

**REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
JANUARY 10, 2011 5:30**

Mayor John Holbrook called the Lake Placid Town Council Meeting to order on Monday January 10, 2011 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Drew Severance, of the First Presbyterian Church of Lake Placid gave the invocation and Mayor Holbrook 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 Utility Director Gary Freeman  
Interim Town Public Works Director John Komasa  
Town Planner Sue BuChans  
Town Police Chief Phil Williams

**CONSENT AGENDA:**

- A. Approval of Agenda
- B. Approval of Minutes
- C. Approval of monthly reports and payment of monthly bills

Council Member Bastardi made a motion the consent agenda be approved with item C being pulled for further discussion; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

**CONSENT AGENDA:**

C. Approval of monthly reports and payment of monthly bills – Council Member Bastardi stated he was still having problems understanding the monthly reports. He stated he still did not feel he was getting the accountability he felt he should be getting and therefore, could not vote for the financial reports. Council Member Royce made a motion item C Approval of monthly reports and payment of monthly bills be approved; motion seconded by Council Member Worley. 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.

PUBLIC HEARINGS:

A. Ordinance 10-625 – Local Preference (1<sup>st</sup> hearing) Mayor Holbrook read the title of Ordinance 10-625. Council Member Royce stated he would like to change Section 4-5.3 **Preference in Bidding**, line three where it says “authorized purchasing authority of the Town will” change to may. Mrs. Tuck stated she would like a paragraph added that preference will be given to drug-free workplace businesses. She stated it was in the Florida Statutes.

Council Member Royce made a motion that we approve Ordinance 10-625 by reading of title only on first hearing, with one change in 4-5.3 **Preference in Bidding** on Page 3 on the third line, the third line will now read “authorized purchasing authority of the Town may”, we are going to exclude the word “will” and insert the word may, give a preference to local businesses in making such purchases; my motion will also include Mrs. BuChans correction under 4-5.6 **Local Business Definition** (1) line two that “greater” be struck and also I will amend my motion to strike all of (2) in Section 4-5.6 referring to business license; my motion will also include the Town Attorney taking a quick look at the Ordinance; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. Final Plat Review – Racetrac Petroleum, Inc. – Mrs. BuChans stated applicant, Racetrac Petroleum, Inc., was asking for a final plat review of a 1.78 acre parcel located at the southeast corner of US 27 and south Lakeview Road. The final plat review is being conducted by the County Engineering Department. Mrs. BuChans stated the following had reviewed the final plat and/or title work and find the final plat to be in order:

- Town Attorney
- County Surveyor
- Lake Placid Recreation Director
- Lake Placid Utility Director
- Lake Placid Street Director
- Lake Placid Sanitation Director

Mrs. BuChans stated the final plat had been before the Town of Lake Placid Local Planning Agency and their motion was to move to recommend the Town Council approve the final plat for Racetrac.

Mrs. BuChans stated Tom Sullivan, attorney for Racetrac was present if Council had any questions. Council Member Royce made a motion Council adopt the final plat for Racetrac; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Ordinance 10-623 – Cemetery Ordinance (1<sup>st</sup> hearing) – Mayor Holbrook read the title of Ordinance 10-623. After reviewing and discussing the Ordinance presented by Atty. Harris, Council made the following motions:

1. Council Member Royce made a motion to approve as amended on first hearing Section 2 of Ordinance 10-623, which includes adding Standard Engraving to subsection 2. (d) of Section 2 and Bronze Vases in subsection 2. (e) of Section 2, and changing the rates under subsection 1. (a) to \$1,200.00 for outside residents of Lake Placid, and \$1,000.00 for inside residents of Lake Placid; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Council Member Royce made a motion that Town Staff be directed to come back to us no later than the second week of February with a set of rules for consideration; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

3. Council Member Royce made a motion that we approve on first hearing Section 6 of Ordinance 10-623 as presented with the modification in the lettering of items (a) through (i) and changing may to will in item (i), line two, to read: “The Loan will be repaid upon such terms as the Town Council by resolution establishes.”; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

4. Council Member Worley made a motion to approve Section 7 of Ordinance 10-623 on first hearing with amending (c) to read “At the end of each fiscal year, a portion of the funds remaining in the Oak Hill Cemetery Operation Account (as determined by Resolution of Town Council) shall may be carried forward in the operating account; and the balance transferred into the Cemetery Trust Fund”; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

5. Council asked that more detail concerning Section 8 be returned to them before they make any decisions on the Section.

6. Council Member Royce made a motion to approve Section 5 of Ordinance 10-623 on first hearing; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

7. Council Member Worley made a motion to approve Section 4 with the changes of adding to CEMETERY USE as discussed and HISTORIC NOTE, using Plat Book and Page to indicate the north east and north west corners of the cemetery at the time of 1928 burial; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

8. Council Member Royce made a motion that we approve the deletion of Section 3 of Ordinance 10-623 on first hearing; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

9. Council Member Royce made a motion that there be two separate Ordinances for the Cemetery: One for the pricing structure for both property and services provided to be a whole separate Ordinance and the other for the referencing of the rules for the Cemetery; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

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

##### A. Town Public Works Director (Streets, Sanitation, Recreation, Cemetery)

1. Mr. Komasa gave an update on some of the changes they are planning on doing this coming month.

2. Bill Brantley – Keep Lake Placid Beautiful – DeVane Park Renovation – Mr. Brantley stated he was present to ask Council to approve a modification to the DeVane Park Renovation plans. He stated there was a pump house to be built at the southeast corner of DeVane Park. The building would be 7' x 7' by 10' tall. He stated the Committee felt this would take away from the look of the park and the Committee was asking that the pump house be removed and be replaced with fencing and shrubby. He also stated he had reached a compromise with Ajax (contractors) to place 8' sidewalks around the exterior. He also stated Toby the Clown Foundation had asked for the old metal benches that are placed in DeVane Park. Mr. Brantley stated the recycled benches would stay, but the metal ones would be removed.

Council Member Royce made a motion we approve the change deleting the pump house and placing fencing and shrubby around the pump house and that the sidewalks around the exterior of the park to increased to 8' instead of 6' and thank Mr. Brantley for all his hard work on the project and look forward to getting started in the next few days; also that we have determined that the metal benches have no value and that we allow the Town to surplus the metal benches to Toby the Clown Foundation with the understanding they will remove the benches and follow all applicable rules and codes as to the use of those benches; and that Mr. Brantley try to negotiate with Ajax to see if he can get them to donate some replacement benches; motion seconded by Council Member Bastardi. On roll call, Council Member Davis, Council Member Royce and Council Member Bastardi voted yes; Council Member Worley voted no. Motion carried 3 to 1.

3. Council Member Bastardi – Public Works Director Job Description and position Advertisement – Council Member Bastardi stated he would like to see the Town come up with some new job descriptions for the employees of the Town. He stated he does not feel the job descriptions the Town now has, is sufficient. He stated he would also like to see the Town advertise for the Public Works Director position. Council Member Bastardi made a motion that the Mayor and the Clerk establish a new job description format from the job descriptions that

Clerk furnished the Council at the last meeting and once those are acceptable in the Mayor's discretion that new job descriptions be done by all department heads for all employees in each department; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Council Member Royce made a motion that the Mayor and Staff will come up with the job description for the four department heads within ninety (90) days; motion seconded by Council Member Worley. Motion carried unanimously.

3. Florida Department of Transportation – Acceptance of Highway Maintenance Agreement - Mrs. Tuck informed Council she had written a letter, by request of the Mayor, asking for assistance from the State for the caretaking of the U.S. Highway 27 property within the Town limits. He stated we received an agreement from the State saying they are willing to pay the Town \$18,226.21 for maintaining U.S. Highway 27 from Lake June Road south to McCoy Street. Council Member Royce made a motion that we approve the contract with the State of Florida in regards to the Maintenance Agreement BDR01 and that the appropriate individuals execute the Agreement and return to the Florida Department of Transportation; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

4. County Interlocal Agreement for Recreation for the Fiscal Year 2010-2011 – Council Member Royce stated he would like to go ahead and proceed with making a determination on the Agreement. Mrs. Tuck stated she had already sent the request for the first payment. Council Member Royce stated the County will need the Interlocal Agreement signed before they will furnish any funds. Council Member Royce made a motion to approve the Interlocal Agreement for Fiscal Year 2010-2011 with the Board of County Commissioners; motion seconded by Council Member Worley. 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.

B. Town Planner – No reports

C. Town Utility Director:

1. Discuss whose name the Utility Account should be in – Council discussed the problem of having water in a renter's name or in the owner's name. Council Member Worley stated she would like to work on this matter. Council Member Royce made a motion that we ask Council Member Worley to work with Mr. Freeman to bring back to the Council a recommended change to the policies and procedures or ordinances necessary to address this situation; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

D. Town Police Chief:

1. Security System at Town Barn – Chief Williams stated the Mayor had asked him to look into a security system for the Town Barn and the Town Hall. He said he ordered one that

he does not feel would work for the Town Barn. Therefore, he would like to order another system and pay for it out of his Forfeiture Fund because he feels it was his decision to order the system he does not feel would work. Mr. Freeman stated he felt all departments involved at the Town Barn should pitch in with the cost. Council Member Royce made a motion that Chief Williams be allowed to use the Forfeiture Fund for the amount he requested and that Staff come up with a proposed budgetary amendment to allow for additional security for the Town Hall Building; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Chief Williams stated there was another bad accident at the corner of East Interlake Boulevard and Walgreens. He stated he would like permission to make the east side of South Eucalyptus (coming out of Walgreens) a right turn only. After much discussion, Council Member Royce made a motion that we have the Town take the three easterly parking spaces on the south side of East Interlake Boulevard and designate them as a no parking zone and that we ask the Chief to follow that for the next 90 days and see if that dramatically changes the accident rate; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

E. Town Attorney:

1. Miracle League – County Donation Report – Atty. Harris stated he had met with Staff to discuss this matter. He stated after reviewing the Interlocal Agreement some differences were noted concerning the amounts to be refunded to the Town by the County. He stated he would have a full report at the next meeting.

F. Town Clerk:

1. Audit Services – Mrs. Tuck stated at the last meeting we had two audit firms send in applications for the Town's Proposal to Provide Independent Auditing Services. The Town stated they wanted to review the applications a little longer and that Atty. Harris was to come up with a ranking sheet. Mrs. Tuck further stated on December 20, 2010 she received a letter from Julie Fowler of The NCT Group (one of the applicants) asking that their application be withdrawn. Mrs. Tuck stated the Mayor had contacted Mrs. Fowler to inquire if they were interested in still being an applicant. Mrs. Tuck stated she received a call from Mrs. Fowler on Monday January 10, 2011 stating her company would consider resubmitting their application if the Council wanted to consider it.

Council stated they felt both companies could do a very good job for the Town and would like to have both companies working for the Town. Council Member Royce made a motion that we extend Wicks, Brown, Williams & Co.'s contract or enter into a new contract for one year, same terms, both being subject to legal review; motion seconded by Council Member Worley. On roll call, Council Member Worley and Council Member Royce voted yes; Council Member Davis abstained from voting due to a conflict of interest; and Council Member Bastardi had left the meeting. Motion carried 2 to 0.

Council Member Royce made a motion that we ask the Mayor and Clerk to develop a potential scenario to seek additional accounting consulting services or assistance; motion seconded by Council Member Worley. On roll call, Council Member Royce, Council Member Worley and Council Member Davis voted yes; Council Member Bastardi was not present. Motion carried 3 to 0.

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 10:20 P.M.

**REGULAR MEETING**  
**TOWN OF LAKE PLACID TOWN COUNCIL**  
**MONDAY JANUARY 24, 2011 5:30 P.M**

Vice Mayor Ray Royce, in the a sentence of Mayor John M. Holbrook, called the regular meeting of the Town of Lake Placid Town Council to order on Monday January 24, 2011 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. Students of Lake Placid Christian School led in 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  
Interim Public Works Director John Komasa  
Town Planner Sue BuChans  
Town Police Chief Phil Williams

**CONSENT AGENDA:**

- A. Approval of Agenda
- B. Approval of monthly reports and payment of monthly bills (Utility Department)

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

**PUBLIC HEARINGS:**

A. Ordinance 10-625 – Local Preference (2<sup>nd</sup> Hearing) Council Member Worley stated she would like to see Town Manager and Town Clerk taken out of Section 4-5.8. Atty. Harris stated several places in the Ordinance it refers to policy. He stated it should say Ordinance. Council Member Worley made a motion Ordinance 10-625 be approved on second hearing, but not adopted until the suggested changes have been made and returned to Council; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

B. Ordinance 10-623 – Cemetery Ordinance (2<sup>nd</sup> hearing) Council Member Worley made a motion Ordinance 10-623 be approved on second hearing by reading of title only and adopted

with the suggested changes; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

C. Ordinance 11-626 – Amending Text of Comp Plan for Water Supply Facilities – After much discussion on this matter, Council felt they wanted to pursue it further prior to the discussion of the EAR. Council Member Bastardi made a motion this matter be tabled until February 14, 2011 at 4:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner – No comments

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

1. Jon Million – Chairman Recreation Committee – Mr. Million stated the Lake Placid Recreation Committee had met several times concerning the financial problems of the Town’s Recreation Department. Mr. Million stated the Recreation Committee, at their December 2010 meeting, had decided to recommend to the Town the following:

1. Each League will be responsible to collect a user fee of \$5.00 from each participant, to be collected at their first game based on their actual number of participants. In other words, the League will be responsible for paying this fee to the Town.

2. The Leagues be responsible for the payment of the electricity that they use, to be charged at a rate of \$5.00 per hour per field that they use.

3. Council consider implementing a fee for the use of all parks in the Town.

4. Council proceed with the discussion of a non ad-valorem assessment targeted for recreation for the Greater Lake Placid Area based on impact zones that the County has already put into place.

Council felt this was a very good start towards working on a solution to reduce recreation expenses. Vice Mayor Royce suggested we ask the Public Works Director to come back to the Council with a fee schedule for the participants, a fee schedule for the other parks, a fee schedule or agreement that outlines the relationship we have with the Leagues and what they are going to be allowed to do at or on those fields, we need to have some kind of contract with these Leagues so that they know what their responsibilities are and what our responsibilities are to them.

Council Member Bastardi made a motion Council accept the recommendation of the Lake Placid Recreation Committee and ask the Leagues to implement the fee structure effective on January 24, 2011; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Bastardi made a motion Atty. Harris and Public Works Director John Komasa proceed with working on an Ordinance to create a fee structure; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Bastardi made a motion to authorize the Town Staff and the Town Attorney to come up with a Resolution for future consideration to be presented to the County Commissioner; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

C. Town Utility Director:

1. Mr. Freeman introduced Mr. Tom Gustafson, with Rural Water, who has been working on a Water/Wastewater Rate Study for the Town. Mr. Gustafson showed estimates of what the Town needed as revenue to maintain the water and wastewater facilities. After discussion on some of the items, Council decided it was in the best interest to wait and see what happens between the County and Town concerning the County's utility systems. Mr. Gustafson agreed he thought it was also best to wait and see what happens before proceeding with a study on the expenses and revenues of the water and wastewater systems.

D. Town Police Chief:

1. Chief Williams stated he was still concerned about the entrance into Walgreens. He stated at the last meeting Council had requested that he mark off three parking spaces in front of SFCC at the corner of Eucalyptus and Interlake Boulevard. Which, Chief Williams, advised the Council had been done. He stated he still felt the problem would not be corrected by marking off the three spaces. He stated he felt there still needed to be a right turn only coming out of Eucalyptus onto Interlake Boulevard. After discussing the pros and cons, Council Member Worley made a motion we make a right turn only sign at the intersection of Eucalyptus and Interlake Boulevard, at the south intersection; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

E. Town Attorney: No Comments

F. Town Clerk:

1. Audit Services – Council discussed Wicks, Brown, Williams & Co. and The NCT Group's proposals for audit services for the Town. It was felt both firms would do a very good job. Council Member Bastardi made a motion we approve Wicks, Brown, Williams & Co.'s proposal for a five year contract at \$36,000.00; motion seconded by Council Member Davis. On roll call, Council Member Bastardi voted yes; Council Member Davis, Council Member Worley and Council Member Royce voted no. Motion failed 3 to 1.

Council Member Worley made a motion we reject all bids and negotiate with Wicks, Brown, Williams & Co. for one year service (the 2009-2010 fiscal year audit) at a price of \$36,000.00; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Council Member Worley made a motion that we proceed to retain services of The NCT Group, for the 2009-2010 to look at any deficiencies and give us counseling according to their proposal to help us with our financials; motion seconded by Council Member Davis. On roll call, Council Member Worley, Council Member Davis, and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

G. Mayor/Town Council Members:

1. Council Member Worley:

a. Watershed – Council Member Worley stated there would be a public meeting on January 27, 2011 at the Holiday Inn Express at 11:00 A.M. She stated anyone could attend the meeting.

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 11:10 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY FEBRUARY 14, 2011 4:00 P.M.

Mayor John Holbrook called the special meeting of the Town of Lake Placid Town Council to order on Monday February 14, 2011 at 4:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Atty. Bert Harris gave the invocation and led in the Pledge of Allegiance to the Flag.

