used for the Town's wastewater and collection system; collateral to be the sewer revenues from the Highlands Utilities System to be purchased and to be drawn only upon the approval of the Mayor and Council; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
  
- B. Lake Ridge Community Center/Hurricane Shelter – Mrs. Tuck gave an update on what is happening on the Community Center. She informed the Council they had requested this meeting to talk more about the Community Center. She also informed the Council the Committee was running out of time and needed to make a decision on whether or not to enter into the agreement with Furr and Wegman (Architects – ranked as #1 by the Council for this project) for professional services to come up with a design for the Community Center to determine whether or not the funds the Town has available is sufficient for the center.

Mr. David Flowers was present from Highlands County. Mr. Flowers is the maintenance coordinator for all County buildings. Mr. Flowers informed the Council the Bert J. Harris Agricultural Center (which is approximately what the Town is trying to build) is rented just about every weekend and during the week. He stated he felt the Town would have no problems renting the building, which would cover the expenses for the building. Council Member Royce made a motion that we enter into an agreement for professional services with Furr and Wegman for their contract which they submitted on July 2, 2010, with the noted changes: (1) they will extend the contract until August 6, 2010; and (2) waiving the last line of the next to the last paragraph of Mr. Wegman's letter that states: "We understand that this "first phase" of the project will not involve coordination with any potential grant providers"; motion seconded by Council Member Davis. On roll call, Council Member Royce and Council Member Davis voted yes; Council Member Bastardi and Council Member Worley voted no. Mayor Holbrook voted yes to break the tie. Motion carried 3 to 2.

- C. Discussion on Joint Meeting with Highlands County – The Mayor reminded everyone we would be meeting with the Highlands County Board of County Commissioners on Tuesday August 10, 2010 at 1:00 P.M. at the Government Center. He reminded them we would be discussing the Growth Management Plan and Recreation. Council decided Atty. Harris and Council Member Bastardi would discuss the Growth Management Plan; Council Member Worley would discuss the watershed issue, if it is brought up; and Council Member Royce would discuss recreation.

The Council closed the meeting at 8:30 P.M. and went into the budget workshop.

The workshop closed at 10:15 P.M.

**REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
AUGUST 9, 2010 5:30 P.M.**

Mayor John Holbrook called the regular Lake Placid Town Council Meeting to order on Monday August 9, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Invocation was given by Attorney Bert Harris and the pledge of allegiance to the Flag was led by Council Steve Bastardi.

**ROLL CALL:**

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Planner Sue BuChans  
Town Recreation Director John Komasa  
Town Police –James Fansler (standing in for Chief Williams)  
Town Public Works Director Jim Fulton  
Town Utility Director Gary Freeman

**CONSENT AGENDA:**

- A. Approval of Agenda
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of Monthly meeting and special meeting minutes
- D. Approval of grant application for Earth Day Celebration

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

**PUBLIC HEARINGS:**

- A. Ordinance No. 10-607 – Amending Zoning, Planning and Sign-Related Fees (2<sup>nd</sup> hearing) Mrs. BuChans stated the Town Council adopted Ordinance No. 2010-610 amending and restating Section 154-15 of the Town Code, Sign Regulations, in which the sign permit fee was removed. This Ordinance states that Council will publish by Resolution sign permit application fees and sign permit fees. Therefore, staff has further amended Ordinance No. 10-607 amending Chapter 143 by deleting the following:

CHAPTER 143, ZONING, PLANNING AND ~~SIGN RELATED FEES AND CHARGES.~~

Council Member Royce made a motion to approve on second hearing by reading of title only and adopt Ordinance No. 10-607 amending Chapter 143, Zoning, Planning and Fees and Charges, as follows: Section 143-1 through 143-4, of the Code of the Town of Lake Placid; providing for severability and providing for an effective date; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- B. Ordinance No. 10-608 – Amending Chapter 154 – Zoning (Fencing) (1<sup>st</sup> hearing) Mrs. BuChans state Chapter 154 of the Town’s Land Development Code has been amended: provisions governing regulations for fences, walls and hedges within the Town of Lake Placid; standards for residential districts and nonresidential districts; general requirement and standards for materials and maintenance; and nonconforming fence procedures. She further stated a fence workshop was held with the Local Planning Agency to gather direction and suggested changes of the fence provisions during this process. The Town of Lake Placid Local Planning Agency moved to recommend to the Town Council to approve Ordinance No. 10-608 amending Chapter 154, Zoning, as follows: Sections 154-1 through 154-27 of the Land Development Code of Lake Placid; providing for severability and providing for an effective date and including of the small changes.

Council Member Royce made a motion to approve Ordinance No. 10-608 Amending Chapter 154, Zoning, as follows: Section 154-1 through 154-27 of the Land Development Code of Lake Placid; providing for severability and providing an effective date on first hearing by reading of title only with changes discussed by the Town Council; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- C. Ordinance No. 10-609 – Amending and Restating Chapter 5 – Miracle League Trust (2<sup>nd</sup> hearing) Atty. Harris stated this Ordinance had been revised due to Glades Electric wanting a name change and the paragraph allowing the Town to borrow money from the \$25,000.00 donation to be deleted. Council Member Royce made a motion we approve Ordinance No. 10-609 on second hearing by reading of title only and adopt; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- D. Resolution establishing Tentative Assessment Rate for Solid Waste – Mrs. Tuck advised the Council we needed to send a Resolution to the Tax Collector so that they would know what fee to charge property owners for our solid waste pickup. She stated the Resolution listed the same fee as last year. Council Member Royce made a motion the Resolution be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

- E. Ordinance 10-614 – Line Item Adjustments for Gen. Fund, Sanitation Fund and Cemetery Fund (1<sup>st</sup> hearing) Council Member Bastardi made a motion Ordinance 10-614 be approved on first hearing by reading of title only; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
  
- F. Ordinance 10-615 – Line Item Adjustment for Infrastructure Account (1<sup>st</sup> hearing) Council Member Bastardi made a motion Ordinance 10-615 be approved on first hearing by reading of title only; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
  
- G. Ordinance 10-605 – Line Item Adjustment for Water-Sewer Accounts (1<sup>st</sup> hearing) Council Member Bastardi made a motion Ordinance 10-605 be approved on first hearing by reading of title only; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner – No comments
- B. Public Works Director – Mr. Fulton stated he had looked into the cost of resurfacing Tangerine Drive, (as he was asked to at the last meeting) and it would be around \$36,000 to \$40,000.
- C. Recreation Director – No comments
- D. Police Chief – No comments
- E. Utility Director:
  - 1. Reuse Permit Update – Mr. Freeman presented the Council with a letter from FDEP as to what is required in order to receive a public access reuse permit. Mr. Freeman stated we would need to spend (highest estimate) \$87,650 or (lowest estimate) \$33,650.00 in order to complete what FDEP requires for us to obtain a reuse permit. Council Member Royce stated he would like to have a representative from Southwest Florida Water Management District and FDEP come to our take meeting for discuss. Council Member Royce made a motion that this matter be tabled until the September meeting; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- F. Town Attorney:
  - 1. Adoption of Ordinance 10-604 – Town Manager form of Government for Town – Council Member Royce made a motion that this matter be tabled until the September

meeting; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

G. Town Clerk: No comments

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 7:15 P.M.