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 Planner Sue BuChans  
Town Utility Director Gary Freeman  
Town Police Chief (James Fansler sat in for Chief Williams)

Dr. James Oxer – Lake Placid Local Planning Agency

CONSENT AGENDA:

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

PRESENTATION:

The Council had scheduled this meeting as a special meeting at 4:00 P.M. to discuss the Water Utility Plan and EAR. Jennifer Codo-Salisbury, with Central Florida Regional Planning Council, presented a powerpoint, in which she stated the Water Utility Plan would be a part of the EAR. After Mrs. Codo-Salisbury's powerpoint and discussion on the Water Utility Plan Council Member Royce made a motion that Council ask our Planning Staff to work on modifying the Water Supply Plan to a more simplified document that encompasses what the Town plans to do in regards to central water and wastewater and make sure that it is completely consistent with the adopted Greater Lake Placid Vision Overlay and with awareness of the cost of implementing what we are going to do; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Mrs. Codo-Salisbury, the Mayor and the Clerk were instructed to coordinate whatever meetings need to be held prior to transmittal and advise the Town Council and public of the dates and times.

The Mayor stated Mr. Freeman had asked him to approve holding a special meeting on Monday February 21, 2011, after the Local Planning Agency Meeting, and he had approved of the meeting. Mr. Freeman stated the meeting will be to discuss an SRF/grant with Envisors.

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 5:30 P.M.

SPECIAL  
TOWN OF LAKE PLACID TOWN COUNCIL MEETING  
MONDAY FEBRUARY 21, 2011 6:00 P.M.

Mayor John Holbrook called the Special meeting of the Town of Lake Placid Town Council to order on Monday February 21, 2011 at 6:00 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 Utility Director Gary Freeman

PRESENTATION:

- A. Envisors – Steve Elias – Consider a drinking water SRF/grant opportunity – Roger Homann, Project Manager, Envisors, LLC – Mr. Homann stated the Town currently has an existing FDEP Drinking Water State Revolving Fund pre-construction grant (100% grant with no Town match) with a balance of \$165,750. This grant was originally obtained in 2004 and is for pre-construction activities (Facilities Plan preparation and engineering design). The preconstruction work was started by others but was not finished. The grant is currently in an “on-hold” status with the FDEP.

Mr. Homann and Mr. Freeman have identified several water main extensions to extend the Town’s water distribution system to residents using private wells for water supply that have generally poor water quality.

FDEP Drinking Water State Revolving Fund (DWSRF) staff has indicated that the Town’s existing FDEP DWSRF pre-construction grant could be used to prepare and submit a Water Facilities Plan describing the proposed water main extension projects and prepare engineering plans and specs for the projects.

PROPOSED SCOPE OF WORK RELATED TO THE FDEP DWSRF PROPOSED PROJECTS:

- Administrative tasks necessary to coordinate with the FDEP to apply for the DWSRF construction funding.
- Prepare and submit a Water Facilities Plan for FDEP submittal.
- Prepare plans, specifications, and bid documents for the proposed water main extension projects.
- Assist the Town with the FDEP DWSRF funding application (required to secure funding after plans and specifications are approved).
- Assist the Town with bidding the projects selected for construction.

Mr. Freeman stated he wanted to be sure Council understand there has already been a task ordinance that has already been made and that Atty. Harris has a copy, and that will actually be changed, as will the scope of work. Mr. Freeman stated the amount of the proposed fee of \$38,250.00 will be paid 100% by the existing Preconstruction Grant. Mr. Freeman asked that Council approve Envisors' contract for the scope of work described above.

Council Member Worley made a motion we move forward with the FDEP Drinking Water State Revolving Fund Grant to appropriate \$38,250.00 to pursue the scope of work which Atty. Harris, Mr. Freeman and Envisors will develop and bring back to Council for consideration and that this motion is only acceptable by Council if the funds can be appropriated for this project through the FDEP Drinking Water State Revolving Fund Grant; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

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

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

ROLL CALL:

Mayor John Holbrook (arrived at 6:00 P.M.)

Vice Mayor Ray Royce

Council Member Steve Bastardi

Council Member Cheryl Davis

Council Member Debra Worley

Town Clerk Arlene Tuck

Town Police Chief Phil Williams

Town Attorney Bert Harris

Town Planner Sue BuChans

Town Public Works Director John Komasa

Town Utility Director Gary Freeman

CONSENT AGENDA:

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

PRESENTATION:

- A. Pamela Karlson – Cub Scouts – Duck Project –Mrs. Karlson stated she was representing Cub Scout Pack 426 stated they would be again having their Duck Puck project to raise money for the pack, as they did last year. Mrs. Karlson stated the Duck is an 8 foot blow up. The Duck will be placed in different business around Town for a day or two and then moved to a different location. She asked for a variance to the sign ordinance so that they can proceed with placing the Duck. Council Member Worley made a motion to grant

Cub Scout Pack 426 a variance from April 15 through April 29, 2011, with the site available to be worked out with Chief Williams and with proper safety positions; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

**DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:**

A. Town Planner:

1. First Presbyterian Church – Request for dual-use parking – Mrs. BuChans stated the First Presbyterian Church of Lake Placid, Florida is making a formal request to appear before the Town of Lake Placid Town Council. Mr. Jeff Kennedy is representing the Church in its request for dual-use parking, per Section 161-8 of the Town Code. The Church is in the planning process to construct a multi-purpose building adjacent to the current church and would like the Council to consider its need for a reduction in parking based upon the application of Section 161-8. This Section allows for the Council to consider the reduction in the required number of parking spaces for two facilities which share the same parking areas. Section 161-8 requires the developer submit sufficient data to demonstrate that hours of maximum demand for parking at the use does not normally overlap; the developer and the town enter into a development agreement in which the developer guarantees the joint use of the off-street parking spaces as long as the uses requiring parking are in existence or until the required parking is provided elsewhere; and the development agreement shall be recorded in the public records of Highlands County and shall prohibit an increase in use of the affected property until the then required parking is provided.

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

Council Member Worley made a motion that the agenda be amended to include 6.

**DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS** item B.1; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

**6. DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:**

B. Public Works Director:

1. Todd Moore – Discussion on community cleanup of Cemetery – Mr. Moore stated he would like to spearhead a basic maintenance and cleanup of the cemetery grounds to include but not limited to painting of sign at US 27, trash pickup on grounds, raking

of leaves, weed pulling, trimming of trees and beautification of front entrance on April 9, 2011 from 8:00 A.M. until 11:00 A.M. Mr. Moore stated Ibanez Nursery has agreed to replant the front entrance once a year in exchange for a small sign placed highlighting their donation and Morris Lawn & Garden Service has agreed to trim trees once a year in exchange for a small sign placed highlighting their donation.

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

#### PUBLIC HEARINGS:

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

#### PUBLIC HEARING CLOSED.

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

- C. Utility Director:
  1. Envisors – Drinking Water State Revolving Fund Grant – Mr. Freeman introduced Roger Homann, of Envisors, Inc... Mr. Homann's was at the Council's special meeting on February 21, 2011 to present a drinking water state revolving fund grant opportunity. Council had voted that the project proceed with Mr. Homann's bring back to Council the Scope of Work. Mr. Homann's stated, he, Mr. Freeman and Atty. Harris had gotten together and what was being presented tonight is the scope of work they came up with. Mr. Homann stated there is no objection for the Town to have to continue with the project, even if they find contaminated wells. Council Member Worley made a motion that we go forward with Envisors Contract and take the fee of \$38,250.00 out of the water account category Contributions Account and Contributions Account to be reimbursed from the grant when the monies are received; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. South Sewer System – Mr. Freeman stated they would be scheduling DEP to come to review the plant due to the consent order.
3. Regional Utility Authority – Council Member Royce stated he wanted to make sure we give Atty. Harris the authority he needs to be comfortable when he starts strategizing with Mr. Freeman, Mayor Holbrook and Council Member Bastardi on what we want to do when we get ready to make the presentation to the Highlands County Commissioners on the County’s utilities. Council Member Royce made a motion to grant authority to Atty. Harris, Mayor Holbrook and Council Member Bastardi as to the sunshine law allows, separately, and Mr. Freeman to move forward on to developing the strategy to approach the Highlands County Commissioners in regards to transfer of the utilities; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Mayor Holbrook reconvened the Public Hearing:

**PUBLIC HEARINGS:**

- B. Ordinance 11-628 – Amending 2009-2010 Cemetery Budget – Mrs. Tuck stated Staff would like to amend the 2009-2010 Cemetery Budget to reconfigure the allocation for Mr. Fulton. She stated Staff felt, after one year of tracking Mr. Fulton’s time at the Cemetery, that we were deducting too much. They felt 10% was more accurate than 33%. Council Member Royce made a motion Ordinance 11-628 be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- C. Ordinance 11-629 – Amending 2010-2011 Cemetery Budget – Mrs. Tuck stated Staff need to amend the 2010-2011 Cemetery Budget to reconfigure the amount to be received for permits. Mrs. Tuck stated she did not feel we would be receiving what was budgeted and wanted to reduce it by 50%. She also stated we needed to add to the Contractor’s price, as we had not budgeted enough. Council Member Royce made a motion Ordinance 11-929 be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- D. Ordinance 11-630 – Amending 2010-2011 Sanitation Budget – Mrs. Tuck stated Staff was asking to amend the Sanitation Budget to reallocate the expenses that had been put in the Budget for the Town Manager. Council Member Royce made a motion Ordinance 11-630 be approved on first hearing by reading of title only; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- E. Ordinance 11-631 – Amending 2009-2010 General Fund and Sanitation Budget – Mrs. Tuck stated Staff was asking to amend the 2009-2010 General Fund and Sanitation Budget to reallocate funds for Mr. Fulton’s salary and benefits, being as the funds were reallocated in the 2009-2010 Cemetery Budget. Council Member Royce made a motion

Ordinance 11-631 Be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

PUBLIC HEARING CONCLUDED.

6. DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

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

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

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

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MARCH 14, 2011 5:30 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday March 14, 2011 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 of Lake Placid led in the invocation and Pledge of Allegiance.

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

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Meeting Minutes
- C. Approval of Monthly Bills

Being as there were some questions concerning Item C under Consent Agenda, it was removed from the Consent Agenda. Council Member Royce made a motion to approve the Consent Agenda, Items A and B, as presented; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Item C. After several questions concerning the monthly bills and the questions being answered, Council Member Worley made a motion Item C under Consent Agenda be approved as presented; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner:
  - 1. Council Member Worley – Sign Ordinance – Council Member Worley stated she would like to see the sign ordinance revisited. She stated several merchants have asked that the time allowed for a grand opening sign be extended. She also questioned the section stating if a sign (words) are changed a fee has to be paid. She did not think we should be charging for a

change in the sign. A question was raised about obscenity words. Atty. Harris asked if Council wanted the Ordinance to be changed to delete words except for obscenity words.

Council Member Worley made a motion to bring this Ordinance back for public hearing after Atty. Harris has had a chance to clean up the Ordinance and says what we want to say; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. Appointment of LPA Member – Mrs. Tuck stated she had received a letter from Ken LeBlanc of Lake June Pointe stating he would be interested in serving on the LPA Board. Council Member Royce made a motion Ken LeBlanc be appointed to the LPA Board to replace Philip Moore who resigned; 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.

B. Town Utility Director:

1. DEP Officials here to go over Consent Order for South Wastewater Plant – Mr. Freeman introduced two gentlemen from Florida Department of Environmental Protection. The gentlemen stated they were pleased with the progress the Town is making on the South Wastewater Plant. Council Member Royce made a motion to authorize the Mayor to sign the Consent Agreement; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Discussion of Lift Station #14 and Force Main to the South Wastewater Plant – Mr. Freeman stated he has been in discussion with a company who places a super coating on the inside of the wet well (because the wet well is deteriorated) and guarantees it for 10 years. Mr. Freeman stated they are the only company he has found who does this type of work and he has been told they are a very reputable company. Council Member Worley made a motion that Mr. Freeman go to bid on the super coating; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
3. Discuss and approve construction of three tie-ins from the South Force Main to the North WWTP Treatment Plant - Because of the urgencies to the repairs of the lift stations just north the condominiums on U.S. Highway 27 Council Member Worley made a motion to declare an emergency and authorize the Mayor to review and accept the lowest responsible bid for the three elements of reversing flow (two connections and one valves) (and in support of her Motion Council Member Worley stated she would like to read Section 4-3. Procedure to suspend bid requirement in emergency. of the Town of Lake Placid Code- which she read in its entirety); motion seconded by Council Member Davis. On roll call, motion carried unanimously.
4. Second Connection – CR 621 Tower Intersection location – Because of the urgencies to the repairs of the lift stations located on CR 621 – Tower Intersection location - Council Member Worley made a motion to declare an emergency and authorize the Mayor to review and accept the lowest responsible bid for the connection on CR 621 – Tower Intersection

location; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

5. Three Connection – Directly across the street from Wendy’s - Because of the urgencies to the repairs of the lift stations located directly across the street from Wendy’s Council Member Worley made a motion to declare an emergency and authorize the Mayor to review and accept the lowest responsible bid for the connection on directly across the street from Wendy’s; motion seconded by Council Member Davis. On roll call, motion carried unanimously.
6. Discussion on Reuse Permit – Mr. Freeman stated the Town needed to place signs advising the public of the reclaimed water where ever it is located. He said the sign needed to be placed in strategic locations. Council Member Worley stated she wanted to make a motion that the notification to the public for the reuse be added to the sign ordinance; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

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

1. Discussion on Tangerine Drive – Mr. Komasa stated he felt it was best to leave the discussion on this item until the Council holds their visionary meeting.
2. Safe Routes to School Grant – Council Member Royce stated Mr. Komasa, Mrs. BuChans, Mrs. Tuck and he had attended a meeting with FDOT, the County and the School Board concerning the applications for Safe Routes to Schools which had been sent in. The School Board stated they had sent in an application requesting a grant for sidewalks on the west side of South Interlake Avenue. It was later determined that this was in error and should have been on the east side of South Interlake Avenue. Council Member Royce stated the Town had applied for a grant to run from on West Interlake Boulevard, from the south side of Tangerine to Placid Lakes. Council Member Royce reminded the Council these grants for five year grants, meaning the funds will not be available for five years. Council Member Royce stated he would keep the Council advised on the progress of this project.
3. Council Member Worley – Choice (sanitation collector) discussion – Council Member Worley introduced a representative of Choice Sanitation Collections. She stated Choice is presently the company collecting the County’s sanitation. The representative stated they would collect the sanitation, on residential areas for \$10.75 per month. This would be a savings of \$4.25 a month for the residents. The representative stated they would also like to negotiate for the pickup of the non-residential. Council asked that this matter be placed on the visionary meeting that will be held in the future.

D. Town Attorney:

1. Amended and Restated Resolution of the Lake Placid Town Council regarding Placid Utilities and Tomoka Heights (14 March 2011) Atty. Harris stated Council has seen this Resolution and adopted all the issues which include: The Town will not initiate annexation for Tomoka Heights; Utility Rates-Tomoka Heights will be charged, after the phase in period, the same as the Town of Lake Placid residents; Utility Rate Phase-in Period; Capacity Reservation for Tomoka Heights – capacity at Tomoka Heights will be reserved first for the residents of

Tomoka Heights (Plats I through X); and Wastewater Treatment Plant Cap – the plant within Tomoka Heights shall never be permitted for over 200,000 gallons per day of wastewater. Council Member Royce made a motion to approve the Amended and Restated Resolution of the Lake Placid Town Council regarding Placid Utilities and Tomoka Heights (14 March 2011); motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Resolution of the Lake Placid Town Council Requesting Transfer of Placid Utilities and Highway Park Utilities – Atty. Harris presented the Council with the Resolution. Atty. Harris stated this Resolution will again be presented at the special joint meeting with the County on Thursday March 17, 2011. Council Member Royce stated he would like to see the Resolution include that the initial committee makeup of the Utility Advisory Committee shall include at least two representatives of Tomoka Heights and one representative from Highway Park. Council Member Worley made a motion that the Resolution of the Lake Placid Town Council requesting transfer of Placid Utilities and Highway Park Utilities (14 March 2011), with the changes, be approved; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
3. 7L (Lykes Brothers) – Atty. Harris stated that 7L Branch had donated many hundred pallets of mulch to the Town of Lake Placid. He stated all it cost the Town was to go pick it up. He stated he would like to send a Resolution to 7L Branch thanking them for the mulch. Council Member Worley made a motion to prepare a Resolution thanking the appropriate party for the pallets of mulch in the estimated value of those pallets; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

#### PUBLIC HEARINGS:

- A. Ordinance 11-627 – Amending 2010-2011 General Fund Budget (2<sup>nd</sup> hearing) – Mayor Holbrook read the title of Ordinance 11-627. Council Member Worley made a motion Ordinance 11-627 be approved on second hearing by reading of title only and adopted; 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.
- B. Ordinance 11-628 – Amending 2009-2010 Cemetery Budget (2<sup>nd</sup> hearing) – Mayor Holbrook read the title of Ordinance 11-628. Council Member Worley made a motion Ordinance 11-628 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- C. Ordinance 11-629 – Amending 2010-2011 Cemetery Budget (2<sup>nd</sup> hearing) – Mayor Holbrook read the title of Ordinance 11-629. Council Member Worley made a motion Ordinance 11-629 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

- D. Ordinance 11-630 – Amending 2010-2011 Sanitation Budget (2<sup>nd</sup> hearing) – Mayor Holbrook read the title of Ordinance 11-630. Council Member Bastardi made a motion Ordinance 11-630 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Davis. On roll call, motion carried unanimously.
- E. Ordinance 11-631 – Amending 2009-2010 General Fund and Sanitation Budget (2<sup>nd</sup> hearing) – Mayor Holbrook read the title of Ordinance 11-631. Council Member Worley made a motion Ordinance 11-631 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- F. Ordinance 11-632 – Amending Section 103-2 – Sale of Burial Rights and Burial Sites in Oak Hill Cemetery (1<sup>st</sup> hearing) Atty. Harris stated he had revised the Cemetery Ordinance to read burial rights and burial sites instead of property owned by the Town. He stated he felt the Town was selling burial rights and not the property. He also added under the Cemetery Trust Fund that the funds can be used for acquisition of additional land for cemetery use.

Council Member Bastardi made a motion to approve Ordinance 11-632 on first hearing by reading of title only with the consideration of rewording of the discussed portions; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

#### CITIZENS NOT ON THE AGENDA:

- A. Arlene Tuck – Mrs. Tuck stated she had contacted the Town several months ago about the nuisance in the Town’s alley behind her house. She stated she has had a possum in her garbage, rat problems and a snake. She asked former Public Works Director Jim Fulton whenever his crew had some free time if they would clean the underbrush in the alleyway. She stated a few weeks ago one of the employees came to her and said they had some free time and they were going to clean the Town’s alleyway behind her house. She stated the alleyway was not cleaned as she expected. She stated her backyard for cleaned instead. She stated she pays someone to maintain the Town’s alleyway that runs along the east side of her house; however the Town’s alleyway that runs in the back of her house is too overgrown. She asked Council to consider asking the Public Work’s Director to clean the alleyway.

Council Member Royce made a motion to require the Town of Lake Placid to put any public property that it owns, including the alleyways, in condition that is not in violation of Code 102.2 and as part of his motion Council Member Royce stated Mr. Komasa should take Lynn Connelly’s work she did on the alleys several years ago and expand on it, refine it, understand what it is and figure out what the long term solution is; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Council Member Royce made a motion the meeting adjourn; motion seconded by Council Member Worley. Mayor Holbrook hearing no objections declared the meeting adjourned at 9:45 p.m.

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

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday March 28, 2011 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Joe Brooks led in the invocation and Pledge of Allegiance to the American Flag.

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 John Komasa  
Town Police Chief Phil Williams

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Reports
- C. Approval of Highway Lighting, Maintenance, and Compensation Agreement 2011-2011
- D. Reappointment of Hoz Compton and Jack Edgemon to LPA Board of 3-year term.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY APRIL 11, 2011 5:30 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday April 11, 2011 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Jimmy Goins led in the invocation and pledge of allegiance to the 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 Police Chief Phil Williams  
Town Interim Public Works Director John Komasa  
Town Utility Director Gary Freeman

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Bills
- C. Approval of minutes from Joint Meeting of the Highlands County Board of County Commissioners and the Town of Lake Placid Town Council Meeting on March 17, 2011

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

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner – Not present – had not reports
- B. Town Public Works Director (Streets, Sanitation, Recreation, Cemetery):

1. Lake Placid Jaycees – were present requesting a donation from the Lake Placid Town Council of \$5,000.00 for the 4<sup>th</sup> of July fireworks. Mr. Lyle Wilson, representative of the Lake Placid Jaycees stated the Town had always donated to the fireworks and it was their understanding the amount the Town usually donates for fireworks was taken out of their budget last year. Mr. Wilson stated they are having a hard time raising the money and really need the Town's help. Council Member Royce made a motion the Town expend \$5,000.00 out of our

general fund to help finance the Fourth of July fireworks show if the Lake Placid Jaycees or some other entity or other entities are able to provide the balance of the funds for the show; motion seconded by Council Member Bastardi. On roll call, Council Member Royce and Council Member Bastardi voted yes, Council Member Worley and Council Member Davis abstained from voting due to a conflict of interest. Motion carried 2 to 0.

Meeting closed and Council went into the Public Hearings.

**PUBLIC HEARINGS:**

A. Ordinance 11-633 – Lake Placid Regional Utility Systems (2<sup>nd</sup> hearing) Mayor Holbrook read the title of Ordinance 11-633 in its entirety. Atty. Harris reviewed the document with the Council. Council had several changes they would like made. Council Member Royce made a motion to approve Ordinance 11-633 on second hearing and set it for consideration of adoption on April 25, 2011, with the discussed changes; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

The Mayor closed the Public Hearings and resumed the regular meeting:

**C. Utility Director:**

1. DeVane Park – Mr. Freeman gave the Council an update of what he had researched concerning the water line that runs through DeVane Park. Mr. Freeman stated he had a drawing concerning redoing the water line to run along the outside of DeVane Park. He stated he will bring it back to the Council at their next meeting. He stated the water line is not as complex as he thought.

D. Police Chief – No reports

E. Town Attorney – No reports

F. Town Clerk – No reports

**G. Mayor/Town Council Members:**

1. Chamber Request – Mayor Holbrook read a letter from the Lake Placid Chamber of Commerce stating they would like to hold another bench sale for benches to be placed in DeVane Park. They would also like to do the brick sales. Council thought it was a very good idea and instructed the Mayor to advise the Chamber they could proceed with both projects.

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.



REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
APRIL 25, 2011 5:35 P.M.

Mayor John Holbrook introduced Rev. Fred Ball, of the Memorial United Methodist Church of Lake Placid, Florida who gave the invocation and led in the Pledge of Allegiance to the Flag at 5:30 P.M.

Mayor John Holbrook called the regular meeting of the Town of Lake Placid Town Council to order at 5:35 P.M. on Monday April 25, 2011 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 Planner Sue BuChans  
Town Public Works Director John Komasa  
Town Police Chief Phil Williams  
Town Utility Director Gary Freeman

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Monthly Reports
- C. Approval of Resolution of the Lake Placid Town Council Regarding DeVane Park

Council Member Bastardi stated he would like to talk about the monthly reports; therefore, he made a motion to accept the consent agenda, excluding B; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Council Member Bastardi stated the Council had made a motion to start charging the leagues using the Lake June Ball fields a fee for the lights. He stated he was very upset not to see any fees collected for the month of March. Mr. Komasa stated the Council had approved the start of fees as of January 21, 2011. Therefore, the leagues started with their fees for the month of February 2011. The checks were processed and sent to the Town in March 2011. Mr. Komasa stated the checks were received by the Town in April 2011 and would show up on the next

monthly report given to the Council. Council Member Royce stated with noting Council Member Bastardi's comments he would make a motion to accept the financial reports as part of the Consent Agenda; motion seconded by Council Member Worley. 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.

#### PUBLIC HEARINGS:

A. Ordinance 10-608 – Fence Ordinance (1<sup>st</sup> hearing) – Mayor Holbrook read the title of the Ordinance. Mrs. BuChans stated the following provisions within Chapter 154 of the Town Land Development Code have been amended to include the following Sections: General Requirements, Agricultural District, Residential District, C-1 and C-2 District, C-3 District, Specialty Fences, Materials, Maintenance and Nonconforming.

She stated the Ordinance had been before the Town of Lake Placid Local Planning Agency several times and they were recommending the Town Council approve Ordinance No. 10-608 Amending and Restating Sections 154-5, 154-11 and 154-12 of the Land Development Code Lake Placid; Providing for Severability and Providing for an Effective Date.

Council had several questions and comments concerning the Ordinance. Council Member Royce made a motion that Council ask Staff to revisit the Lake Placid Fence Ordinance and that they define what normal fencing may be done without permit and what fencing options require a special fencing permit through the Town of Lake Placid, meaning what fences will be deemed to require a special exception permit; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce stated in support of his motion he thinks the Ordinance should be carved down to about 4-5 pages and make it simpler and bring it back to Council to take up. Council Member Royce stated he motion was to ask Mrs. BuChans and Atty. Harris, in particular, to come up with the appropriate, simplified language and bring us back a whole new package to consider. Council Member Royce stated he felt it would be three permits: 1) you simply come in and get a permit to put a standard 4' fence around a backyard; 2) a special permit to do something different; and the 3) is a commercial site that needs a very, very special permit. Council Member Royce stated he just wants Staff to bring something back short and simple.

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

A. Town Planner – No comments

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

1. Town Right-of-Ways – Mr. Komasa stated he wanted to inquire about Council's position on the Town having to mow right-of-ways in front of private residents and commercial buildings. Mr. Komasa stated recently a case was heard by the Town's Special Magistrate that involved the Defendant not mowing his vacant lot. When he received the notice from the Code

Enforcement Officer, he hired an attorney who challenged the Town due to the Town not mowing their right-of-ways in front of properties. Council Member Bastardi made a motion that the Public Works Director take an inventory and come up with a plan to take care of the right-of-ways and alleyways; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

#### C. TOWN UTILITY DIRECTOR:

1. South Sewer System – Polston Task Order Proposal (Consent Order) – Mr. Freeman presented Council with a proposal from Polston Engineering addressing five items on the list that require Engineering design and permitting from the Consent Order. Mr. Freeman stated the total cost would be \$18,640.00. He stated he was asking Council to approve the expenditure of \$18,640.00 out of the utility reserve fund so that he may proceed forward with these engineering items in order to stay on schedule. Council Member Royce made a motion the Town approve the expenditure of \$18,640.00 out of the Utility Reserve Fund so that we may proceed forward with these engineering items in regard to construction numbers: 14, 26, 19, and 21; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Approval of Envisors Engineering Task Order – Park Ave. Water Main Extension – Mr. Freeman stated he had requested and received a task order from Envisors Engineers describing the scope of services to design, permit and provide limited technical services during construction of the Town’s proposed Park Avenue Water Main Extension. He stated the fee would be \$3,900.00. Council Member Royce made a motion that we approve the contract with Envisors for Job No. 73102000, with the deletion of the last line on 4.1.2 (*Due to information source and project timing limitations, there is no assurance that all existing utilities and proposed future utility line locations will be accurately defined in their depth and extent within the vicinity of the Project within the Town’s ambitious project schedule.*) to not exceed \$3,900.00; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

3. Bill for Regional Utility Commission – Mr. Freeman informed the Council due to the extra expenses incurred by the formation of the Regional Utility Commission some of his budgeted items are over budget. He stated Legal Fees for one is way over. He stated he just wanted Council to know he would have to do a budget amendment to correct the budget.

#### D. Town Police Chief:

1. Chief Williams stated he is toying with the idea of getting his department certified. He stated he was looking into it and would keep the Council informed.

#### E. Town Attorney:

1. Adoption of Ordinance 2011-633 – Lake Placid Regional Utility System – Atty. Harris reminded the Council that they had already held two public hearings on Ordinance 2011-

633 and the only matter left was to adopt. Council Member Royce made a motion that Ordinance 2011-633 be adopted; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Adoption of Ordinance 2011-632 – Burial Rights – Atty. Harris reminded the Council that they had already held two public hearings on Ordinance 2011-633 and the only matter left was to adopt. Council discussed Section 2 (103-2) (6) *Burial Rights*. Council Member Royce was concerned someone might want to place some personal items in the casket with the body and the paragraph would prevent it. Atty. Harris suggested changing the wording to: “*Burial Rights*. The right to bury a ~~properly embalmed~~ human body (or the remains thereof), within a casket and vault within a specific parcel of land under at least two (2) feet of soil. The casket or vault may contain personal effects.

Council Member Worley made a motion that we adopt Ordinance 2011-632 with the changes; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

F. Town Clerk – No Comments

G. Mayor & Council Members:

1. Council Member Royce asked Mr. Komasa if he would look into the signs at the cemetery. He stated some of them look faded and outdated.

2. Council Member Royce also stated Hoz Compton had contacted him and stated he purchased some property on South Main Avenue. He stated Mr. Compton told him the property would remain vacant, but he would like to plant some trees along the right-of-way if the Town could maintain them. Council asked Mr. Komasa to check on this matter as to whether there is any irrigation in the area and see what it would take to maintain the trees.

3. Mayor Holbrook stated he was setting May 16, 2011 at 6:00 P.M. as the date for our Special Meeting to discuss the future of the Town.

4. Mayor Holbrook also told the Council the Chamber of Commerce was working on a dedication for DeVane Park to be held on May 21, 2011 at 11:00 A.M. and he would like to have all the Council Members present.

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 8:30 P.M.

**REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY MAY 9, 2011 5:35 p.m.**

At 5:30 P.M. Rev. Ray Culpepper of Eastside Christian Church gave the invocation and led in the Pledge of Allegiance to the Flag.

At 5:35 P.M. Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday May 9, 2011 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 Debra Worley  
Council Member Ray Royce

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Utility Director Gary Freeman  
Town Public Works Director John Komoasa  
Town Police Chief (Lt. James Fansler)

**CONSENT AGENDA:**

- A. Approval of Agenda
- B. Approval of minutes for April meeting
- C. Approval of monthly bills

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.

**DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:**

**A. Town Planner:**

1. Oak Island – Resolution to Vacate Public Dedication of Road – David Summers, President of the Oak Island Homeowners Association, was present and reminded Council that at their April 12, 2010 Council meeting they had rejected 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. Mr. Summers stated they had not received the

executed Resolution and the Homeowners would appreciate the Council submitting it to them. There was discussion about vacating all road rights of way so that the roads would be owned by the owners. Atty. Harris stated he did not think you could vacate property to someone; it would just be vacated. Atty. Harris stated he would like to be able to come back with an answer to Council Member Royce's question if you could amend a plat. Council Member Royce made a motion we authorize, Mr. Harris, as the Town Attorney, to work with the Homeowners Association of the Oak Island Subdivision to come back with a resolution that speaks to the right-of-way, road right-of-ways, within that subdivision up to five hours of his time; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

\*

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 road
6. Declaration of Restrictive Covenants will be added showing the roads were declared private in 1976.

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

1. Main Street Parking Spaces to be Resurfaced – Mr. Komasa stated the County contacted him and stated they would be finishing their work in the Lake Placid area very soon and wanted to know if the Town wanted them to pave the parking spaces from W. Interlake Boulevard to Belleview Street on the North bound lane and from Belleview Street to W. Interlake Boulevard on the South bound lane. Mr. Komasa stated he received a price from the County of \$16,000.00 for the work. He stated he contacted a business in Lake Placid who does the same work and they quoted him a price of \$17,500.00, which included looking at the drains to see what could be done to clear them. Mr. Komasa stated the County does not do the thermo melt for the stripping. Because the price is over our bid limit of \$5,000.00, Council felt this matter needed to be put out for bid. Atty. Harris stated he was not clear on whether or not we needed to bid. He stated the law states you can piggyback on a government agency when they have put it out for bid and approved the lowest bid received. Council Member Royce made a motion that we ask Staff to solicit bids to pave, stripe and do the appropriate work to insure the best possible drainage for the area that's been defined for consideration and that the stripping be bid both ways, thermo and painting and that the bid opening be held on May 23, 2011; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Right-of-Ways – Mr. Komasa stated one of the cases brought up at the Special Magistrate hearing concerned an individual who did not mow their property. The individual hired an attorney and represented at the hearing that the Town was not mowing the rights-of-ways which belonged to them. Mr. Komasa stated he has checked with the City of Avon Park

who does not mow any rights-of-ways and the City of Sebring who state they only mow the rights-of-ways on vacate property and if a property owner does not mow to the street, they will mow. Mr. Komasa presented an aerial showing all the rights-of-way. Council discussed this matter and asked that Mr. Komasa proceed with whatever procedures the Town has been using.

3. Miracle League – County Contribution for rubberized field – Mr. Komasa stated we had received a letter from Mr. Bernis Gainer, Highlands County Management and Budget Director, stating the County felt they had paid us all they owed us for the rubberized field. Mr. Komasa stated the County had agreed to \$120,000.00 over four years. Mr. Gainer has advised that Glades Electric donated \$50,000.00 for the field and that amount, per the Interlocal Agreement, prepared by the County’s Attorney, was to be deducted from the County’s portion to be donated. Then the County would donate the balance. This would leave the County only paying \$53,199.30. Council Member Royce made a motion to authorize Mr. Komasa and Atty. Harris to speak with County Staff in regards to the final resolution of the County’s reimbursement for the Miracle League field; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

4. Miracle League – Release of donation funds to Miracle League – Mr. John Varady, one of the Board of Directors of the Miracle League Association was present and stated the Lake Placid Miracle League was now incorporated and that the corporation would like to request the funds held by the Town to put into their account so that they can start their new season. Mr. Varady stated with the funds they would be buying uniforms, equipment, etc. for the members. Mr. Varity stated Mr. Komasa had done an audit on the Town’s Miracle League income and expenses and had come up with the sum of \$6,019.17 remaining in the Town’s account that belongs to the Miracle League. Mr. Varady stated Mrs. Tuck had also done an audit and come up with a difference of \$433.12 more. The difference involves a donation that was made that should have gone into the Foundation account.

Council Member Royce stated he had no problem with the transfer, however he felt the Corporation should finish the Town with the Incorporation documents. He stated he was not comfortable just turning money over without some assurance that this is a legal corporation. Council Member Worley stated she also felt the same. Council Member Royce made a motion to adopt a Resolution asking the County Commissioners to contribute an additional \$50,000.00 to the Town and if necessary amend the Interlocal Agreement to be consistent with the hearing; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Davis made a motion the meeting adjourn; motion seconded by Council Member Worley. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 8:00 P.M.



REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY MAY 23, 2011 5:30 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday May 23, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Mike Ford, of the First Baptist Church of Lake Placid gave the invocation and led in the Pledge of Allegiance to the 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 Utility Director Gary Freeman  
Town Police Chief Phil Williams  
Town Public Works Director John Komasa

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of minutes for meetings
- C. Approval of monthly reports
- D. Memorandum of Agreement between Office of Tourism, Trade and Economic Development

Council Member Bastardi asked that items C and D be pulled for further discussion. Council Member Royce made a motion to approve the Consent Agenda Items A and B, noting the scrivener errors Council Member Worley will bring to the Clerk's attention; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

CONSENT AGENDA:

C. Council Member Bastardi stated he wanted to comment that the Public Works Director did a fine job on the budget accountability this month. Council Member Worley stated she would like to thank Mr. Freeman for the monthly calendar.

Council Member Bastardi stated he read the Public Works Director comment about turning the electrical bill over to the leagues, however he did not know if it would solve the problem. He felt it would create more havoc.

Council Member Bastardi made a motion to approve the monthly financial reports; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Item D. Memorandum of Agreement between Office of Tourism, Trade and Economic Development – Council Member Bastardi stated he needed some clarification on what the OTTED is. Council Member Royce stated the OTTED authorizes the establishment of Rural Economic Development Initiative. It allows for RACEC areas which are rural communities adversely affected by extraordinary economic events, severe or chronic distress, or a natural disaster. This is only possible by the execution of a OTTED between the State and the Town. Council Member Worley made a motion to authorize the Mayor to sign the Memorandum of Agreement and she would like to be the contact person for the Town and that the Non-Profit Organization to be appointed should be the Lake Placid Chamber of Commerce; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

**PRESENTATION:**

A. Water Department Poster Contest – Mr. Freeman introduced Jackie Haynes who is in charge of the Town’s annual conserve water poster contest. Mr. Freeman stated this was our sixth year of doing the contest. The winners were called up to the front of the Council Chambers and given a certificate, plus a ditty bag full of items donated by Seacoast National Bank, Wauchula State Bank, Golden Corral, and Children’s Museum. The first place winners were given savings bonds from Seacoast National Bank.

B. Guardian – Corbett Alday – CDBG Grant and Pre-Mitigation Grant – Mr. Alday reminded the Council they now have \$500,000.00 in a Pre-Mitigation Grant that will end at the end of this year. The requirements for the CDBG grants have not come out as yet. However, Mr. Alday stated the list of items the Staff has come up with to be funded by the CDBG grant would qualify by previous requirements. Mr. Alday handed Council a proposed list of projects, with estimated costs, to rank. The projects were as follows:

**TOWN HALL IMPROVEMENTS:**

1.	Addition of Hurricane Shutters	\$ 3,000.00
2.	Replace existing windows with impact resistant frames and glass	\$ 10,000.00
3.	Upgrade doors to be Wind-Resistant	\$ 10,000.00
4.	Upgrade roof to Hurricane-Grade Standards	\$ 144,500.00
5.	Install Permanent Emergency Generator	\$ <u>200,000.00</u>
	<b>TOTAL:</b>	\$ 367,500.00

**WASTEWATER TREATMENT PLANT IMPROVEMENTS**

1.	New Lift Station	\$ 190,000.00
2.	Aerobic Digester Tanks	\$ 40,000.00
3.	Emergency Generator	\$ 90,000.00
4.	Electrical Control System (for Generator)	\$ 20,000.00
5.	Flow Metering System	\$ 10,000.00
6.	Liquid Chlorine System (including construction of covering)	\$ <u>40,000.00</u>
	<b>TOTAL:</b>	\$ 390,000.00

The engineer costs for the Town Hall Improvements are estimated at \$50,000.00 and the Engineering Design and Inspections for the Wastewater Treatment Plant Improvements. There will an administrative budget for the CDBG grant of \$52,000.00 and for the Pre-Mitigation grant of \$50,000.00. The required match for the Pre-Mitigation grant is \$167,000.00.

Council decided to make items 1, 2, 4, 5, and 6 under the Wastewater Treatment Plant Improvements as priority Number 1 and the upgrade to the Town Hall roof to Hurricane-Grade Standards as priority Number 2.

Council Member Royce made a motion to prioritize for both the Pre-Disaster Mitigation money and evidential application for the CDBG grant Wastewater Treatment Plant items 1, 2, 4, 5, 6; the next ranking would be number 4 under Town Hall Improvements, upgrade of roof, and the next ranking would be all the necessary engineering and design for both sets of projects and that additional projects after that the discretion of the Mayor and Staff and the consultant to submit; motion seconded by Council Member Worley. On roll call, motion carried unanimously. Council Member Royce stated he probably should have moved the engineering and design to the front of that list for both projects. He stated that was his intent that engineering and design, both, was included in the initial motion.

Mr. Alday stated the Town has a pool of engineers and he would like Council to authorize the Mayor to begin negotiations with one and get a proposal back to the Council. Mr. Alday stated the negotiations would be for the preliminary engineering for what the funder will need so they can come back with hard numbers and the preliminary designs. Council Member Worley made a motion to authorize Staff and the Mayor to select an engineer for both projects, the same engineer; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Mr. Alday stated he would like for the Council to authorize the Mayor and Town Attorney to finalize the Contract with Guardian for each grant. Council Member Worley made a motion to authorize the Mayor and the Attorney to finalize the Agreement with Guardian to do the grant services; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

**DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:**

A. Town Planner - Not present

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

1. Open bid on repaving parking spaces on North Main Avenue – Mr. Komasa stated we received three bids for the repaving of the parking spaces on North Main Avenue, from Interlake Boulevard North to Belleview Avenue and from Park Avenue south to W. Interlake Boulevard. The bids were received from:

Better Roads	\$20,100.00
Lynch Paving	\$30,972.00
Excavation Point	\$17,462.00

Mr. Komasa stated the Mayor and Mrs. Tuck were present, along with him, when the bids were opened. The bids were inspected and found to be in order according to the bid specifications. Mr. Komasa stated Staff was recommending the Council accept the low bid from Excavation Point of \$17,462.00.

Council Member Worley made a motion we use Excavation Point, especially because they are a Highlands County company, and that Staff and Mayor come up with specific milling, using the map that Arlene has, to make sure that the milling is done properly in order to protect the stores and that we have a good job in the end; that the motion is contingent upon them agreeing to a milling plan and that they will have to enter into an agreement and contract with that; motion seconded by Council Member Royce. Council Member Bastardi stated he was concerned about where the water will go. Mr. Komasa stated that is the reason he required all binders to meet with him prior to submitting their bid.

2. County Recreation Distribution – Mr. Komasa stated he attended a County Recreation Distribution meeting last week. He stated each city was represented, along with the County. He stated the discussion was to recommend to the County a 1/3, 1/3 and 1/3 split for the municipalities on the amount of funding the County would put into their budget for recreation operation and maintenance for the municipalities .

He stated another issue that came up was the funding that can be requested from RPAC is just for capital improvement items. It does not work for operational costs. One of the things that Mrs. Pontius is going to look into is the possibility of being able to utilize those funds to purchase equipment that we may need.

3. Report on South Main Avenue Sidewalks and planting of trees – Mr. Komasa stated he met with Ramon Gavarrete, the County Engineer last week to discuss the possibility of putting trees on South Main Avenue, which Hoz Compton has volunteered to donate. Mr. Gavarrete stated he would need a more detailed plan to permit the project. This would include a survey, a sketch with the right-of-way lines, location of trees, the measurement of the trees, and show the proposed sidewalk for the east side. Council Member Worley suggested contacting some surveyors and find out what a survey will cost. Mr. Komasa stated he would get back on this matter.

C. Town Utility Director - No comments

D. Town Police Chief – No comments

E. Town Attorney:

1. Oak Island Resolution – Atty. Harris stated he had not had an opportunity to get with the Homeowners Association, but what work on it before the next meeting.

2. Town Administrator – Atty. Harris handed out a Resolution of the Lake Placid Town Council and Proclamation by the Mayor of the Town of Lake Placid regarding the employment of a Town Administrator, which he stated he and the Mayor had worked on. Atty. Harris stated the Resolution was for the Council review and could be brought up at the next meeting.

F. Mayor/Town Council Members:

1. Mayor Holbrook asked if any citizens had any comments:

a. One gentleman stated he got on line and tried to find the agenda and backup materials and could not find them. The Clerk stated she had checked the webpage and found the next meeting agenda but not today's. She stated it was an oversight. Chief Williams stated the Clerk had asked him to check into the laptops and visual equipment the Council had discussed at the vision meeting. He stated he was going to meet with some County staff and see what they use.

b. Dorothy Campbell, a Lake Placid resident, complained about being charged extra for trash she placed out by the street. Mrs. Campbell stated it was mostly yard debris, limbs, etc. She stated she did not feel she was being treated right, because other people were putting their debris with hers and she did not think she should pay for all of it. She stated she knew of about four other individuals who were placing debris with hers. Mr. Komasa and Mrs. Tuck informed Mrs. Campbell and the Council we take a picture of all trash we collect and then it is up to the Supervisor to determine whether it is a chargeable load. Mrs. Tuck stated everyone that the Supervisor feels should be charged is sent a bill and that we have been doing this for many years. Council Member Worley made a motion Mrs. Campbell's bill be reduced to \$8.50; motion seconded by Council Member Davis. 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.

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 8:30 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY JUNE 6, 2011 5:30 P.M.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Monday June 6, 2011 at 5:30 P.M. A quorum was present. This meeting was called as a visionary meeting to discuss future items of the Town.

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

1. LPA member (1) and alternate (1) - Council Member Royce stated he would start by going down the list of pending matters. He stated he hopes the Lake Placid Journal would write an article that the Town still needs a permanent Local Planning Agency member and an alternate. Both must be from inside the Town limits.
2. EAR – Central Florida - Mrs. Tuck reminded the Council there will be a special meeting on Monday June 20, 2011 at 3:00 P.M. at Town Hall to review the EAR (Evaluation and Appraiser Report). Council asked that this meeting be held when Atty. Harris can attend.
3. Town Restrooms – Robert Brown to do research – Mr. Brown stated he had spoken to some business owners, but still does not have a specific report.
4. Laptops and audio internet service for Council – Chief Williams stated he has been checking with the County about their system. He stated he contacted the firm that is doing the County's upgrade and they informed him the Town is really too small for a system like the County is getting. Chief Williams stated he is checking into other avenues. Council asked that he continue his research and keep them informed.
5. Tangerine Road – Council Member Worley stated she would like to see the Council asked the County to place Tangerine Road on the County's CIP for maintenance. She stated the majority of the users are County residents. She also stated the County solicits request for roads to be

placed on their five and ten year CIP. Council Member Worley made a motion to institute whatever procedures are necessary to ask the County to add Tangerine Road to the County's list of County maintained roads; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Council Member Royce asked Council Member Worley if her motion meant that the County would take over Tangerine, in its current condition, without bringing it up to standards and she stated yes and to take over the maintenance.

6. Miracle League – Disbursements of funds to Corporation – Council Member Royce stated he had received the corporation documents from the Miracle League and he had no problems with releasing the Miracle League funds to the Corporation. He asked that this matter be placed on the next Council Agenda.

7. Miracle League – Collection of remaining \$50,000.00 from County – Council Member Royce stated he has had several discussions with several County Commissioners and they are working on settling this matter.

8. Construction of Public Works/Utilities at Town Barn – Council Member Royce stated he had contacted Mrs. Tuck about inquiring into the possibility of the Town acquiring the Highway Patrol Station for future utility offices. Mrs. Tuck stated she had contacted Rep. Denise Grimsley and been advised by her aide that the State does not intend on keeping it, but they would offer it to the County (such as the Sheriff) first and then to community. Mrs. Tuck stated Rep. Grimsley aide stated she would state on top of it.

9. Keep Lake Placid Beautiful – Mayor Holbrook stated a situation had occurred today and he felt that the Town should have a more detailed understanding of what KLPB's responsibilities are and what the Town's responsibilities are in the maintenance of the beautification in the Town. Council felt that maybe we should have a workshop to discuss this matter further.

10. Recreation Interlocal Agreement – (The balance of the annual fee to the Town) Mrs. Tuck stated she had contacted the County and been advised that the County's Attorney, Ross Macbeth, is working on the Agreement.

Mr. Lee Henderson, of Henderson Fish Camp, was present and asked if you could lease or use a portion of the area around the boat ramp during the week to set up a self-contained trailer to sell supplies, food, drinks, etc., to people using the boat ramp and beach area. Council really didn't have a problem with Mr. Henderson using the area, but felt the Town should have some type of agreement with him. No decision was made on his request.

After much discussion on the Lake June Ball fields, Council Member Royce made a motion that we revise our recreational fee schedule effective for any organized activity that commence after August 1, 2011 and the fee for use of the ball fields for any organized sports will be \$25.00 per

participants per league activity for non-town residents and that the fee for Town residents will be \$5.00, also the motion will be for the Public Works Director to bring back to us, by our second meeting in July, a full proposed schedule of fees for all public facilities that the Town owns and operates, and also to implement a fee schedule for the use of the Town of Lake Placid boat ramp and I would suggest that people from the County, outside the Town, should be able to buy an annual sticker for some fee and just to be really good that if you live in the Town of Lake Placid you will be issued a sticker for the use of the boat ramp for free and that each league will also continue to be responsible for all the electrical usage that their activity incurs and any activity that is directly incurred to the use of the facility other than the most general maintenance; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce stated he feels Mr. Komasa should look at other potential revenue stream; such as if we want to bid out concession stand spots, etc.

Council Member Royce made a motion the meeting adjourn; motion seconded by Council Member Davis. Mayor Holbrook hearing no objections, declared the meeting adjourned at 8:00 P.M.

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

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

ROLL CALL:

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

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

CONSENT AGENDA:

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

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

DEPARTMENT HEADS:

A. Town Planner:

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

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

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

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

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

2. Charles Flake – Drainage problem on Hibiscus – Mr. Flake, representing his father-in-law Gonzalo Vasquez, who lives at 120 East Hibiscus Street, stated when it rains Mr. Vasquez has dirt that piles up on the road in front of his house. Mr. Flake asked Council if there is anything they can do to prevent this build up. Mr. Freeman stated he has looked at the road because of the bad drainage problem. He stated the rain comes down from the Baptist Church and turns into South Pine Street. He stated because of the dip in front of Mr. Vasquez's house the dirt remains on the road. Mr. Freeman stated the former Public Works Director did several

things to try and fix the situation, but unless we bring in an engineer to evaluate the situation, he didn't know what could be done. Council asked for the time being that the Public Works Department monitor the street and try to keep it clean.

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

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

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

D. Town Police Chief:

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

2. Towing Ordinance – Chief Williams stated the State has required the County to approve an Ordinance concerning towing fees and policies. Chief Williams stated the County

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

E. Town Attorney – not present

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

G. Mayor/Town Council Members:

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

Council Member Royce made a motion the meeting adjourn; motion seconded by Council Member Worley. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 8:45 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
JUNE 27, 2011 5:35 p.m.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order at 5:35 P.M. on June 27, 2011 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 Public Works Director John Komasa  
Town Police Chief Phil Williams

ABSENT:

Council Member Cheryl Davis  
Town Utility Director Gary Freeman

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of monthly reports
- C. Approval of minutes

Council Member Royce made a motion to approve A. Approval of Agenda under the Consent Agenda and add an item to the agenda – Presentation by Marlene Barger, co-chairman of the Council's Town Administrator study; motion second by Council Member Bastardi. On roll call, motion carried unanimously.

After discussion on the monthly reports, Council Member Worley made a motion the monthly reports be approved; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

PRESENTATION:

A. Mrs. Marlene Barger, Co-Chairman (along with Council Member Cheryl Davis) of the Committee formed by the Town Council to look into the Town hiring a Town Administrator, presented the Town Council with a list of individuals who have agreed to serve on the Committee. They included: Robert Brown, Shelagh Byatt, Bill Compton, Jon Draper, Jim Dinapoli, and Eileen May. She stated the first meeting of the Committee will be July 5, 2011 at 8:30 A.M. at Town Hall. Mrs. Barger also stated they would need a note taker to attend the meetings, they would like to see the video on Florida's Sunshine Law, and they would like to change their target completion date to August 22, 2011. Council Member

Worley made a motion to approve the presented slate for the City Administrator Committee; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Mrs. Barger asked Council to submit any ideas they feel are important facing the Town in the next five years.

B. Chief Williams & Rachel Osborne – Retirement – Chief Williams stated as Council knows, the employees are having to contribute 3% of their salary to the State of Florida’s retirement system beginning July 1, 2011. Chief Williams stated because the employees were not aware of this change in the State Laws, he would like to recommend that the Council either pay the 3% from July 1, 2011 until September 30, 2011 or give them some type of bonus to help them cover the 3% that is being deducted. After much discussion, Council Member Royce made a motion that we grant all Town employees a one and one-half percent (1 ½%) increase from the pay period starting July 1, 2011 until September 30, 2011; motion seconded by Council Member Worley. On roll call, Council Member Worley and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 2 to 1.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner – No reports

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

1. Concession Stand at Lake June Park for July 4<sup>th</sup> Fireworks – Council Member Worley stated Lee Henderson and his wife, Cathy were requesting to put up a concession trailer for the day of July 4, 2011 at Lake June Park during the fireworks. Council Member Worley stated the Council had discussed about allowing a concession at Lake June Park for a fee. She stated the Hendersons have agreed to pay \$100.0 if that is what the Council decides. Council Member Royce stated he felt we were already committed to allowing the Lake Placid Jaycees the use of the park and he did not feel we should allow other users. He felt the Hendersons should negotiate with the Lake Placid Jaycees to see if they would be willing to allow the Hendersons to set up a concession stand. Council Member Royce made a motion to allow the Lake Placid Jaycees to allow a concessioners and to be operated in the area we have assigned them for the fireworks as long as they can provide the Town proper documentation that they have insurance coverage; motion seconded by Council Member Bastardi. On roll call, Council Member Royce and Council Member Bastardi voted yes; Council Member Worley abstained from voting due to a conflict of interest. Motion carried 2 to 0.