**SPECIAL MEETING**  
**LAKE RIDGE COMMUNITY CENTER COMMITTEE**  
**August 16, 2010 9:30 A.M. Board of Realtors' Office**

Phil Wegman, with Furr and Wegman, Architectural firm hired by the Town of Lake Placid to design the Lake Ridge Hurricane Shelter/Community Center, led the visioning meeting. This meeting was called to obtain ideas of what the committee felt was needed within the Town of Lake Placid.

**ATTENDING:**

Ray Royce  
Rev. Richard Norris  
Eileen May  
Joy Eberhart  
Carolyn Phypers  
John Komasa  
Arlene Tuck  
Pam Karlson

**Public Citizen:**

Desiree Wiggins

Mr. Wegman and his representatives felt like the Committee was very informative and that they had some very good ideas. Rev. Norris stated for a graduation ceremony to be held at the Community Center there would need to be approximately 750 seats. The committee still felt we needed space in the hurricane shelter for at least 200 persons. The committee also felt that we would prefer that the building not be reduced any further then 16,000 sq. feet.

The committee was informed by Mr. Royce that the Town would be receiving 2.94 acres from Highlands Cove Phase I, which is located on Hillcrest. Because the developer of Highlands Cove Phase I will be putting in the infrastructure (such as road, sewer, water), this would be a saving to the Town if the location was changed to this area. The committee all felt comfortable with the location, and especially knowing of the savings.

Mr. Wegman stated he would have a design and site plan by the Town Council's next meeting on September 13, 2010.

The meeting adjourned at 12:00 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
FRIDAY AUGUST 27, 2010 2:00 P.M.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Friday, August 27, 2010 at 2:00 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 Steve Bastardi  
Council Member Ray Royce

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Planner Sue BuChans  
Town Utility Director Gary Freeman

ABSENT:

Council Member Cheryl Davis

- A. Approval of Closing and Related issues regarding the Town's purchase of the Wastewater collection and treatment system from Highlands Utility Company. Atty. Harris and Council Member Bastardi informed the Council this matter was not ready to be closed. There were still some issues to work out. Council Member Royce made a motion that we authorize Council Member Bastardi and Atty. Harris to negotiate an agreement for the management of that utility (Highlands Utility Company) if they deem it appropriate and if they reach an agreement that the Mayor sign that agreement; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce stated his motion was basically to secure that it would be beneficial for the Town in the long run.

- B. Further discussion of the Interlocal Agreement with the Board of County Commissioners of Highlands County; the Highlands County Comprehensive Plan amendments; the Lake Placid Joint Planning Area; terms of the potential acquisition of Placid Utilities; and issues involving a Municipal Regional Utility for the Joint Planning Area. Council Member Bastardi gave an introduction into the reasons the Town is hopeful of acquiring Placid Utilities. He stated the Town someday would like to grow to the north and south.

The calling card for annexation is utilities. With the County controlling the utilities to the north, the Town would not have an opportunity to grow in that direction.

After much discussion with residents of Tomoka Heights and the homeowners President, Mrs. Wagner, the attached Memorandum of Understanding was accepted by all parties. (The Memorandum of Understanding was approved by Town Council on August 27, 2010) Council Member Bastardi made a motion to approve the outline of the Memorandum of Understanding as follows:

1. Under Section 1: Under Regional Utility delete last point
2. At the bottom of the page, delete the last paragraph
3. The middle section, Utility Rates, strike Tomoka in both points and keep Placid Utilities
4. On page Two, to clarify Highway Park lots to the County staff
5. Page Three, include a statement that the Town will not rob the Placid Utilities escrow fund.
6. The Placid Utilities wastewater sewer plant will be capped at 200,000 gallons per day
7. That the Town will hold and operate the utilities as a regional system and not sale the same.

Motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Council Member Royce made a motion that we ask Council Member Bastardi and Atty. Harris to continue to represent the Town in discussions and/or negotiations with the County in regards to the acquisition of the County's utility system and that we authorize the Mayor to sign or put into effect any documents necessary that come from those negotiations and represent the Town, along with Atty. Harris, at the absence of Council Member Bastardi; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Holbrook hearing no objections declared the meeting adjourned at 3:00 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY SEPTEMBER 20, 2010 5:30 P.M.

Vice Mayor Ray Royce called the special meeting of the Town of Lake Placid Town Council to order on Monday September 20, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

Vice Mayor Ray Royce  
Council Member Debra Worley  
Council Member Cheryl Davis  
Council Member Steve Bastardi

Town Clerk Arlene Tuck  
Town Public Works Director Jim Fulton  
Town Police Chief Phil Williams

CONSENT AGENDA:

A. Approval of Public Hearing Agenda – Council Member Worley made a motion the public hearing agenda be approved as presented; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

PUBLIC HEARING:

A. Ordinance No. 10-616 – 2010-2011 Millage Rate (2<sup>nd</sup> hearing) Vice Mayor Royce read the title of Ordinance No. 10-616 and informed the Council and audience this Ordinance is to set the millage rate for the 2010-2011 fiscal year. He further informed them the millage rate for the Town is being set at 3.8100 mills, which is less than the rolled-back rate of 4.6120 mills by - 17.39% and if passed will become effective October 1, 2010. Council Member Worley made a motion that Ordinance 10-616 be approved on second hearing and adopted; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

B. Ordinance No. 10-617 – 2011-2011 Budget (2<sup>nd</sup> hearing) – Vice Mayor Royce read the title of Ordinance No. 10-617 and informed the Council and audience this Ordinance is to set the budget for the 2010-2011 fiscal year and, if passed, will become effective October 1, 2010. Council Member Bastardi made a motion to change the recreation budget to reflect the proposed budget that was presented at a budget workshop on August 12, 2010, which totaled \$357,088 and reflected the following expenses:

Audit	\$2,500.00
Bicentennial Park Lease	250.00

Director's Vehicle	\$25,000.00
Edu., Training	2,000.00
Legal Counsel	2,500.00
Office Spls.	700.00
Fuel	4,600.00
Uniform	600.00
Operating Supplies	5,000.00
Holiday Cert.	250.00
Repair & Main.	60,000.00
Vehicle Repair	5,000.00
Electricity	30,000.00
Communication	2,500.00
Town Ins. – Veh., WC, Liab.	16,701.00
Salaries	134,256.00
Health, Life Ins.	40,500.00
Retirement	14,460.00
Social Security/Medicare	10,271.00

Motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Worley made a motion to approve Ordinance No. 10-617 on second hearing and adopt with changes made by the Council; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Worley. Vice Mayor Royce hearing no objections, declared the meeting adjourned at 8:30 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
WEDNESDAY SEPTEMBER 22, 2010 5:30 A.M.

Mayor John Holbrook called the special meeting of the Town of Lake Placid to order on Wednesday September 22, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

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

PRESENTATION:

Phil Wegman, of Furr and Wegman, architect for the Community Center/Hurricane Shelter was present with a final drawing of the Community Center/Hurricane Shelter to be built on Grigsby Property. The drawings showed two buildings, one to be used as a government center and one for the hurricane shelter. Mr. Wegman stated they envisioned the area to become a government complex.

John Komasa presented a business plan for the buildings. After over two hours discussion on the project, Council Member Bastardi made a motion to forgo the opportunity and reject the grants; motion seconded by Council Member Worley. On roll call, Council Member Worley and Council Member Bastardi voted yes; Council Member Royce and Council Member Davis voted no. Mayor Holbrook voted yes to break the tie. Motion carried 3 to 2.

UTILITY DEPARTMENT:

A. Sewer Repair Financing – Mrs. Tuck stated she and Mr. Freeman reviewed the Line of Credit bid from Heartland National Bank and realized that one of the requirements of the bid was that the Town had to move all their banking operations to Heartland National Bank. She stated the Town has a contract with Seacoast National Bank for our banking operations and it does not expire until March 20, 2011. She stated after discussing this with Mr. Freeman, he felt we would not be doing any repairs until after the first of the year. Council Member Worley made a motion to recede the offer from Heartland National Bank for a line of credit; motion seconded by

Council Member Davis. On roll call, Council Member Worley and Council Member Davis voted yes; Council Member Royce and Council Member Bastardi abstained from voting due to a conflict of interest. Motion carried 2 to 0.

Meeting adjourned at 8:00 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
OCTOBER 4, 2010 5:30 P.M.

Mayor John Holbrook called the special meeting of the Town of Lake Placid Town Council to order on Monday October 4, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. The meeting was called to further discuss the acquisition of Highlands Utilities Company. A quorum was present.

ROLL CALL:

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

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

ABSENT:

Council Member Debra Worley

PUBLIC HEARINGS:

A. Purchase of Wastewater Collection and Treatment System from Highlands Utility Company and Pugh Septic Tank Services, Inc.

B. Rates to be charged by the Town of Lake Placid to customers of the Highlands Utility Company after acquisition.

Atty. Harris presented a Resolution to the Town regarding the purchase of the assets of Highlands Utility Corporation. The Resolution advised that the meeting was published in the Highlands Today/Tampa Tribune on September 22, 2010, notice was also mailed to the customers of Highlands Utilities Corp. on the 21<sup>st</sup> day of September 2010 by the HUC Vice President, Secretary and Treasurer, Lorie Lammie. The Resolution contained the following:

1. Matters considered by the Lake Placid Town Council.
2. Determination of the public interest.
3. Statement of public interest.
4. Rates
5. Closing

The Town also discussed the rates to be considered. The rates of the Town of Lake Placid are higher for commercial businesses because Highlands Utilities Corp. had a cap of 21,000 gallons on their usage, and the Town of Lake Placid does not have a cap. Mark Tharp, of the Golden Corral, was the only concerned citizen to speak. Mr. Tharp stated with the Town's prices, his bill would increase by 40%. He stated he was very concerned that the Town would continue raising the prices. The Council had Mr. Freeman to immediately start working on a rate study. One suggestion made was to charge the commercial businesses the same thing we charge residential customers.

Council Member Bastardi made a motion to approve the Resolution for the acquisition of Highlands Utilities Corp., as amended; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Mayor Holbrook declared the meeting adjourned at 6:45 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
OCTOBER 11, 2010 5:30 P.M.

The Town Clerk advised that the Mayor would be a little late, therefore Vice Mayor Ray Royce called the regular meeting of the Lake Placid Town Council to order on Monday October 11, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The meeting was opened by invocation by Rev. Don Roberts of the Leisure Lakes Baptist Church. Rev. Roberts also led in the Pledge of Allegiance to the American Flag.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Public Works Director Jim Fulton  
Town Police Chief Phil Williams  
Town Recreation Director John Komasa  
Town Planner Sue BuChans

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of Monthly Meeting and special meeting minutes

Council Member Davis made a motion that the consent agenda be approved as present; motion seconded by Council Member Worley. On roll call. Council Member Worley, Council Member Davis and Vice Mayor Royce voted yes; Council Member Bastardi had not yet arrived at the meeting.

PRESENTATION:

A. Wicks, Brown, Williams & Co. – SRL Audit Report – Mr. John Davis of Wicks, Brown, Williams & Co. informed the Council he was present to report on the audit for the State Revolving Loan which the Town has had since 2003. Mr. Davis stated they found the audit clean and no negative remarks. Council Member Worley made a motion the audit report for the State Revolving Loan be approved as presented by Mr. Davis of Wicks, Brown, Williams & Co.; motion seconded by Council Member Davis. On roll call, Council Member Worley, Council

Member Davis and Vice Mayor Royce voted yes; Council Member Bastardi had not yet arrived at the meeting.

Mayor Holbrook arrived during Mr. Davis's discussion.

Council Member Bastardi also arrived just prior to the discussion concerning the Town Manager Election.

B. Town Manager Election – Vice Mayor Royce stated it was his understanding that the Council would be discussing the referendum election to be held on November 2, 2010 at this time. Marlene Barger, of Lake Placid, stated she thought there would be a separate workshop held just for the Town Manager discussion. Council discussed having a special meeting on Monday October 18, 2010 to hear public input about the Referendum. Mrs. Tuck reminded the Council we are having a special meeting on the 18<sup>th</sup> of October to discuss the EAR and that Jennifer Codo-Salisburg, with Central Florida Regional, asked that two hours be set aside for the meeting. Council felt the EAR workshop could be postponed to another time. Council Member Royce made a motion that we hold a workshop for the sole and only purpose of discussing the charter question regarding the Town Manager for next Monday night at 5:30 P.M.; motion seconded by Council Member Bastardi. On roll call, Motion carried unanimously.