2. Council Member Royce stated he had some concerns about individual parking all over the street on Tangerine and on the fields. The question was brought up about the people parking on the road during the fireworks. Council Member Worley made a motion that the Town allow parking on Tangerine just for the 4<sup>th</sup> of July 2011 beginning at 7:00 P.M.; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

C. Town Utility Directors – No reports

D. Town Police Chief – Gave a report on the Lake June Pointe Homeowners problem concerning their Homeowners Restrictions. Chief Williams stated he really can’t find too much on it. It was suggested that the Mayor contact the Highlands County Building Department and see if they have any suggestions.

E. Town Attorney – No reports

F. Town Clerk:

1. Mrs. Tuck stated she attended the Public Risk Management Conference two weeks ago and the Town received an award for “No accidents” for 2010.

Council Member Worley made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 8:15 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY JULY 11, 2011 5:35 P.M.zx

Mayor John Holbrook called the regular meeting of the Town of Lake Placid Town Council to order on Monday July 11, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Prior to the meeting Rev. Richard Norris of the Trinity Lutheran Church gave the invocation and led in the Pledge of Allegiance to the American Flag.

ROLL CALL:

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

Town Clerk Arlene Tuck  
Town Utility Director Gary Freeman  
Town Public Works Director John Komasa  
Town Police Chief (Lt. James Fansler sitting in for Chief Williams)

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of monthly bills

NOT PRESENT:

Council Member Cheryl Davis  
Town Attorney Bert Harris  
Police Chief Phil Williams

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

PUBLIC HEARINGS:

A. Corbett Alday – CDBG – Citizen Views concerning the Community’s Housing, neighborhood, commercial, economic or other CDBG eligible community development needs – Mr. Alday gave an explanation of the CDBG process. He explained the CDBG has to benefit low and moderate income persons or to aid in the prevention or elimination of slum or blight, to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and

where other financial resources are not available to meet such needs. He stated the Town does not have an open CDBG grant at this time and does qualify to submit an application.

B. Corbett Alday – Fair Housing Workshop – (First Public Hearing) Mr. Alday stated he was going to hold a training workshop at this time. He provided information on fair housing laws and enforcement for local government official and the public. He stated this workshop is intended to provide the local government officials and the public with information concerning fair housing requirements.

Mr. Alday reminded the Council they needed to form a Citizens Advisory Task Force Committee. Mayor Holbrook stated he would like to see the Local Planning Agency members and Mr. Gary Freeman as the CATF.

Council Member Worley made a motion the LPA members and Mr. Freeman be made the Citizens Advisory Task Force Committee.

#### PRESENTATION:

A. John Davis – Wicks, Brown, Williams & Co. – 2010 Audit – John Davis and Corey DeHays of Wicks, Brown, Williams & Co. gave a report on the final audit of the Town. Mr. Davis stated they only had one finding and listed only 6 management suggestions for the Council. Mr. Davis did suggest Council review they purchase order policy. He stated the General Fund and Infrastructure Funds were in very good shape. The water system fund was starting to bring in money. He stated the only funds that were of concern are the wastewater fund and cemetery fund. Mr. Davis suggested it would take some time to secure a wastewater customer base. Mrs. Tuck stated they are noticing more individuals leaning towards cremation rather than purchasing cemetery lots.

Council Member Worley made a motion to accept the 2009-2010 as presented; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

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

##### A. Town Planner

1. Council Member Worley – Sign Ordinance – Council Member Worley stated she had done some homework on the sign ordinance as the Council had requested. She stated she had also attached some suggestions for obscenity, which Council had discussed at a prior meeting.

Council Member Worley suggested the following changes:

##### 154-15.3 Sign permits.

1. *Permit required.* To obtain town review and avoid expensive mistakes, all signs shall be required to comply with this Code. Unless specifically exempt, no sign shall be placed,

newly constructed, ~~altered~~, enlarged, or relocated in the Town of Lake Placid until a sign permit has been issued by the Town.

5. *Permitting authority.* The Town ~~local~~-Planning Department shall act on all applications for a sign permit, a variance from the terms of this Code, and exemptions requests.

8. *Obscenity.* Put in:

Sec. \_\_\_\_\_, - **Public urination or defecation prohibited.**

(a) It shall be unlawful for any person to urinate or defecate in other than a toilet while at a public place.

(b) It shall be unlawful for any person to urinate or defecate at any place where such conduct may reasonably be expected to be viewed by others; provided, however, this section shall not apply where a person is urinating or defecating in a toilet.

Council Member Worley made a motion to move forward with the changes that were discussed to set a hearing; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

B. Town Public Works Director (Streets, Sanitation, Recreation, Cemetery) Mr. Komasa was going to show Council a PowerPoint presentation of the Town's public works equipment. However, he could not get the PowerPoint presentation to work. He stated he would show it at the budget workshop. He had no other comments.

C. Town Utility Director – Mr. Freeman had not reports.

D. Town Police Chief – No reports

E. Town Attorney – No present

F. Town Clerk:

1. Approval of Proposed millage rate – 3.9300 – Mrs. Tuck proposed setting the millage rate for the TRIM notices at 3.9300 (which is the rolled back rate). She stated this is something we do every year. You can reduce the rate, but you cannot increase the rate once it is sent to the Property Appraiser. Council Member Royce stated he would like to set it at 3.8100, our millage rate for last year. He and Council Member Bastardi stated they did not want to go over the 3.8100 rate, maybe even consider lowering it. Council Member Worley made a motion the proposed millage rate for the 2011-2012 Fiscal Year for the Town of Lake Placid be set at 3.8100; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. Cody Study – Mrs. Tuck handed out some information concerning a salary study for the Town, which was discussed at our last budget workshop. She stated she had inquired as to whether or not the study would cost more than \$5,000.00 and she was told by Cody & Associates, Inc. the study would not cost more than the \$5,000.00. Council Member Worley stated she wanted to research this matter a little more before voting on it.

G. Mayor/Council Members: No comments

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 8:00 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY JULY 25, 2011 5:35 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday July 25, 2011 at 5:35 P.M. 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 Police Chief Phil Williams  
Town Public Works Director John Komasa  
Town Utility Director Gary Freeman

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of monthly reports
- C. Approval of revised Recreation Interlocal Agreement (\$130,000.00)

Council Member Bastardi asked that B and C be removed from the consent agenda at this time. Council Member Royce made a motion the agenda be approved as presented; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. After several questions and answers concerning the monthly reports, Council Member Royce made a motion the monthly reports be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

C. Recreation Interlocal Agreement with Highlands County for \$130,000.00 – Council Member Worley made a motion the Recreation Interlocal Agreement with Highlands County for the 2010-2011 year be approved; motion seconded by Council Member Davis. On roll call, Council Member Worley, Council Member Davis and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

D. Minutes of July 11, 2011 meeting – Council Member Royce made a motion the minutes for the July 11, 2011 meeting be approved as presented; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

**PUBLIC HEARINGS:**

A. Ordinance 2011-636 – Amending Due Tos and Due Froms (1<sup>st</sup> hearing) Mayor Holbrook read the Ordinance by title only. Mrs. Tuck stated this was a project the Auditors suggested that the Town clean up their Due Tos and Due Froms that have occurred over the past years. Council Member Royce stated he would like for the Town Clerk to ask John Davis, of Wicks, Brown, Williams & Co. to attend our next meeting and discuss the Due Tos and Due Froms. Council Member Royce made a motion to move for the approval of Ordinance 2011-636 on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. Ordinance 2011-637 – Amending Water & Sewer 2010-2011 Budget – (1<sup>st</sup> Hearing) Mayor Holbrook read the Ordinance by title only. Council Member Worley made a motion Ordinance 2011-637 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 – Not present. No items.

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

1. Employees holidays – Mr. Komasa and Mrs. Tuck stated they would like to request that the Town be allowed the following holidays for the year 2011-2012:

November 11, 2011	Veterans Day
November 24, 2011	Thanksgiving Day
November 25, 2011	Day after Thanksgiving Day
December 26, 2011	Day after Christmas Day
January 2, 2012	Day after New Years Day
January 16, 2012	MLK Day
April 6, 2012	Good Friday
May 28, 2012	Memorial Day
July 4, 2012	Independence Day
September 3, 2012	Labor Day

Mr. Komasa stated three of these days fall on Fridays, which are our garbage pickup days. He stated the Town would collect the garbage on Thursday (November 10, 2011 and April 5, 2012). The Town would collect the garbage on Friday November 25, 2011 because of the extra garbage that is usually out the day after Thanksgiving. Mr. Komasa stated he would like permission to

pay the employees who work collecting garbage on November 25, 2011 time and one-half. Council Member Royce made a motion we adopt the ten day holiday schedule presented; motion seconded by Council Member Worley.

2. Advertise for Bids for sidewalks on the east side of South Main Avenue – Mr. Komasa presented a power point presentation on the areas on South Main Avenue where he would like to see the Town approve placing sidewalks. Mr. Komasa stated the School Board has just be approved for a Safe Routes to School sidewalk from just south of Hibiscus Street to just north of Phoenix Street on the west side of South Main Avenue. Mr. Komasa stated he would like to see the Town finish off the sidewalk from where the School Board stops to Lake Drive East. He would also like to see the Town put in sidewalks on the east side of South Main Avenue from E. Interlake Boulevard to Plumosa Street. Council Member Royce asked Mr. Komasa if his staff could put in the sidewalks. Mr. Komasa stated he does have an employee who formerly worked in concrete, but he does not have enough staff to do the sidewalk and continue with the other duties they have on a weekly basis. Council Member Worley stated she had discussed with the Avon Park Academy about repairing sidewalks. They stated they would be interested. Council Member Royce also stated there might be some Trustees at the County Jail who could help.

Mr. Komasa stated he would like permission to place an ad in the newspaper for bids. Council Member Royce made a motion to allow Staff to go out to bid and that we also direct Staff to look into alternative methods of creating the sidewalks, including the use of vocational, inmates and volunteer/labor; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

3. Town Vehicles – Mr. Komasa presented a power point on the Town's vehicles and lawn mowing equipment. The Council was very acceptable to Mr. Komasa's suggestion that the Town needs to start a program replacing their vehicles and equipment in the Transportation and Recreation Department. Council Member Royce asked Mr. Komasa what was his plans. Mr. Komasa stated he would be retiring three trucks and replacing them with two trucks this budget year.

3. FRDAP Grants – Mr. Komasa stated he had received a letter from Rita Ventry, Community Assistance Consultant with Florida Department of Environmental Protection concerning his letter to her whether or not the Town can charge outside residents a different amount than inside residents. Mr. Komasa stated Ms. Ventry informed him to be able to charge different fees for property built with FRDAP Grant monies, you have to prove that allowing the non city residents will pose a definite burden on the grantee in park maintenance costs and that it is related to all economic factors and not only before they are non city residents. Mr. Komasa stated he would like permission to continue dealing with Ms. Ventry to secure authorization to charge the different fees.

Council Member Royce stated he wanted Atty. Harris to answer Ms. Ventry's letter, because he felt an attorney would understand the legalese. Council Member Worley was concerned about Atty. Harris's bill involved in writing the letter. Atty. Harris stated he would do the letter at no charge to the Town.

4. Recreation Contracts, Impact Fees – Mr. Komasa presented Council with a Facility Use Permit Special Event Application form he had prepared as requested by Council. The form included Shelter and Open Spaces Rules, Facility Use Permit Conditions, Pricing Structures, Special Event Application and Food Vender Worksheet. Council Member Royce stated he would like to see some price changes on Page 7. He stated he would like to see:

1-99 People	\$100. Security Deposit
100-199 People	\$200. Security Deposit
200-499 People	\$300. Security Deposit
500 – People	\$750. Security Deposit

Mr. Komasa will make the change.

Mr. Komasa also presented a Proposed Fee Structure for Tournament Use and Private Group Rates. Mr. Komasa also presented the Council with a Sports League Use Agreement. Council Member Royce stated he would like to see something in the Sports League Use Agreement concerning signage. The Council also reviewed a Boat Ramp Fee Structure Mr. Komasa presented them.

Council Member Davis made a motion that beginning August 1, 2011 the fee to use Lake June Ball fields be set at \$30.00 per participant, to be paid by the League before the first game; that Town residents are to be free; \$20.00 for a Boat Permit; and the Leagues pay the electricity for anything over \$160.00 per month; motion seconded by Council Member Royce. On roll call, Council Member Davis, Council Member Royce and Council Member Bastardi voted yes; Council Member Worley voted no. Motion carried 3 to 1.

#### 5. Utility Department:

1. CDBG Grant – Mr. Freeman presented an updated fee schedule for Polston Engineers to do the engineering needed to apply for a CDBG grant. He Freeman also stated Mr. Polston and he had worked on relocating the lift station behind the Oasis Car Wash. Mr. Freeman stated a much better placement would be on the corner of South Main Avenue and U.S. Highway 27, in the location of where Keep Lake Placid Beautiful had placed trees and rocks. Council Member Royce was concerned that this right-of-way needed to place the lift station on did not belong to the Town. He stated he felt it belonged to the County or Stated. He asked Mr. Freeman if he had been in contact with the County or State and Mr. Freeman stated he had not. Council Member Royce stated he felt that was the first step we needed to take. Mr. Freeman reminded the Council

the plans have to be shovel ready for us to apply for the CDBG grant and we must apply prior to August 15. Mr. Freeman and Atty. Harris will work on contacting the County and State concerning the right-of-way.

Mr. Freeman also stated if the lift station was moved to the south end of South Main Avenue the estimated cost would be \$310,000.00 compared to \$190,000.00 if it stayed where it was. Council was very acceptable to the relocation if Mr. Freeman and Atty. Harris could secure the right-of-way permission by the end of this week.

Mr. Freeman also stated the price for Polston Engineering to design the plans would be \$38,200.00 if we go with the new location. If we stayed with the old location, the price would probably be less. Mr. Freeman stated he does not have cost in his budget. He stated he would need permission to use funds from the Capital Improvement fund, or he could use funds from the Town's Infrastructure Account. Council Member Royce stated he was not in favor of using the funds, but would concern a loan.

Atty. Harris stated he was going to counsel against the relocation, because this project would be to collect the gravity feed and the odds against that are pretty significant right now. Atty. Harris stated he was counseling against it because of the title basis. Atty. Harris stated the Town needed at least to get a title search done on the property and he was not too optimistic that it could be done by Friday. Mr. Freeman stated the Oasis lift station was got to be redone. He stated it is going to fall through.

Council Member Worley made a motion we move forward with the engineering to accomplish the grant based on the lift station #14 (Oasis Car Wash) staying basically in the same present location area and up to \$38,200.00, however that Mr. Freeman has the latitude to shift that if he gets legal assurance that the right-of-way for the new proposed location is acceptable with the County or FDOT; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

The monies to pay for the project will come out of the Sewer's funds.

6. Police Chief – No Comments

7. Town Attorney – No Comments

8. Town Clerk:

1. Resolution for Line Item Adjustments – Mrs. Tuck presented Council with a Resolution for Line Item Adjustments for the General Fund. She stated each line item adjustment is between departments. No line item adjustment is made from department to

department. Council Member Royce made a motion the Resolution be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

9. Mayor/Council Members:

1. Council Member Royce stated he would like to present a plan for the employees instead of a salary increase. His plan is called the TIP (Town Innovation Program). It states each full-time employee will be eligible for the salary enhancement payment (\$250.00) at the end of each fiscal quarter if:

- 1) They have submitted a “legibly written” TIP suggestion to the Mayor’s office by the date assigned each quarter. The TIP suggestion shall be provided on an 8 ½ x 11 sheet of white paper in a manner that can be easily comprehended and be prepared during the employee’s non-working or compensated time. The suggestion can be as brief as 1 sentence, but must fully explain the concept being suggested.
- 2) They have been a full time (non-elected) employee of the Town of Lake Placid for all of the pay periods within the quarter.
- 3) They have had no disciplinary or administrative actions taken against them during the quarter.
- 4) They have fully performed their assigned duties and adhered to their assigned job schedules to the satisfaction of their supervisor and the Mayor.

The Mayor will review all TIP suggestions at the end of each quarter and select three to present to Council. The Mayor and Council will review the three and the one selected by the Mayor and Council will then receive another \$250.00 for the quarter.

Council felt this was a good idea and would discuss it at the next budget workshop.

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 10:00 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY JULY 25, 2011 5:35 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday July 25, 2011 at 5:35 P.M. 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 Police Chief Phil Williams  
Town Public Works Director John Komasa  
Town Utility Director Gary Freeman

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of monthly reports
- C. Approval of revised Recreation Interlocal Agreement (\$130,000.00)

Council Member Bastardi asked that B and C be removed from the consent agenda at this time. Council Member Royce made a motion the agenda be approved as presented; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. After several questions and answers concerning the monthly reports, Council Member Royce made a motion the monthly reports be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

C. Recreation Interlocal Agreement with Highlands County for \$130,000.00 – Council Member Worley made a motion the Recreation Interlocal Agreement with Highlands County for the 2010-2011 year be approved; motion seconded by Council Member Davis. On roll call, Council Member Worley, Council Member Davis and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

D. Minutes of July 11, 2011 meeting – Council Member Royce made a motion the minutes for the July 11, 2011 meeting be approved as presented; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

**PUBLIC HEARINGS:**

A. Ordinance 2011-636 – Amending Due Tos and Due Froms (1<sup>st</sup> hearing) Mayor Holbrook read the Ordinance by title only. Mrs. Tuck stated this was a project the Auditors suggested that the Town clean up their Due Tos and Due Froms that have occurred over the past years. Council Member Royce stated he would like for the Town Clerk to ask John Davis, of Wicks, Brown, Williams & Co. to attend our next meeting and discuss the Due Tos and Due Froms. Council Member Royce made a motion to move for the approval of Ordinance 2011-636 on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. Ordinance 2011-637 – Amending Water & Sewer 2010-2011 Budget – (1<sup>st</sup> Hearing) Mayor Holbrook read the Ordinance by title only. Council Member Worley made a motion Ordinance 2011-637 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 – Not present. No items.

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

1. Employees holidays – Mr. Komasa and Mrs. Tuck stated they would like to request that the Town be allowed the following holidays for the year 2011-2012:

November 11, 2011	Veterans Day
November 24, 2011	Thanksgiving Day
November 25, 2011	Day after Thanksgiving Day
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Mr. Komasa stated three of these days fall on Fridays, which are our garbage pickup days. He stated the Town would collect the garbage on Thursday (November 10, 2011 and April 5, 2012). The Town would collect the garbage on Friday November 25, 2011 because of the extra garbage that is usually out the day after Thanksgiving. Mr. Komasa stated he would like permission to

pay the employees who work collecting garbage on November 25, 2011 time and one-half. Council Member Royce made a motion we adopt the ten day holiday schedule presented; motion seconded by Council Member Worley.

2. Advertise for Bids for sidewalks on the east side of South Main Avenue – Mr. Komasa presented a power point presentation on the areas on South Main Avenue where he would like to see the Town approve placing sidewalks. Mr. Komasa stated the School Board has just be approved for a Safe Routes to School sidewalk from just south of Hibiscus Street to just north of Phoenix Street on the west side of South Main Avenue. Mr. Komasa stated he would like to see the Town finish off the sidewalk from where the School Board stops to Lake Drive East. He would also like to see the Town put in sidewalks on the east side of South Main Avenue from E. Interlake Boulevard to Plumosa Street. Council Member Royce asked Mr. Komasa if his staff could put in the sidewalks. Mr. Komasa stated he does have an employee who formerly worked in concrete, but he does not have enough staff to do the sidewalk and continue with the other duties they have on a weekly basis. Council Member Worley stated she had discussed with the Avon Park Academy about repairing sidewalks. They stated they would be interested. Council Member Royce also stated there might be some Trustees at the County Jail who could help.

Mr. Komasa stated he would like permission to place an ad in the newspaper for bids. Council Member Royce made a motion to allow Staff to go out to bid and that we also direct Staff to look into alternative methods of creating the sidewalks, including the use of vocational, inmates and volunteer/labor; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

3. Town Vehicles – Mr. Komasa presented a power point on the Town's vehicles and lawn mowing equipment. The Council was very acceptable to Mr. Komasa's suggestion that the Town needs to start a program replacing their vehicles and equipment in the Transportation and Recreation Department. Council Member Royce asked Mr. Komasa what was his plans. Mr. Komasa stated he would be retiring three trucks and replacing them with two trucks this budget year.

3. FRDAP Grants – Mr. Komasa stated he had received a letter from Rita Ventry, Community Assistance Consultant with Florida Department of Environmental Protection concerning his letter to her whether or not the Town can charge outside residents a different amount than inside residents. Mr. Komasa stated Ms. Ventry informed him to be able to charge different fees for property built with FRDAP Grant monies, you have to prove that allowing the non city residents will pose a definite burden on the grantee in park maintenance costs and that it is related to all economic factors and not only before they are non city residents. Mr. Komasa stated he would like permission to continue dealing with Ms. Ventry to secure authorization to charge the different fees.

Council Member Royce stated he wanted Atty. Harris to answer Ms. Ventry's letter, because he felt an attorney would understand the legalese. Council Member Worley was concerned about Atty. Harris's bill involved in writing the letter. Atty. Harris stated he would do the letter at no charge to the Town.

4. Recreation Contracts, Impact Fees – Mr. Komasa presented Council with a Facility Use Permit Special Event Application form he had prepared as requested by Council. The form included Shelter and Open Spaces Rules, Facility Use Permit Conditions, Pricing Structures, Special Event Application and Food Vender Worksheet. Council Member Royce stated he would like to see some price changes on Page 7. He stated he would like to see:

1-99 People	\$100. Security Deposit
100-199 People	\$200. Security Deposit
200-499 People	\$300. Security Deposit
500 – People	\$750. Security Deposit

Mr. Komasa will make the change.

Mr. Komasa also presented a Proposed Fee Structure for Tournament Use and Private Group Rates. Mr. Komasa also presented the Council with a Sports League Use Agreement. Council Member Royce stated he would like to see something in the Sports League Use Agreement concerning signage. The Council also reviewed a Boat Ramp Fee Structure Mr. Komasa presented them.

Council Member Davis made a motion that beginning August 1, 2011 the fee to use Lake June Ball fields be set at \$30.00 per participant, to be paid by the League before the first game; that Town residents are to be free; \$20.00 for a Boat Permit; and the Leagues pay the electricity for anything over \$160.00 per month; motion seconded by Council Member Royce. On roll call, Council Member Davis, Council Member Royce and Council Member Bastardi voted yes; Council Member Worley voted no. Motion carried 3 to 1.

#### 5. Utility Department:

1. CDBG Grant – Mr. Freeman presented an updated fee schedule for Polston Engineers to do the engineering needed to apply for a CDBG grant. He Freeman also stated Mr. Polston and he had worked on relocating the lift station behind the Oasis Car Wash. Mr. Freeman stated a much better placement would be on the corner of South Main Avenue and U.S. Highway 27, in the location of where Keep Lake Placid Beautiful had placed trees and rocks. Council Member Royce was concerned that this right-of-way needed to place the lift station on did not belong to the Town. He stated he felt it belonged to the County or Stated. He asked Mr. Freeman if he had been in contact with the County or State and Mr. Freeman stated he had not. Council Member Royce stated he felt that was the first step we needed to take. Mr. Freeman reminded the Council

the plans have to be shovel ready for us to apply for the CDBG grant and we must apply prior to August 15. Mr. Freeman and Atty. Harris will work on contacting the County and State concerning the right-of-way.

Mr. Freeman also stated if the lift station was moved to the south end of South Main Avenue the estimated cost would be \$310,000.00 compared to \$190,000.00 if it stayed where it was. Council was very acceptable to the relocation if Mr. Freeman and Atty. Harris could secure the right-of-way permission by the end of this week.

Mr. Freeman also stated the price for Polston Engineering to design the plans would be \$38,200.00 if we go with the new location. If we stayed with the old location, the price would probably be less. Mr. Freeman stated he does not have cost in his budget. He stated he would need permission to use funds from the Capital Improvement fund, or he could use funds from the Town's Infrastructure Account. Council Member Royce stated he was not in favor of using the funds, but would concern a loan.

Atty. Harris stated he was going to counsel against the relocation, because this project would be to collect the gravity feed and the odds against that are pretty significant right now. Atty. Harris stated he was counseling against it because of the title basis. Atty. Harris stated the Town needed at least to get a title search done on the property and he was not too optimistic that it could be done by Friday. Mr. Freeman stated the Oasis lift station was got to be redone. He stated it is going to fall through.

Council Member Worley made a motion we move forward with the engineering to accomplish the grant based on the lift station #14 (Oasis Car Wash) staying basically in the same present location area and up to \$38,200.00, however that Mr. Freeman has the latitude to shift that if he gets legal assurance that the right-of-way for the new proposed location is acceptable with the County or FDOT; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

The monies to pay for the project will come out of the Sewer's funds.

6. Police Chief – No Comments

7. Town Attorney – No Comments

8. Town Clerk:

1. Resolution for Line Item Adjustments – Mrs. Tuck presented Council with a Resolution for Line Item Adjustments for the General Fund. She stated each line item adjustment is between departments. No line item adjustment is made from department to

department. Council Member Royce made a motion the Resolution be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

9. Mayor/Council Members:

1. Council Member Royce stated he would like to present a plan for the employees instead of a salary increase. His plan is called the TIP (Town Innovation Program). It states each full-time employee will be eligible for the salary enhancement payment (\$250.00) at the end of each fiscal quarter if:

- 1) They have submitted a “legibly written” TIP suggestion to the Mayor’s office by the date assigned each quarter. The TIP suggestion shall be provided on an 8 ½ x 11 sheet of white paper in a manner that can be easily comprehended and be prepared during the employee’s non-working or compensated time. The suggestion can be as brief as 1 sentence, but must fully explain the concept being suggested.
- 2) They have been a full time (non-elected) employee of the Town of Lake Placid for all of the pay periods within the quarter.
- 3) They have had no disciplinary or administrative actions taken against them during the quarter.
- 4) They have fully performed their assigned duties and adhered to their assigned job schedules to the satisfaction of their supervisor and the Mayor.

The Mayor will review all TIP suggestions at the end of each quarter and select three to present to Council. The Mayor and Council will review the three and the one selected by the Mayor and Council will then receive another \$250.00 for the quarter.

Council felt this was a good idea and would discuss it at the next budget workshop.

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 10:00 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY AUGUST 8, 2011 5:35 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday August 8, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Prior to the beginning of the meeting an invocation and pledge of allegiance to the American Flag was given by Rev. Richard Norris, of the Trinity Lutheran Church.

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 Public Works Director John Komasa  
Town Utility Director Gary Freeman  
Town Planner Sue BuChans

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Minutes
- C. Approval of monthly Bills
- D. Approve Henscratch Farms doing wine tasting at Caladium Festival, Saturday Morning Markets and Lake Placid Country Fair

Council Member Bastardi made a motion the consent agenda be approved as presented; motion seconded by Council Member Davis. On roll call, Council Member Bastardi, Council Member Davis and Council Member Royce voted yes; Council Member Worley had not arrived at the meeting. Motion carried 3 to 0.

PUBLIC HEARINGS:

- A. Ordinance 2011-636 – Amending Due Tos & Due Froms (2<sup>nd</sup> hearing) – John Davis, of Wicks, Brown, Williams & Co., was present (as Council had requested) to explain the Due Tos and Due Froms. Mr. Davis stated the Due Tos and Due Froms are posting the Auditors have made over the last couple of years. Most are allocations from one department to another; such as

insurance, salaries, benefits, etc. Mr. Davis stated Council can either accept the Ordinance and wipe them off the books or they can actually transfer the amounts from departments to departments. Mr. Davis stated they could be some problems transferring funds from certain departments, because the balance of those departments are very low. Council felt the transfers should be made, even if they have to be paid over time. They stated they would like the Clerk to call The NCT Group and ask what their suggestions might be. Council Member Bastardi made a motion Ordinance 2011-636 be approved on second hearing by reading of title only, but not adopt; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. Ordinance 2011-637 – Amending Water & Sewer 2010-2011 Budget (2<sup>nd</sup> hearing) – Council Member Royce stated he had some questions concerning the categories some of the amounts are being transferred into. He stated he would prefer that Mr. Freeman be present to answer the questions before passing on the Ordinance. Council Member Royce made a motion to approve Ordinance 2011-637 Amending Water & Sewer 2010-2011 Budget and set a third public hearing at our first September meeting to review this Ordinance again with Mr. Freeman; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

C. Resolution – Establishing Tentative Assessment Rate for Non-ad Valorem – Sanitation Collection – Council Member Royce felt we should increase the assessment by \$1.00 a month due to upcoming projects with recycling and reducing small business fees. Council Member Royce made a motion the Lake Placid Town Council approve the Resolution establishing a tentative assessment rate for non-ad valorem residential sanitation solid waste as present with a change on paragraph three to read: The tentative assessment rate for non-ad valorem shall be \$192.00 per residential dwelling unit for the fiscal year beginning 1 October 2011 and ending 30 September 2012; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### PRESENTATIONS:

A. Chief Williams – Presentation of Plaque to retiring reserve Officer – Chief Williams presented Officer Eddie Conklin with a plaque commemorating his thirty years of loyal service to law enforcement. Chief Williams stated Officer Conklin was a police officer for the Town and later a Code Enforcement Officer for the County. Officer Conklin was thanked by everyone and given a standing ovation.

B. Chamber of Commerce – Eileen May, Executive Director of the Lake Placid Chamber of Commerce was present and asked that the Town rethink their fees for the use of the public parks. Mrs. May stated the Chamber could not afford to run their monthly farmers market nor hold their annual Caladium Festival if they had to pay the suggested park fees. Mrs. May was informed the Council has not adopted any fee schedule for the public parks and would consider non-profit organizations at the time they did come up with a fee schedule.

A representative of the Little League was present and also asked for some help with the fees that have been placed at Lake June Ball fields. He stated the Leagues are having to come up with the cost of the electricity, plus charging each player \$30.00. After much discussion again, Council Member Royce stated the County will be giving the cities \$110,000.00, with all intentions that there will not have to be a 50/50 match. The cities, however, will have to prove the expenditures were for recreation.

Council Member Royce made a motion we set a public hearing for September 26, 2011 (at Council meeting) to consider an Ordinance setting recreation fees for the Lake June Ball Fields and other parks operated and maintained by the Town; motion seconded by Council Member Bastardi. Council Member Royce stated the intent of his motion was to also define the use of the park, the control of the parks, organizational activities in those parks, permitting users and a fee structure. On roll call, motion carried unanimously.

Council Member Royce made a motion that the Town Council take action in continuing the \$30.00 per participant fee and cease activity reflecting anything at the boat ramp by not charging a fee for the boat ramp until such time as we take up the Ordinance; 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.

C. Guardian – Corbett Alday – CDBG Grant – Mr. Alday stated this was a public hearing, which was advertised properly, for the CDBG grant scope of work. Mr. Alday stated a Citizens Advisory Task Force (CATF) meeting was held on Thursday, July 28, 2011 at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. At the CATF meeting a Chairman and Vice Chairman were selected and the committee made the recommendation that the Town Council approve the proposed Neighborhood Revitalization CDBG application (for \$650,000.00) for the Town of Lake Placid Wastewater Treatment Facility and Town Hall Improvements. Council Member Worley made a motion the Town Council submit a CDBG application for the improvements to the Wastewater Treatment Facility and Town Hall; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. *(Install Sewer Master Lift Station, Force Main, Aerobic Digester Tanks, Generator, Electrical for Generator, Flow and Chlorine System - \$560,000.00, Engineering - \$38,000.00, Administration - \$52,000.00; Unmet Needs/Alternates (Town Hall) - \$367,500.00 [The Town is also working on a separate Pre-Disaster Mitigation Grant for these projects and plans to fund all activities between the two grants]*

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

##### A. Town Planner:

1. Mark Hill – Interlocal Agreement for Planning Services – Mrs. Sue BuChans, representing Mr. Mark Hill, presented a proposed Interlocal Agreement between the Town and the County for Planning Services. Council Member Royce the Town approve and accept the

Interlocal Agreement between Highlands County, Florida and the Town of Lake Placid, Florida for planning services, amending number 5, page 3 to read: The TOWN shall pay the annual fee of \$25,000.00 in four quarterly payments beginning 1 November 2011; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. Town Attorney:

1. Regional Municipal Utility Resolution – Atty. Harris presented a Resolution of the Lake Placid Council who took up for consideration the proposed acquisition of Placid Utilities and Highway Park Utilities from the Board of County Commissioners of Highlands County, Florida and the implementation of the Lake Placid Regional Utility. The Resolution had blank spaces for the Advisory Commission Membership. Mayor Holbrook stated he had received resumes from Pam Brewer and Jim DiNapoli. Atty. Harris stated the Town had agreed for Shelagh Byatt and Tal Rancourt to serve for Tomoka Heights and there would be one other from Highway Park. Council Member Royce made a motion to approve the Resolution and to insert the names of Shelagh Byatt on line A, on line B insert Tal Rancourt, on line C insert Pam Brewer and line D James DiNapoli; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously. Council Member Royce stated his understanding was that this Committee serves at the pleasure of the Council and it could change on any Monday. Atty. Harris assured Council Member Royce he was correct in his thinking.