PUBLIC HEARING:

A. Ordinance 10-618 – Hammond Oxer – Rezoning (2<sup>nd</sup> hearing) – Mrs. BuChans stated the applicant is requesting a rezoning for the subject property described above from Highlands County (County) Business District B-3, to Town of Lake Placid (Town) Highway Commercial District, C-1. The Town Planning staff identified this parcel within the Town's limits as carrying a County zoning designation. Mrs. BuChans stated this was the second hearing. That the first hearing was held on September 13, 2010. Council Member Worley made a motion to recommend to approve and adopt by Ordinance 10-618, amending the Town Zoning Map from County B-3 (Business District) to Town C-1 (Highway Commercial District) for 1.65 +/- acres; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

1. Town Planner:

A. Country Fair – Mrs. Carol Mills, representing the Country Fair Committee was present concerning the closing of Interlake Boulevard, as was requested at the last meeting by the Country Fair Committee. Mrs. Mills stated they are working with closing Green Dragon Drive, instead of Interlake Boulevard. She stated they have talked to the schools and business on Green Dragon Drive and have been told there would be no problem with closing the street on Friday, February 4, 2011 after 4:00 P.M. Mayor Holbrook reminded everyone the Committee is having

to do this due to the fact DeVane is possible to be being renovated at the time. Council Member Worley made a motion that we direct the Police Chief to take charge of closing Green Dragon Drive for February 4 (after 4:00 P.M.), 2011, February 5, 2011 and February 6, 2011 to facilitate the Country Fair of 2011; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

B. Planning Service Interlocal Agreement – Mrs. BuChans stated staff and the Town’s attorney had worked on an Interlocal Agreement for the Town’s Planning Services. She stated this year the fee is \$25,000.00 because the County’s responsibilities have been reduced. Council Member Worley made a motion that we approve the Interlocal Agreement between Highlands County, Florida and the Town of Lake Placid for the 2010-2011 Planning Services; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Resolution – Sign Fees – Mrs. BuChans stated on June 9, 2010 the Lake Placid Town Council adopted an Ordinance amending and restating Section 154-15 of the Code of the Town of Lake Placid entitled Signs, by Ordinance No. 2010-610. This Ordinance repealed the sign permit fee of fifty dollars (\$50.00) from Chapter 154, Section 154-15.3.2. Council requested that staff prepare a Resolution establishing a Sign Application/Permit Fee for the Town. Mrs. BuChans had a Resolution attached establishing fees for sign permits within the Town of Lake Placid. The sign application was revised and was included with the Resolution. Mrs. BuChans informed the Council nothing in the Ordinance changed. The only thing the Resolution did was allow a fee for the signs. That fee schedule is \$75.00 for sign permits on Highway 27 and all other areas \$50.00 for the permit. Council Member Bastardi made a motion the Council approve the Resolution as written; motion seconded by Council Member Royce. On roll call, Council Member Royce, Council Member Davis, and Council Member Bastardi voted yes; Council Member Worley voted no. Motion carried 3 to 1.

D. Ordinance 10-608 – Land Development (Fences) – Adoption Only – Mrs. BuChans stated Council had requested staff make revisions to Ordinance No. 10-608 that was presented in the September 13, 2010, public hearing. Mrs. BuChans attached a copy of the revised Ordinance to her staff report for the Council’s review. The changes were located on page 4 and page 10 through 15. After discussion on the changes and additional changes, Council Member Royce made a motion to table Ordinance 10-608 for further review by the Town of Lake Placid LPA and action by Council; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

## 2. Recreation Director:

A. Use of DeVane Park for Mason Smoak Day – Laura Barben – Council Member Royce stated the Committee organizing the Mason Smoak Day wants to know if they are going to be able to use DeVane Park for the function. Council Member Royce stated they were not sure if the

renovation to the Park would be started by the November 6<sup>th</sup> date of the function. Council stated they did not feel the renovation would be started prior to the date of the event. Council Member Royce made a motion that we allow the use of DeVane Park by the Mason Smoak Foundation for November 6, 2010; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

3. Public Works Director:

A. Cemetery Committee – Council Member Bastardi stated he felt the Cemetery Committee had done what they were required to do and he would like to make a motion the Cemetery Committee be dissolved; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

4. Town Utility Director:

A. HUC (South Sewer System) on call person – Mr. Freeman stated Mr. Darrell Pugh will be checking the systems on the South Sewer System. He would like to request that Mr. Pugh be allowed to use a town vehicle to travel to and from work to home. He would also like to furnish Mr. Pugh with a cell phone. For these benefits, Mr. Pugh will not be allowed overtime, unless there is a break or emergency that requires he come into Town to work on the system. Mr. Freeman stated Mr. Pugh is aware that only Town employees can be allowed to ride in the Town vehicle. Council Member Bastardi made a motion Mr. Freeman's request be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. Pump for South Sewer System – Mr. Freeman stated he has already had a pump fail at the South Sewer System. He stated he needs to purchase a new pump which will run \$4,241.00. Mr. Freeman stated he would like to take the price of the new pump out of the contribution fund. Council Member Royce stated he really didn't care where the funds came from, but that he wanted all monies used for the South Sewer System to be tracked. Mr. Freeman assured him they were being tracked. Council Member Worley made a motion Mr. Freeman purchase the pump from Madar Electric Motors for \$4,241.00; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

5. Town Attorney – No Comments

6. Town Clerk:

A. Advertise for Recondification Services – Council asked Mrs. Tuck to wait until the County's growth management policies with the Town are passed.

7. Mayor/Town Council Meeting:

A. Council Member Worley – Rural Development Grant – Council Member Worley stated she had contacted the Rural Development funding source and found out the Town would qualify for a grant of up to 45% for the sewer. Council Member Bastardi made a motion to give Council Member Worley the authority to continue pursuing the rural development grant; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

B. Council Member Royce – stated he would like for the Council to consider consolidating some of the departments. He stated he would like to discuss this after the November 2, 2010 election. He stated it has never made sense to him that we have employees working for one department who mow the parks and another department who mow the medians and that each has their own mowers, weed eaters, etc.

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

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY NOVEMBER 8, 2010 5:30 P.M.

Mayor John Holbrook called the regular meeting of the Town of Lake Placid Town Council to order on Monday November 8, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

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

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of monthly meeting and special meeting minutes
- D. Approval of Wicks, Brown, Williams & Co. Engagement Letter (2)

Council Member Worley asked that D under the consent agenda be removed. Council Member Bastardi made a motion to accept the Consent Agenda, less D; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Worley made a motion that audit services be put out for bids; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner:

1. Lake Placid Merchants – Local Preference on Purchase – Council Member Worley made a motion that this matter be tabled until the next regular Council meeting; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Monte Delaney – stated he had received a complaint from the County as to a fence he had placed on a vacant area adjacent to the Gate Station. He stated it was brought to his attention that he was on the right of way. He wanted to inform the Council that the matter had been corrected and that he was sorry for any inconvenience it might have caused.

B. Recreation Director:

1. Council Member Bastardi – 2010-2011 Budget – Council Member Bastardi stated he was concerned about the recreation budget and that we had not received word from the County on how much we can expect from them. He stated he would like to see some type of plan on how the leagues that use Lake June Ball Fields are going to pay for the electricity. Council Member Royce made a motion that the Recreation Director put in place a plan as to collection of users of electric at the ball fields as shown on his budget retroactive back to October 1, 2010; motion seconded by Council Member Worley. On roll call, Council Member Worley, Council Member Royce and Council Member Davis voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

Council Member Royce made a motion that the Recreation Director bring the Council, by January 1, 2011, a Recreation Interlocal Agreement for the year 2010-2011; motion seconded by Council Member Worley. On roll call, Council Member Worley, Council Member Royce and Council Member Davis voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

C. Police Chief:

1. Police Williams stated he would like to look into the possibility of having all convenience stores, that sell alcoholic beverages have working video cameras in their stores 24-hours a day for 7-days a week. He stated they are getting reports of minors purchasing alcohol and when they go to the store to view the video, they would be told the video camera was not working. Council felt this was a very good idea.

2. Mowing of lots – Mrs. Tuck stated the Code Enforcement Officer had asked her if she thought Council would be willing to pay for the mowing of lots that have a lien on them for a Code violation and then charge the owner. Council felt we should not get into this habit. They thought we should leave it as is.

D. Public Works Director:

1. Mr. Fulton stated he had placed a letter of retirement on everyone's desk effective December 31, 2010.

Council Member Bastardi stated he had on the agenda to discuss consolidation of public works and recreation and he would like to discuss it at this time. After some discussion, Council seemed to be in favor of only one department to be known as Public Works to include Streets, Sanitation, Cemetery and Recreation. Council Member Royce made a motion that the recreation

department be combined with the public works department as of December 1, 2010; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council asked that Mayor Holbrook, Mr. Fulton and Mrs. Tuck get together and come back at the next meeting with a recommendation for an interim director for the new Public Works Department.

E. Town Utility Director:

1. South System Sewer – Tie Ins – Mr. Freeman stated he would like to get Council's approval for Polston Engineering, Inc. to start the process of getting permits to start the tie ins of the former Highlands Utilities force main system, one along CR621 in the general area of Tower Street and the other in the Lake Clay Drive/Plaza Avenue area, to the existing Town force main. Council Member Worley made a motion to proceed with obtaining the permits for the tie ins and the project for an approximate cost of \$39,500.00; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. Mr. Freeman stated he needed to secure some funds so that he could proceed with purchasing pumps, doing repairs, etc. Council Member Royce made a motion that the Sewer Department borrow \$100,000. From the General Fund to go as follows:

Up to \$50,000.00 to Operating Expenses and  
Up to \$50,000.00 to Capital Expenses

And to be approved by Town Council prior to using and that this \$100,000.00 be paid back when the monies are received from the Highlands Cove Phase I project; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

3. Ordinance 10-624 – Mr. Freeman stated his water and sewer department needed to make some line item adjustments and he would like for Council to advertise for the Ordinance. Council Member Royce made a motion that the Clerk advertise Ordinance 10-624 (amending 2010-2011 budget for sewer and water) for the Council next two meetings; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

4. Old Sewer Plant owned by Chris Clarke – Mr. Freeman stated Mr. Clarke had contacted him concerning the old sewer plant in Serenity Subdivision that we sold him. He stated he has not been able to move the plant and would like to give it to the Town, if they would pay to have it moved. Council Member Royce made a motion that we obtain the old sewer plant equipment from Chris Clarke and move it; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

F. Town Clerk:

1. Employees' Holidays – Mrs. Tuck stated the way the employees' holidays fall this year they are only getting ten. She stated some of the employees state the Personnel Policy list 12 and states to the side "12 Paid Holidays". She said two of the holidays fall on Saturday and the policy states if a holiday falls on Saturday you get Friday off. She stated the employees are getting Christmas Eve and New Years Eve off, which she felt covered the Friday off. Council Member Royce made a motion the ten days listed on the Personnel Policy be the days given to the employees; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Parade Rules – Mrs. Tuck stated last year during the Christmas Parade Council had approved vendor selling only if: 1) They are a non-profit organization; 2) Live within the Greater Lake Placid Area; 3) Cease selling any and all items when the parade starts; and 4) Not sell any items in the parade staging area. She stated the Christmas Parade committee was asking for the same this year except to ask that all vendors must set up only at Stuart Park and then walk along North Main Street and East Interlake Boulevard to sell their items.

Council Member Bastardi made a motion to adjourn; motion seconded by Council Member Davis. Mayor Holbrook hearing no objections, declared the meeting adjourned at 9:30 P.M.

Special Meeting  
Town of Lake Placid Town Council  
November 15, 2010 5:30 P.M.

Mayor John Holbrook called the special meeting of the Town of Lake Placid Town Council to order on Monday, November 15, 2010 at 5:30 P.M. at the Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

Deputy Clerk Jackie Haynes  
Town Planner Sue BuChans

ABSENT:

Council Member Debra Worley  
Town Clerk Arlene Tuck

PUBLIC HEARING:

1. Ordinance No. 10-611 – Rezoning of West Interlake Boulevard (1<sup>st</sup> hearing)

Mayor Holbrook read Ordinance No. 10-611 of the Town of Lake Placid, Florida amending the official zoning map of the Town of lake Placid by rezoning certain tracts of land more particularly described herein, from “Agricultural district (A-1)” to “Limited commercial district (C-2)”; and providing for conflicts, severability and an effective date.

Council Member Bastardi made a motion for the Town to approve and adopt by Ordinance No. 10-611, amending the Town Zoning Map from A-1, Agricultural District to C-2, Limited Commercial District for 5.301 acres on 1<sup>st</sup> hearing; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Mrs. BuChans stated that she wanted the Town Council to know that the water use plan has to be adopted before the EAR can be adopted.

Mayor Holbrook declared the meeting adjourned at 5:40 P.M.

**REGULAR MEETING**  
**TOWN OF LAKE PLACID TOWN COUNCIL**  
**MONDAY NOVEMBER 22, 2010 5:30 P.M.**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday November 22, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Invocation was given by Attorney Bert Harris. The Pledge of Allegiance was led by Mayor Holbrook.