2. Interlocal Agreement Between Highlands County and the Town of Lake Placid for transfer of Utilities – Atty. Harris next presented an Interlocal Agreement between Highlands County and the Town of Lake Placid for the transfer of the Placid Utilities and Highway Park utilities. Atty. Harris stated the purpose of the Interlocal Agreement was to set out the terms and conditions for the creation and operation of the Town’s regional utility system to serve the overlay area and to address related planning issues. The Interlocal Agreement requires the Town to pay \$18,450.00, the amount originally paid by the County from its General Fund Account. (SEE ATTACHED) Council Member Worley made a motion to approve the Interlocal Agreement between Highlands County and the Town of Lake Placid for the Transfer of Utilities; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Utility Director: No comments

D. Public Works Director:

1. Bid for South Main Avenue Sidewalks – Mr. Komasa stated at the last meeting the Council discussed sidewalks on South Main Avenue. Mr. Komasa stated he advertised for bids and we received one bid from Excavation Point for \$39,022.00. Mr. Komasa stated the bid met all advertised requirements. Council Member Worley stated she wanted to see the sidewalks that are deteriorating repaired before we start building any other sidewalks. Council Member Royce made a motion we thank Excavation Point for their bid and that we continue to consider our

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

E. Police Chief: No comments

F. Town Clerk:

1. Mrs. Tuck stated she and the Mayor were asking the Council to consider going back to one meeting a month. She said this would save approximately \$9,000.00 a year on legal costs, advertisements, etc. Council Member Worley made a motion the Council go back to only one meeting a month beginning October 1, 2011; 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 Davis. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 10:45 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
AUGUST 22, 2011 5:35 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday August 22, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Prior to the meeting, the invocation and pledge of allegiance to the Flag was led by Rev. Richard Norris.

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

CONSENT AGENDA:

- A. Approval of agenda
- B. Approval of minutes
- C. Approval of monthly reports

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

NEW BUSINESS:

Highlands County School Board – Mr. Bill Brantley, School Board Member, was introduced. Mr. Brantley informed the Council the School Board is interested in doing a joint project the Town to build public restrooms, across from the high school, next to the elementary school. He stated the School Board is currently in the process of building a complex there. He stated there is currently a portable there that the School Board leases for \$9,000.00 a year. Mr. Brantley stated what the School Board is asking is if the Town would be willing to partner with them and go to RPAC to try to get the funding for this. He stated with RPAC, it helps when two agencies go together on a project. The reason they think it is a good project is because things are moving closer to the high school, versus the Scarborough Field. He stated what the School Board would be looking for from the Town is possibly extending the sewer line to there; if there are any impact fees, waive the fees, tap fees or deposit. He stated he really wanted to get consensus because RPAC monies are soon going away. He stated there would be women's restrooms, men's restrooms and an open space for future concession stand. Mr. Brantley stated there is currently water at the site, but they would need sewer. Mr. Brantley stated it would not be public all the time, just during special events. Council Member Royce made a motion to authorize the Mayor and Town Staff to

proceed with moving forward with making an application for this project; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

PRESENTATION:

A. Report from Town Administrator Committee:

Mayor Holbrook stated the Committee had requested that they be allowed to present their presentation without any interruptions. They will have a question and answer period after the presentation.

Mrs. Marlene Barger, Co-Chairman, introduced the members of the committee who were present. She introduced Co-Chairman Cheryl Davis, Committee Member Eileen May, Committee Member Bill Compton, and Committee Member Jon Draper.

Mrs. Barger stated the Committee was formed at the request of the Town Council to analyze the merits of hiring or not hiring a Town Administrator. Primarily, the Committee was charged with considering the prudence, viability, advantages and disadvantages of having a professional Town Administrator position.

She further stated the Committee met eight times and interviewed the Council Members, the Mayor, Police Chief, Town Clerk, Department Heads and the Town Attorney in an effort to determine what works well and what operational areas require improvements.

She stated given the consistent soundness of the Town's budget and current organization structure, the Committee found no compelling reason to recommend significant changes. The Committee, however, acknowledged that on an operational level, training, employee oversight, accountability, communications, and finances need some adjustments to facilitate more efficient operations.

Mrs. Barger stated after having gathered and considered all of Town managers and key personnel, the Committee debated what criteria it should use to evaluate the need for change. She stated the Committee determined that before making any changes, the Council, Mayor and Department Heads need to implement a process to improve decisions, operations, accountability and evaluations. She stated to this end the Committee proposes that the Council and Mayor implement the Process Flowchart. (SEE EXHIBIT A) She stated the Committee Members view the flowchart as an essential tool.

Mrs. Barger stated the Committee feels very strongly that all efforts to increase the efficiency of operations should be pursued. To accomplish this, she presented three alternatives.

A. Alternative #1 is our current system. The Mayor remains over the department heads. The Committee is recommending the Accountant under the Utility Department become the Town's Accountant and be placed under the Town Clerk supervision.

B. Alternative #2 –

1. Option #1 would be a Town Clerk as Administrator. This would put the police chief and Town Clerk/Administrator under the Mayor and all other departments under the Town Clerk/Administrator.

2. Option #2 would be the Police Chief/Administrator. This would put all departments under the Police Chief/Administrator and the Police Chief/Administrator under the Mayor.

3. Option #3 would be other as Administrator. This would put all departments except the police department under an Administrator, who would be under the Mayor, and would eliminate all directors' positions, not personnel.

C. Alternative 3:

Would put all departments under the Administrator and the Administrator under the Mayor.

The Committee believes that implementing Alternative 1 in concept with the Improvement Process Flowchart will lay the foundation for evaluating solid organizational changes in the future.

Finally, the Committee Members recommend that the Town Administrator Committee be disbanded and encourage town management and employees to seek guidance from a volunteer panel or senior technical mentors, to be named at a later date.

Council Member Royce made a motion the Council thank the Committee for all their hard work and great report and disband the Committee; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce made a motion we adopt the Committee's recommendation to approve the process in Alternative #1 without being a part of the change of personnel at this time and begin to solicit a panel of members to serve within a library of mentors; motion seconded by Council Member Worley. On roll call, motion carried unanimously. (SEE EXHIBIT B)

CITIZENS NOT ON THE AGENDA:

A. Margaret Gleave asked if Council has considered a fire alarm to warn citizens of approaching tornados, hurricanes, and etc. Mayor Holbrook stated it would be something Council can talk about.

DEPARTMENT HEADS:

A. Town Clerk:

1. Resolution for 9/11 Remembrance Day – Council Member Worley made a motion the Resolution presented for the Tenth Anniversary of the 9/11 Remembrance Day be approved; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

Mayor Holbrook announced the Lake Placid Journal has asked for permission to place a newspaper stand in Town Hall with the Journal. Mayor Holbrook stated the paper will be free from now on. Council Member Worley made a motion that Staff will determine where to put the "free" newspaper stand for the Lake Placid Journal and we allow it for a time and then we will renew it at a later time; motion seconded by Council Member Royce. 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 Bastardi made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 7:35 pm.



REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
SEPTEMBER 12, 2011 5:35 PM.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday September 12, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

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

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Minutes
- C. Approval of Monthly Bills
- D. Approval of Monthly Reports
- E. Accept UF preliminary estimate of Town's population
- F. Approve Facility Site Agreement from Highlands County Health Department

Council Member Bastardi 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 2011-636 –Write-off Due Tos & Due Froms – Mayor Holbrook read the title to Ordinance 2011-636 in its entirety. The Town Council was still having trouble comprehending the Due Tos and Due Froms and asked that this Ordinance be brought back to the Town Council at the September 26, 2011 meeting.

B. Ordinance 2011-637 – Amending 2010-2011 Budget for Sewer and Water (2<sup>nd</sup> Hearing) Mayor Holbrook read the title to Ordinance 2011-637 in its entirety. Council Member Royce made a motion Ordinance 2011-637 be approved and adopted on final reading; motion seconded by Council Member Bastardi.

Council Member Royce made a motion to amend his former motion to include “Now, therefore, be it Ordained, instead of Resolved; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Ordinance 2011-638 – Adopting Final Millage for 2011-2012 Budget (1<sup>st</sup> hearing) Mayor Holbrook read the title of Ordinance 2011-638 and informed the audience the proposed millage rate for the Town is 3.6500 mills, which is less than the rolled-back rate of 3.9364 by -7.28%. Council Member Bastardi made a motion Ordinance 2011-638 be approved on first hearing by reading of title; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

D. Ordinance 2011-639 – Adopting 2011-2012 Budget (1<sup>st</sup> hearing) Mayor Holbrook read the title of Ordinance 2011-639. Council Member Royce made a motion Ordinance 2011-639 be approved on first hearing by reading of title only; motion seconded by Council Member Worley. 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.

E. Ordinance 2011-640 – Amending Commercial Sanitation Collection for Small Businesses (1<sup>st</sup> hearing) – Mayor Holbrook read the title of Ordinance 2011-640. Mrs. Tuck explained this Ordinance will change the fee for small businesses generating two or less bags per pickup (two pickups per week) from \$22.00 to \$15.00. She explained this was the only change made in the Ordinance. Council Member Bastardi made a motion Ordinance 2011-640 be approved on first hearing by reading of title only; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

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

##### A. Town Attorney:

1. Ordinance 10-625 – Local Preference – *Adoption only* - Atty. Harris stated he had met with Mr. Robert Brown, president of the Lake Placid Merchants Association, who had proposed Ordinance 10-625. Atty. Harris stated he still had some questions for the Council concerning the Ordinance. The following are some of the corrections that were made:

1. Page 1 Section 4-1.1 **Competitive bidding.** The last sentence should read: “The Town staff shall use its best efforts to make purchases less than five thousand dollars (\$5,000.00) from vendors maintaining a business within the Town of Lake Placid limits, if the offered price is determined by the respective staff to be reasonable.” The rest of the sentence is to be excluded.

2. Page 2 Sections 4-2. **Procedure when no bids received and Section 4-3. Procedure to suspend bid requirement in emergency.** Remove Town Clerk or the Town Superintendent and put in Town Mayor.

3. Page 3 Section 4-5.3 **Definitions.** (A) (1) Change twelve months to six months and delete (2).

4. Page 4 Section 4-5.3 (E) Third paragraph change twelve months to six months.

Delete “This local preference applies to

5. Page 5 Sections 4-6. **Preference to Businesses with drug-free workplace programs.** Use “The Town may reject any bid or proposal which does not certify that it has implemented a drug-free program according to Section 287.087, Florida Statutes.”

Council asked that the revisions be made and that Atty. Harris present it to Council at their next regularly scheduled meeting.

2. Lake Placid Merchants Association – Robert Brown stated that the Merchants Association’s Fall Festival would be held the end of October. Mr. Brown stated the Committee would like to make some money for the Festival by selling Holiday blowups to merchants. The blowups would have a sign on it stating the date of the Festival, the time and where it will be held and would all be on private property. There would be no advertisement on the sign. Council Member Royce made a motion to allow up to six blowups at any one time to be placed on private property within the Town limits of Lake Placid for up to twenty (20) days and only non-commercial information on the signs for the Fall Festival of 2011; motion seconded by Council Member Worley. 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.

3. Florida Recreation – Atty. Harris stated he had written to the State of Florida concerning charging a different fee to outside residents and they had written back that the grant prohibited charging a different fee to different groups. Atty. Harris stated he felt this was not correct and he would like to pursue it a little further. Atty. Harris stated he would do the letter at no cost to the Town. The Council encouraged him to go forth.

4. Highlands County Utilities – Atty. Harris stated tomorrow September 13, 2011 the County Commissioners would be discussing the Town’s Interlocal Agreement to procure the Highway Park and Tomoka Heights Utilities from the County. Council Member Royce made a motion that Atty. Harris be the designated speaker for the Town at the County Commissioners Meeting. The Mayor also asked that Council Member Royce be a representative of the Town to answer any questions that might arise.

**B. Public Works Director:**

1. Miracle League – Glades Electric – Loan to Town/User Fees – Mr. Komasa stated the Town had received a letter from Andy Jackson, attorney for Glades Electric stating the Trust Board passed a resolution to the effect that if Lake Placid decides to charge user fees for the use of the Miracle League Field, they want the \$25,000.00 refunded. Council Member Royce made a motion that he would like the Mayor to send a letter to Glades Electric stating that yes we are going to charge user fees and that we hope Glades Electric will continue to support recreation and in particular the Miracle League of Lake Placid and if they feel that they can no longer support the Miracle League of Lake Placid, then to forward us a copy of the actual Resolution and not just go off Mr. Jackson’s email; motion seconded by Council Member Worley. On roll call, motion carried unanimously. Council Member Worley asked that the letter from the State on Recreation received by Atty. Harris be attached.

2. Todd Moore – Miracle League – Mr. Moore, representing the Miracle League, thank the Council for all their support of the Miracle League and invited all the members to their first game scheduled for Saturday September 24, 2011 at the Lake Placid Miracle League field.

**C. Utility Director:**

1. Opening bids for hand held equipment – Mr. Freeman stated he had gone out for bids for three hand held computer for reading meters. He stated he received two bids. One from Innovative Metering

Solutions, Inc. for a total of \$16,937.00 and one from Sunstate Meter & Supply, Inc. for \$17,857.50. He stated the reviewing committee and personnel were recommending the bid from Sunstate Meter & Supply, Inc. for the Neptune CE5320B system (to include cradle pods to charge the units, software and training) for \$17,857.50. Council Member Royce made a motion the Town go with the bid from Sunstate Meter & Supply, Inc. for \$17,857.50; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

D. Police Chief – Chief Williams stated he had sold one of his cruisers and would be using the money to replace outdated software for the police department.

E. Town Clerk:

1. Mrs. Tuck reminded Council we would be having our final budget hearing on Monday September 19, 2011.

2. Mrs. Tuck also stated she would like to thank Representative Denise Grimsley for assisting us with getting FDOT to properly correct problems at DeVane Park, which had been done by the contractor. Mrs. Tuck stated FDOT has had to replace several trees in DeVane Park, which have died. She stated the representative from FDOT told her Mrs. Grimsley was instrumental in him making monthly visits for the next year to DeVane Park.

F. Mayor:

Mayor Holbrook read a letter from Council Member Davis stating it was with deep regret she was tendering her resignation. Mayor Holbrook stated the resignation was as of September 15, 2011. Council Member Davis stated she would change the date to September 20, 2011 so she could be present for the final reading of the 2011-2012 budget.

All Council Members stated their regret in her leaving and wished her well.

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

**REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
SEPTEMBER 13, 2010 5:30 P.M.**

Mayor John Holbrook called the regular meeting of the Town of Lake Placid Town Council to order on Monday September 13, 2010 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Invocation was given by Rev. Tim Taylor of the Lake Placid Nazarene Church. The Pledge of Allegiance to the flag followed.

**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 Police Chief Phil Williams  
Town Planner Sue BuChans  
Town Public Works Director Jim Fulton  
Town Utility Director Gary Freeman  
Town Recreation Director John Komasa

**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 BEBR preliminary estimate for 2010
- E. Approval of Country Fair Request – Use of Stuart Park (2/1/2011 thru 2/6/2011)

Council Member Royce made a motion the Consent Agenda, Items A thru D, be approved and that Item E be moved to under the Town Clerks section for further discussion; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

**PUBLIC HEARINGS:**

- A. Ordinance No. 10-608 – Amending Chapter 154 – Zoning (Fencing) (2<sup>nd</sup> Hearing) Mrs. BuChans stated Council requested staff make revisions to Ordinance No. 10-608 that was presented in the August 9, 2010, public hearing. Council was given a copy of this Ordinance for their review prior to the Monday, September 13, 2010. The changes were located on page 4 and pages 10 through 15. The changes included definition for electric fences and specifically

discussed retaining walls, buttresses, and seawalls, electric fences to be posted with permanent signs every 30 feet apart, electric dog fences and agriculture land fencing.

Council Member Royce made a motion that we conclude this public hearing and that Council approve but not adopt the Ordinance until the next regularly scheduled meeting of the Lake Placid Town Council and that Atty. Harris will work on changing the Ordinance and that the word hedge at 154-12.2.b be removed from the Ordinance; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

B. Ordinance 2010-614 – Line Item Adjustments for Gen. Fund, Sanitation Fund & Cemetery Fund (2<sup>nd</sup> hearing) Council Member Royce made a motion Ordinance 2010-614 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Ordinance 2010-615 – Line Item Adjustments for Infrastructure Account (2<sup>nd</sup> hearing) Council Member Royce made a motion Ordinance 2010-615 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

D. Ordinance 2010-605 – Line Item Adjustments for Water/Sewer Account (2<sup>nd</sup> hearing) Council Member Royce made a motion Ordinance 2010-605 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

E. Ordinance 2010-616 – 2010-2011 Millage Rate (1<sup>st</sup> hearing) Mayor Holbrook read the title of the Ordinance and the Ordinance stating the Millage Rate for the 2010-2011 budget would be 3.8100 mills, which is less than the rolled-back rate of 4.6120 mils by -17.39%. Council Member Worley made a motion Ordinance 2010-616 be approved on first hearing; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

F. Ordinance 2010-617 – 2010-2011 Budget (1<sup>st</sup> hearing) Mayor Holbrook read the title of the Ordinance and the Ordinance. Council Member Royce made a motion Ordinance 2010-617 be approved on first hearing; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

G. Ordinance 10-618 – Hammond Oxer – Rezoning (1<sup>st</sup> hearing) Mrs. BuChans stated the applicant is requesting a rezoning for the subject property described as: S 303 FT OF W 399 FT OF NW ¼ OF NE ¼ OF SEC 6 LESS HWY 27 R/W PER OR 774-PG 379 6-37-30/37.1 1.65 ACRES, AS RECORDED IN THE PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA, from Highlands County Business District, B-3 to Town of Lake Placid Highway Commercial District, C-1. The Town Planning staff identified this parcel within the Town's

limits as carrying a County zoning designation. Council Member Royce made a motion to approve and adopt 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 Davis. On roll call, motion carried unanimously.