**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 Planner Sue BuChans  
Town Public Works Director Jim Fulton  
Town Utility Director Gary Freeman  
Town Attorney Bert Harris

**ABSENT:**

Town Police Chief Phil Williams  
Town Recreation Director John Komasa

**CONSENT AGENDA:**

A. Approval of Agenda – Council Member Royce made a motion the consent agenda be approved as presented; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

**PUBLIC HEARINGS:**

A. Ordinance 10-611 – Rezoning – W. Interlake Blvd. Properties (2<sup>nd</sup> hearing) Mrs. BuChans read the title of the Ordinance in its entirety. Mrs. BuChans then stated the Town Planning Staff had identified several lots within the Town’s limits whose zoning designation was inconsistent with its future land use designation. There are seventeen along W. Interlake Boulevard to be exact. She stated the parcels have been designated A-1 zoning district on the Lake Placid Zoning Map for quite some time. This A-1 zoning designation is inconsistent with the RO (Residential Office) land use designation on the Comprehensive Plan Future Land Use Map. The Applicant’s intent is to amend the A-1 (Agricultural) zoning district to C-2 (Limited Commercial) zoning district bringing the Town’s Zoning Map and Land Development Regulations into conformity

with its most recently adopted Comprehensive Plan. Council Member Royce made a motion to approve and adopt by Ordinance No. 10-611, amending the Town Zoning Map from A-1, Agricultural District to C-2, Limited Commercial District for 5.301 acres; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

B. Ordinance 10-624 – Amending 2010-2011 Water/Sewer Budget (1<sup>st</sup> hearing) – Mayor Holbrook read the title of the Ordinance in its entirety. Council Member Bastardi made a motion Ordinance 10-624 be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

#### PRESENTATIONS:

A. Ajax Company – Update on DeVane Park Renovation – Several individuals from the Ajax Company (Company who got the bid from FDOT to renovate DeVane Park), the engineering firm and landscape consultant who are also working on the renovation of DeVane Park and FDOT were present to give the Town Council an update on their progress. They felt that the project could be started shortly after the first of the year and be completed by the first of August. The Council asked that the Ajax Company please forward the approved costs estimates to Atty. Harris for his review. Council was concerned about the well and stated they would like to see a new well placed in DeVane Park. Mike Morgan, with the Ajax Company stated what they were reviewing with the Council was approximately 30%-40% complete. They would be back with a more 80%-90% completion packet.

B. Farm Week Proclamation – Mike Waldron read a Proclamation proclaiming the week of November 21, 2010 through November 27, 2010 as National Farm Week. Council Member Royce made a motion the Council approve the Proclamation; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

#### DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

##### **A. Town Public Works Director:**

1. Public Works Director Position – Mayor Holbrook stated Mrs. Tuck, Mr. Fulton and he had met as requested by the Town Council (upon learning of Mr. Fulton's retirement on December 31, 2010) to discuss the combining of the Recreation Department with Public Works. Mayor Holbrook stated staff was recommending that John Komasa be interim Public Works Director and that Jim Westcott remain as Public Works foreman. He further stated their recommendations for the four employees presently employed for the Recreation Department be used as follows:

1. S. Valdez – full time at Lake June Ball Fields
2. S. Oliva – part time at Cemetery and part time at Lake June Ball Fields
3. G. Fritz – full time in Transportation
4. A. Keefer – to become Public Works Technician I (floating handyman)

Council Member Worley stated she would like to see the Town advertise for the Public Works Director position and maybe look towards an engineer. Council Member Royce made a motion that the Council approve the new Town organizational chart to be effective on or about January 1, 2011; motion seconded by Council Member Worley. On roll call, motion carried unanimously. Council Member Royce stated the Council's intention is that Mr. Komasa start as Interim Public Works Director December 1, 2010 and that Mr. Fulton would work under Mr. Komasa's supervision for thirty days or so until he retires.

2. Lake Placid Recreation Committee – Jon Million, Chairman of the Lake Placid Recreation Committee, stated the Recreation Committee has had several meetings since being told they were going to be made responsible for the cost of the lights at the ball fields. Mr. Million stated they had been told to come up with a plan on how to reduce cost at the fields. Mr. Million stated the Lake Placid Recreation Committee had come up with the following plan:

1. Pursue the active users to reduce their electrical costs by 25% and they feel this can be accomplished by rescheduling games and practices at night. Mr. Million stated they feel they can drop the cost of the electric down by \$7,500.00.

2. Actively encouraging the members at the fields to pursue the County Commissioners to get onto their agenda concerning the distribution model agreement to see what we can come up with so that we can figure up what the Town is actually going to receive from the County Commissioners.

3. Bill Brantley was able to get with Progress Energy to come up with an idea of costs for the lights, so we feel that is something now we can pursue to the users at the fields as to what it will cost them to run night games.

4. As to a long-term solution to our recreation funding we believe the Town should pursue with the County the implementation of a non-ad valorem tax on residential units within our impact zone and that that money can be used strictly for recreational purposes within the Lake Placid area.

Council Member Royce stated the non-ad valorem tax can be done on residential units or residential lots.

Mr. Million stated he did have one more question of the Council. He stated in the meeting some members were asking why they did not have an opportunity to review the budget. Mr. Million said others were under the impression the Committee was not to be involved in the budget review. Atty. Harris stated he was not sure how the Ordinance read, but that it could be found on the Town's webpage under Muni Code. He stated he would email Mr. Million a copy.

Council Member Royce stated he heard the Recreation Committee was not for charging user fees. Mr. Million stated that was correct. Council Member Royce stated it has been relayed to him that the folks who are building the recreation model are going to consider it very important

for municipalities to have some type level of user fees in place. Mr. Million stated the Recreation Committee feels in-kind service by all using Lake June Park should count towards user fees. Council Member Royce suggested the Recreation Committee invite Vickie Pontius, Highlands County Recreation Director, to their next meeting. Council Member Royce stated Mrs. Pontius is chairing the Committee that is building the model for the County and she would have some input concerning user fees.

3. Miracle League – Council Member Bastardi stated it had been brought to his attention that the County has not paid us the \$30,000.00 they owe us for the annual payment on the rubberized field at the Miracle League. Council Member Bastardi stated he would like to know why we had not received our money. Mrs. Tuck stated she had requested the \$30,000.00 from the County. She stated she then received a note from Bernis Gainer, OMB Director for the County requesting more information. The requested information was forwarded to Mr. Gainer. She stated she has sent two notes asking about the funds and to date she still has not received the funds. Council Member Royce stated Mr. Gainer has been on medical leave for the past month or so and that could be the reason we have not received it. Council Member Royce made a motion the Mayor authorize the Town Attorney to contact County Staff and determine what issues need to be resolved in regards to the Miracle League payment schedule; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

4. Advertisement and interview process for newly combined Public Works/Recreation position – Council Member Bastardi and Council Member Worley stated they would like to have a workshop and discuss what the qualifications of the Public Works/Recreation position should be. Council asked that the Mayor collect information concerning job descriptions for the Public Works Director and that then a workshop be scheduled.

5. Cemetery Gates – Council Member Royce – stated he had received an email from a member of the Sottlie family. They stated they had gone to the cemetery to visit a loved one and the gates were closed. This was on a Sunday around 10:00 A.M. They then went back around 2:00 P.M. and the gates were still locked. Council Member Royce stated he felt the gates should be open and not locked. He stated if anyone wanted to get into the cemetery all they had to do was go around the back. Council Member Bastardi stated the Cemetery Committee suggested locking the gates for security purpose. However, he stated he does not remember any incidents at the Cemetery that warrant the gates to be locked. Council Member Worley made a motion the gates be unlocked; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

## **B. Town Planner:**

1. Lake Placid Merchants – Local Preference on Purchases – Robert Brown of the Lake Placid Merchants Association was present and stated his committee had worked on the local preference document he had presented to the Council. He stated the intent and purpose of the

document is to establish a written policy that allows the authorized purchasing authority of the Town to give preference to local businesses. He stated this would give the Town the opportunity to select a Town business if that business puts in a bid that is only 5% above the low bid. Council Member Bastardi and Council Member Royce felt the preference should be given to only businesses within the Town limits. Council Member Royce made a motion that we go to public hearing on the addition of this subsection and that we ask Mr. Brown to come back and amend Section 4-5.3 to follow this schedule and add language to say that the preference will first be given businesses within the Town of Lake Placid, if not then businesses within the Greater Lake Placid Area and that if neither of those is available then businesses within Highlands County will be entitled to ½ of the local preference; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Royce also stated we needed to define the Greater Lake Placid Area. Council Member Royce suggested the County's Transportation Benefit District or the County's Recreation Impact Fee District, which is usually Lake Josephine south.

**C. Town Utility Director:**

1. Mr. Freeman stated Florida Rural Water representative will be in Lake Placid to address the Town Council in January.

2. Mayor Holbrook stated a situation has come up and he needed Council to make a decision. He stated back in October 11, 2010 Mr. Freeman had asked for Mr. Darrell Pugh, who is an operator at the sewer plant, to be allowed to take home the Town vehicle and be furnished a cell phone, because Mr. Pugh was on call. He stated Mr. Pugh would not be paid any over time unless he was called out for a break or emergency. Mayor Holbrook stated he noticed on Mr. Pugh's pay slip that he is being paid overtime to check pumps on Saturday. Mayor Holbrook stated the minutes reflect Mr. Pugh is not suppose to be paid over time for checking pumps, just in case of breaks or emergencies. Council Member Royce stated he hated to think an employee would automatically think he was getting over time for doing his job. Mr. Freeman was instructed to advise Mr. Pugh his work week would be 40 hours, whatever way he wanted to work the 3 hours into the 40 hours was fine. If he wanted to leave early or work one day just one half day. Mr. Freeman stated he would work it out with Mr. Pugh.

**D. Town Clerk:**

1. Christmas Parade – Mrs. Tuck stated her recording device was not working properly during the last meeting and she was not able to hear some of the discussions. One of the discussions was concerning the Christmas Parade. She stated the Christmas Parade Committee had requested the following:

1. All vendors register with the Lake Placid Police Department
2. All vendors be a non-profit organization within the Greater Lake Placid Area
3. All vendors be stationed at Stuart Park.

4. No vending to be allowed at any time on the parade staging area.
5. No vending to be allowed on the public right-of-way once the parade starts.

She stated the Masons had contacted her and wanted to be stationed at the Boys Scouts Hut. She said they told her they sell advanced tickets and will only be delivering meals they have sold to individuals who are in the parade. This would mean they would be allowed to deliver along the parade staging area. Mrs. Tuck also stated, and Lee Henderson who was present at the meeting, also stated, the Masons would have a cart, pulling it with their food deliveries.

Mr. Henderson stated they would be selling food items at the Masonic Lodge, but not at the Boy Scout Hut. They will just be making deliveries from the Hut.

Council Member Royce made a motion in regards to the Lake Placid Christmas Parade as follows:

1. All vendors must register with the Lake Placid Police Department
2. All vendors share be non-profit organizations within the Greater Lake Placid Area
3. All vendors will be stationed only at Stuart Park, unless they are housed in a permanent structure owned or operated by the vendor.
4. No vending other then the delivery of items previously purchased prior to 6:00 P.M. will be allowed at anytime on the parade staging route
5. No vending other then delivery of items purchased prior to 6:00 P.M. will be allowed on the public right-of-way once the parade starts.

Motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. RFP for Audit Services – Mrs. Tuck stated she and Rachel Osborne, Utility Bookkeeper, worked on the RFP for the audit services. She stated it is cutting if really close for the audit work to be done. With advertising this week, having the RFPs returned before the next meeting, having Council review the RFPs and negotiating for a contract the first week of January, it only leaves 53 days for the audit to be completed. She stated she would like to see Council go ahead and engage Wicks, Brown, Williams & Co. for this year and put the RFP out for next year. Council Member Worley stated she did not see any realize 53 days would not be enough for the audit. She stated she had always had a problem with the lateness that it is returned. Council Member Royce suggested we go ahead and place the advertisement. If we only receive one proposal and it is from Wicks, Brown, Williams & Co., we can go ahead and sign the engagement letter which has already been presented to us by them.

**E. Mayor/Council Members:**

1. Mayor Holbrook stated “Big Al” Pelski, with Toby the Clown Foundation had a request. Big Al was present and stated Toby the Clown Foundation would like to remove and keep the railing around the gazebo once the work is started on the renovation of DeVane Park. Council Member Worley made a motion the Town donate the railings around the gazebo at DeVane Park to Toby the Clown Foundation, as long as they take responsibility for removing them; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. Atty. Harris informed Council he would be reviewing the Bond on RaceTrac tomorrow to see if there is a possibility of issuing a temporary certificate of occupancy. Council stated they were all in favor of going ahead with allowing the opening especially during the holiday season. Atty. Harris stated he would work on it tomorrow.

Council Member Royce made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Holbrook hearing no objections declared the meeting adjourned at 9:40 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
DECEMBER 10, 2010 5:30 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday December 10, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Atty. Bert Harris gave the invocation and Camille Shattell, of Lake Placid Christian School led in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Police Chief Phil Williams  
Town Utility Director Gary Freeman  
Interim Town Public Works Director John Komasa  
Retiring Public Works Director Jim Fulton

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of minutes for monthly meetings and special meetings
- C. Approval of monthly reports and payment of monthly bills

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

PRESENTATION:

A. Chief Williams introduced Lynn Connolly, a Lake Placid Resident. Chief Williams stated Mrs. Connolly donates funds to the Lake Placid Police Department and this year she donated \$1,000.00. He stated the LPPD felt they wanted to thank Mrs. Connolly by presenting her a plaque to show their appreciation. Chief Williams stated the fund will go into the Police Department's donation fund where they purchase items needed by the Police Department.

PUBLIC HEARING:

A. Ordinance 10-624 – Amending 2010-2011 Water/Sewer Budget (2<sup>nd</sup> hearing) Council Member Royce made a motion Ordinance 10-624 be approved on second hearing by reading of

title only and adopted; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

#### DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

##### A. Town Attorney –

1. Cemetery Ordinance – Atty. Harris stated he was just about completed with the Cemetery Ordinance and would have it for first hearing at the next meeting.

2. Miracle League – Atty. Harris stated he was looking into the problem with the County not reimbursing the Town for the payment of the Miracle League. The County had stated they would donate up to \$120,000.00 to the Town for the Miracle League rubberized surface. He stated he had a little more investigation to do and he would have a report by the next meeting.

3. Highlands Cove – Atty. Harris stated the Wohls, who are purchasing the property previously owned by Ted Schiafone, behind Publix, would like to use the property they are donating to the Town to store their construction materials on during construction. Atty. Harris stated the Wohls were willing to cover the Town on their insurance policy for any damages or liability issues that might come up on the property while they are using it. After much discussion on whether or not to charge the Wohls for the use of the property, Council Member Royce made a motion that we ask the Town Attorney to formalize an agreement with the Wohls for permission to store construction material there for up to one year, contingent upon the Town owning the property; motion seconded by Council Member Bastardi. Council Member Royce stated his intend in making the motion was for the Wohls to prepare an agreement and send it to Atty. Harris; if he was comfortable with it and that the Town was adequately protected by it, then the Mayor would sign the agreement. On roll call, Council Member Davis and Council Member Royce voted yes; Council Member Worley and Council Member Bastardi voted no. Mayor Holbrook voted yes to break the tie. Motion carried 3 to 2.

4. County Recreation Interlocal Agreement – Atty. Harris stated he would do an Interlocal Agreement for free and send it to the County. Atty. Harris stated he would state in the Interlocal Agreement because we provide recreation for conservatively 90% of the County residents, this would be an affect to help educate the new County Commissioners. Atty. Harris stated he would take the old form and use it with new wording. Council Member Bastardi made a motion Atty. Harris proceed with preparing the Interlocal Agreement; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

##### B. Public Works Director:

1. Mr. Fulton informed the Council Lykes Brothers/Mulch Division gave the Town 160 pallets (11,200 bags, which comes out to about \$.19 a bag) of mulch for free. All we had to pay for was transporting the mulch to the Town. Mr. Fulton stated Lykes Brothers needed to be thanked for their donation.

2. Tree at Schooni's – Mr. Fulton stated the Oak Tree at Schooni's, which we cut down a couple of years old, is coming back up. It has lifted up the sidewalk and the sidewalk needs to be fixed.

3. Tangerine Sidewalk – Mr. Fulton stated the sidewalk on Tangerine, which has been put in by the State, will have its final walk through this week. He stated it looks as if it is pretty well completed.

4. Public Works/Recreation Position – Mr. Fulton stated he wanted to inform Council he has been working with Mr. Komasa and feels Mr. Komasa is very well suited for the job of Public Works Director. Mr. Fulton stated he felt Mr. Komasa should be given at least six months in the position before Council decides to do anything further. Mr. Fulton further stated he felt if the Council is going to go out and interview, they should wait until the next budget year. Council Member Worley stated she would like to look further into the job descriptions that had been finished to the Council. She also stated she would like the Town's job descriptions and she would like to know the population for the City's whose job descriptions were presented.

Mayor Holbrook stated since this was Mr. Fulton's last meeting before he retires, he wanted to thank him for all the years he has dedicated his time to the Town.

C. Town Planner – Mayor Holbrook stated since there were no items for the Town Planner, they were not present.

D. Town Utility Director:

1. South Sewer System-Mr. Freeman stated Florida Rural was working on a rate study for the town on the utilities. He stated the study would be presented January 24, 2011. Council Member Royce stated he would suggest we not get a presentation from Florida Rural on what the rate study with what the current set of inputs is. Council Member Royce stated he would suggest what he needs to do is come to us and we need to talk about what other scenarios he needs to model, because he does not want to have what he considers a whole bunch of missed information that comes out of that meeting. He stated, he for one, really thinks we need to run five or six other models before we hear what any rate study has to say. Council Member Royce stated he really felt Florida Rural needed to come in for a workshop and the Council needed to talk about the different scenarios.

Council Member Worley made a motion to set a workshop to discuss different scenarios for utility rates; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. Mike Woods – of Quick Lube and the Lake Placid Car Wash was present. Mr. Woods stated since the Town has taken over Highlands Utilities his sewer bill has gone up 60%. He asked the Town to consider some reduction in the rates. Mark Tharpe, of Golden Corral was

also present. Mr. Tharpe stated his sewer bill had also gone up 63%. Council stated they would be working on these matters at the workshop to discuss utility rates.

D. Town Police Chief:

1. Surplus Police Car – Chief Williams stated he had a 2003 Ford patrol vehicle #42, with over 100,000 miles used for code enforcement that has developed a grinding sound. He stated he feels the repairs would be expensive. He stated the code enforcement officer has been transferred to another spare vehicle and he will be purchasing another vehicle after the first of the year. He stated he would appreciate it if the Council would declare this vehicle surplus. He stated we place our surplus vehicles on the gov.org website for sale. Council Member Royce made a motion the Chief's request be granted; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Sign Ordinance – Chief Williams stated he would like Council to make a determination on an illuminated sign inside a building. He stated there was a business in Lake Placid who has a sign approximately 2' x 1' that has an illuminated sign on the inside of their store that hangs in the window. The sign swirls, blinks and changes colors. He stated our Ordinance disallows this on outside signs. However, the Ordinance does talk about inside signs also and his opinion is that it covers all signs, inside or outside. The owners were present and stated when the Chief mentioned it to them; they changed it to one color and slowed it down to the slowest it could go. They stated they are willing to cooperation in any way they can with the Ordinance. Some of the Council Members felt this was a gray area in our Ordinance and needed to be discussed at a later meeting. In the meantime, Council Member Royce made a motion that the Town Council direct the Chief of Police to not enforce the sign code as it pertains to sign inside a business until such time as Council has clarified the intent of the Code as it relates to indoor flashing, blinking, moving signs; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

E. Town Clerk:

1. RFP for Audit Services – Mrs. Tuck stated we had received two proposals on our request for audit services. One from Wicks, Brown, Williams & Co. and the other from NCT Company. Mrs. Tuck stated she, John Komasa and Jim Fulton had reviewed the submissions and found them to be equally acceptable. She stated they did not have a recommendation on which one to select and was leaving that up to the Council. After some questions to the applicants and a short interview, Council Member Royce made a motion that the Mayor be asked to be in touch with Attorney Harris and determine whether in your judgment he or some other entity he knows of has an appropriate ranking sheet criteria and if you determine that you feel that the ranking criteria can be applicable to our Town that you then forward those ranking sheets to us in the next few days and that we rank independently rank the firms and come back at our next regularly scheduled meeting and tally those sheets and then begin negotiations with the top ranked firm; motion seconded by Council Member Bastardi. On roll call, Council Member

Bastardi, Council Member Davis and Council Member Royce voted yes; Council Member Worley voted no. Motion carried 3 to 1.

G. Mayor/Town Council Members:

1. Council Member Bastardi – brought up his concerns about the County funding for Recreation and the Miracle League. Council Member Bastardi was reminded that Atty. Harris is working on the Miracle League issue and that he is also working on an Interlocal Agreement asking the County to send us their proposed \$100,000.00 contribution to each City for recreation.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 11:05 P.M.