H. Ordinance 10-619 – Hammond Oxer – Small Scale Comp. Plan – Mrs. BuChans stated the matter for consideration is for a Future Land Use Map Amendment from Highlands County Commercial, B, to Town of Lake Placid Commercial General, CG, in order to bring this parcel into compliance with the Town’s adopted Comprehensive Plan. Council Member Worley made a motion the to approve and adopt by Ordinance 10-619, amending the Town Zoning Map from County B (Commercial) to Town CG (Commercial General) for 1.65 acres; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBER:

A. Utility Director:

1. Reuse Permit Update – Kathy Scott of Southwest Florida Water Management District was present to address the Council. Council Members had several questions of Mrs. Scott concerning the reimbursement of funds from SWFWMD for the grant that was given to the Town for the reuse project. Council reminded Mrs. Scott we have not been able to secure the last approximately \$72,000 of the grant, due to DEP requiring monitoring wells and other issues. We have found out that the DEP requirements will cost us approximately \$73,000. Mrs. Scott stated she felt she could convince the SWFWMD to give the Town the balance of the loan and they the Town would have the money to proceed with the DEP requirements. Council thanked her for coming to the meeting and helping us with this matter. She will get back with Mr. Freeman on the issues.

2. Bids for Line of Credit – Mrs. Tuck stated they had received only one bid on our request for a Line of Credit. She stated we had placed an Invitation to Bid in the Highlands Today requesting amounts of \$300,000; \$400,000; or \$500,000 to be secured by a revenue certificate and not the Town’s full faith and credit. The bid was from Heartland National Bank, terms: One year; Interest Rate: Taxable Wall Street Journal Prime + ½% adjusted day of change, Floor: 5.00% -- Tax Free: Wall Street Journal Prime minus 1% adjusted day of change, Floor: 4%, Collateral: Revenue certificate assigning income from the wastewater collection and treatment system being purchased from Highlands Utilities Corporation. Council Member Royce and Council Member Bastardi acknowledged that they were stockholders in Heartland National Bank and Atty. Harris stated he was the attorney for Heartland National Bank. Council Member Worley made a motion we accept the bid from Heartland National Bank as stated in the document with the Mayor checking on how much it would cost to get the tax free interest rate; 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.

B. Town Planner:

1. Civic Center Update – Phil Wegman of Furr and Wegman, was present with your team to give an update of the Civic Center. Mr. Wegman gave a point power showing the proposed design of the building on Hillcrest. Mr. Wegman stated he had been informed on Friday that the property on Hillcrest was probably not going to happen. Therefore, they had gone back and the Grigsby property and did some site plans. Mr. Wegman also showed a list of different facilities, what the cost was and how many events were held at the facilities. He also presented an estimated cost for building maintenance, grounds maintenance and electricity for the building. Council asked that Mr. Wegman come back within the next week or so with a design and price. Mr. Wegman stated they would try to shoot for Wednesday September 22<sup>nd</sup>.

2. Construction Manager – Mrs. Tuck stated we had an RFQ for a construction manager and would like to go ahead and advertise for the position. She stated the ad could always be pulled if we decided against the civic center, but because of the time restraint we needed to do it now. Council Member Royce made a motion we approve the advertisement for the contractor manager and that the Clerk may move forward with it at the time the Mayor approves it; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Recreation Director:

1. Report on Recreation Meeting with County – Mrs. Tuck and Mr. Komasa informed the Council they, along with Jon Million who is Chairman of the Town of Lake Placid Recreation Committee, attended a luncheon at the Red Lobster, with Rick Helms, Interim County Administrator; Scott Noethlich, City Manager of Sebring; Marie Sutherland, City Manager of Avon Park; and Joe DeCerbo, District Manager of Spring Lake. Mrs. Tuck stated nothing was accomplished. She said Mr. Helms basically stated he did not feel the County would do anything this fiscal budget, but would consider it next year. Mrs. Tuck and Mr. Komasa stated they felt they left without any type of an answer or determination.

Council Member Royce stated the County Commissioners had instructed Mr. Helms to solve this recreation problem (concerning the distribution of funds) and that he could do it in a matter of five minutes. Council Member Royce stated he is sure he has other pressing things to do and it probably is not his problem. They have a budget and he just doesn't want to deal with it. Council Member Royce stated we just have not put enough pressure on the County or our representative on the Commission to make a decision.

Council Member Royce made a motion that we ask Atty. Harris to write a letter or communicate with County Commissioner Chairman Bates at the earliest possible opportunity, hopefully tomorrow, that we would like him to do one of two things: 1) ask Mr. Helms to come out with a final decision on the methodology distribution; or 2) please agenda at the earliest possible time on the Highlands County Commission agenda to address the matter; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

2. Lake Placid Jaycees- Fireworks at July 4<sup>th</sup> – Pam Fentess, representing the Lake Placid Jaycees, stated the Jaycees want to continue to provide the fireworks at July 4<sup>th</sup>. However, she stated without the Town’s support there is no way they will be able to continue. She stated they are still in the hole for \$1,200.00 for this year’s fireworks. She said they had several fund raisers and received some donations. However, the donations are way lower than prior years. She asked that the Town Council consider leaving the fireworks budget in their budget. Council thanked the Jaycees for the many years of the fireworks. No action was taken.

C. Public Works Director:

1. Michael Brochetti –Cemetery Vases Notice – Mr. Brochetti stated he had a several clients that had noticed a sign at the cemetery stating the memorial section of the cemetery would be cleaned of all items not attached to the marker. Mr. Brochetti said some of his clients place vases with flowers. Mr. Fulton reminded Mr. Brochetti this was the memorial section that only allows flat items. Mr. Fulton stated it is listed on the face of the deed and it is also the reason lots in the memorial section are cheaper. No action was taken on this matter.

2. Bids for Maintenance of the Cemetery – Mr. Fulton stated we had received bids from \$9,000 to \$30,000. Mr. Fulton stated he was recommending the gentleman who bid \$9,000. He stated he had contacted Jahu Tolson, with Tolson Lawn Care, who was the lowest bidder of \$9,000. He stated Mr. Tolson assured him he had all the required insurance and understand the Contract on how many times the cemetery had to be mowed and what care needed to be given the cemetery. Council Member Worley made a motion we accept the bid from Jahu Tolson for \$9,000.00 to start October 1, 2010; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

D. Police Chief:

1. Lake Placid Police Department –Beverly Hunt – Mrs. Hunt stated the Lake Placid Police Department will be a drop off point for what is being called Medicine Cabinet Project by the Highlands County Sheriff’s Office. She stated they would like to put up a banner on the Police Department showing they are a drop off point. Atty. Harris said with our new sign Ordinance he would have to review it to see what the issues are. Council Member Royce made a motion that we ask the Town Attorney to work with the police chief and the police department on what is allowed under our current code and upon his determination to authorize the Mayor to make a decision on what is and what isn’t allowed; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

2. Lake Placid Country Fair – Council Member Worley informed the Council because of the renovation of DeVane Park the Country Fair Committee wants permission to use Stuart Park and permission to close all of Interlake Boulevard, from Stuart Street to Eucalyptus Street. Council Member Worley stated they had a petition attached to their letter of request, with approximately 20 businesses who agreed to the closing. Council Member Royce stated he was

concerned about the traffic safety and the other businesses that do not benefit from shoppers, such as insurance companies, barber shops, beauty shops, doctors' offices, etc. Interlake Boulevard would have to be closed from Friday, February 4, 2011 at 4:00 P.M. until Sunday February 6, 2011 at 6:00 P.M. Council Member Royce made a motion that we table the decision on the Country Fair's request until the next regularly scheduled meeting of the Lake Placid Town Council; 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 – Atty. Harris reminded the Council they had had two public hearings on Ordinance 10-604, but tabled the Ordinance for adoption until he could investigate some questions that we asked. Atty. Harris stated he had talked with Council Member Worley and they had worked through the questions. Therefore, Ordinance 10-604 was ready for adoption with the changes. Council Member Worley made a motion Ordinance 10-604 be adopted with the noted changes; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. Interlocal Agreement with Placid Utilities and Highway Park and Resolution with Tomoka Heights – Atty. Harris presented an Interlocal Agreement between Highlands County and The Town of Lake Placid. Atty. Harris stated the Interlocal Agreement states over the years the Town, the County, the jointly appointed Growth Management Committee, various landowners and many citizens have taken part in the develop of the Greater Lake Placid Planned Vision Overlay. The Growth Management Committee recommended and the Town and County agreed that the Overlay Area should be served by a regional utility owned and operated by the Town.

Atty. Harris further stated the purpose of the Interlocal Agreement is to set out the terms and conditions for the creation and operation of the Town's regional utility system to serve the overlay area and to address related planning issues. The Agreement requires the following: 1) The Town immediately adopt an ordinance creating a regional municipal utility advisory commission, which should include five voting members appointed by the Town; 2) The County shall transfer Placid Utilities and Highway Park Utilities to the Town as soon as the Town arranges assumption, pay off or refinancing of the Bank of America debt and shows the County Engineer that it has organized operation of both utilities at the agreed level of service; 3) There will be a utility rate phase in period beginning on the day that the Town acquires the utility, and ends when the utility rates charged for customers within the Town equals the Placid Utilities rate for equal services; 4) During the utility rate phase in period, the Town shall fix the rate for all customers of Placid Utilities and Highway Park Utilities at the same utility rate as the Placid Utilities rate for the budget year of 2009-2010; 5) The Town may charge higher utility rates for utility service beyond the overlay area, according to Section 180.191, Florida Statutes; 6) The Town shall maintain the same level of service as currently exists for the Highway Park Utilities and the Placid Utilities system, The Town will use the Placid Utilities and Highway Park

Utilities reserve accounts during the utility rate phase in period only to service those respective systems, and the Town will not increase the Placid Utilities Wastewater Treatment Facility capacity beyond 200,000 gallons per day; 7) (a)The Town and County shall include in their Interlocal Agreement regarding the overlay area and Land Development Regulations regarding the overlay area a requirement that new developments within the overlay area installing municipal water shall install fire hydrants and water lines sufficient to provide fire flow within the land being developed and to pay the cost of increasing the water supply to meet fire flow; (b) the Town and County shall include in their Interlocal Agreement regarding the overlay area new developments within the overlay area installing municipal water shall install fire hydrants and water lines sufficient to provide fire flow up to the land beginning developed if and only if the landowners served consent to annexation into the Town, and pay the associated cost; (c) All fire hydrant and fire flow requirements within this Interlocal Agreement may be deleted by the Town from this Agreement and from the Land Development Regulations governing the overlay area, three years from effective date of this agreement, unless the same requirements are applied to the balance of Highlands County; (d) the Town may require annexation as a condition to providing or improving utility service, fire flows, and fire hydrants; 8) the Town shall not adversely annex the Tomoka Heights residential developments (plats I through X, as amended). The Tomoka Heights residential developments may (at a time of their choosing) seek annexation into the Town by vote of the Tomoka Heights residential land owners; 9) the Town shall reserve in the Placid Utilities system sufficient capacity to serve the Tomoka Heights development through build-out; 10) the Town shall reserve in the Highway Park Utilities sufficient capacity to serve the lots and residential parcels through build-out; 11) the Town shall use its best efforts to honor the existing future service commitments made to citizens by Highlands County regarding Highway Park Utilities and Placid Utilities; and 12) as long as the County owns Placid Utilities and Highway Park Utilities, the County Engineer shall require all new customers or existing customers modifying service to execute and deliver to the Town as annexation consent.

Council Member Royce made a motion that the Town of Lake Placid approves the Interlocal Agreement between Highlands County and the Town of Lake Placid and approves the Resolution between the Town of Lake Placid and Tomoka Heights; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

(MAYOR HOLBROOK LEFT AT 11:00 P.M. AND HANDED THE GAVEL OVER TO VICE MAYOR RAY ROYCE)

3. Highlands Cove Water Use Agreement and Settlement Agreement- Atty. Harris stated the Water Use Agreement is between the Town and Highlands Cove stating Highlands Cove will use the water exclusively for themselves and not sell it. The Settlement Agreement is an agreement between the Town and Lake Partners (the present owners of the development) and includes a list of Agreements, Covenant and Lien Regarding Water and Wastewater Service Between the Town and Highlands Cove Development, Utility Promissory Note, Utility Mortgage, Forbearance

Agreement, 2009 Universal Cycle-local Government Verification or Contribution-Fee Deferral, Wastewater Treatment Plant Capacity Agreement between the Town and Smoak and Assignment of Wastewater Treatment Capacity Agreement Between the Town and Smoak. At closing the intend of the agreement is to resolve the issues created by the foregoing documents.

After discussion on the Settlement Agreement and Water Use Agreement Council Member Worley made a motion to deny the request for all documents; motion seconded by Council Member Bastardi. On roll call, Council Member Worley and Council Member Bastardi voted yes; Council Member Davis and Council Member Royce voted no. Motion failed by a vote of 2 to 2.

4. Contract for Attorney's Representation – Atty. Harris presented a contract for representation from Swaine & Harris for Council's review. On roll call, Council Member Bastardi made a motion the County accept the Contract; motion seconded by Council Member Davis. On roll call, motion carried unanimously.

5. Wiggins vs. Town of Lake Placid – Atty. Harris informed the Council that Desiree Wiggins has filed a lawsuit against the Town of Lake Placid because of the Town meeting with the Board of County Commissioners on August 10<sup>th</sup>. Mrs. Wiggins's lawsuit states that the Town met in a meeting out of their jurisdiction. Atty. Harris stated the Attorney representing Mrs. Wiggins is from Sarasota. He stated he tried to negotiate not having the lawsuit filed. He stated they were asking for public records request for the cemetery and that he overnight many documents to the Attorney. However, they filed the lawsuit anyway. Atty. Harris stated he would be filing an answer to the lawsuit on behalf of the Town.

Vice Mayor Royce recessed the meeting at 12:23 A.M. until tomorrow morning, Tuesday September 14, 2010 at 7:30 A.M.

RECONVENE OF MEETING FROM SEPTEMBER 13, 2010.

Mayor John Holbrook reconvened the meeting from September 13, 2010 at 7:30 A.M. on Tuesday September 14, 2010. 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

ABSENT:

Council Member Debra Worley

A. Town Attorney:

1. Highlands Cove – Settlement Agreement and Water Use Agreement - Council Member Royce made a motion Council approve the Agreements and Covenant Regarding Water and Wastewater Service Between the Town of Lake Placid and Highlands Cove Phase I, LLC and the Settlement Agreement Between Lake Partners and the Town of Lake Placid and that the Mayor be authorized to sign those, including making any minor modifications that may be necessary at his determination; motion seconded by Council Member Davis. On roll call, Council Member Royce and Council Member Davis voted yes; Council Member Bastardi voted no. Motion carried 2 to 1.

B. Mayor/Town Council Members:

1. Council Member Bastardi – Budget Accountability – Council Member Bastardi made a motion to approve the budget accountability document as presented by the Clerk; 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 Bastardi. Mayor Holbrook, hearing no objections declared the meeting adjourned at 8:35 A.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY SEPTEMBER 19, 2011 5:30 P.M.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Monday September 19, 2011 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 Public Works Director John Komasa

CONSENT AGENDA:

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

PUBLIC HEARINGS:

A. Ordinance No. 2011-638 – Adopting millage rate for 2011-2012 Budget (2<sup>nd</sup> hearing) Mayor Holbrook read Ordinance No. 2011-638 by title and informed the Council and audience: 1) The Fiscal Year 2011/2012 operating millage rate for the Town is 3.6500 mills, which is less than the rolled-back rate of 3.9364 mills by -7.28%; and 2) This Ordinance shall take effect October 1, 2011.

Council Member Bastardi made a motion Ordinance No. 2011-638 be approved and adopted on second hearing; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

B. Ordinance No. 2011-639 – Adopting 2011-2012 Budget (2<sup>nd</sup> hearing) Mayor Holbrook read Ordinance No. 2011-639 by title and informed the Council and audience: 1) The Fiscal Year 2011-2012 Final Budget is adopted; 2) The Town Council from time to time may review the status of the budget for the Town and if they determine there needs to be line item adjustments the Council may make the adjustments through a Resolution adopted by the Council; and 3) This Ordinance shall take effect on October 1, 2011.

Council Member Bastardi made a motion Ordinance No. 2011-639 be approved and adopted on second hearing; motion seconded by Council Member Royce. On roll call, Council Member Bastardi, Council Member Royce and Council Member Davis voted yes; Council Member Worley voted no. Motion carried 3 to 1.

This being Council Member Davis's last meeting, everyone wished her well and informed her she would be missed.

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 6:30 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY SEPTEMBER 26, 2011 5:35 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday September 26, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Rev. Ray Cameron, of the First Presbyterian Church, led in the invocation and pledge of allegiance to the flag at 5:30 P.M.

ROLL CALL:

Mayor John Holbrook  
Council Member Ray Royce  
Council Member Debra Worley  
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 John Komasa

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Minutes
- C. Approval of monthly reports
- D. Accountability Statements
- E. Resolution 2011-12 – Line Item Adjustments for General, Cemetery and Sanitation

Council Member Bastardi made a motion to approve items A, B, and C, and hold items D and E for further conversation; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Bastardi stated he was concerned about the Cemetery report. He had some concerns with the Recreation transfers also. Council Member Worley made a motion to approve items D and E under the consent agenda; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

A. Ordinance 2011-640 – Amending Commercial Sanitation Collection for Small Businesses (2<sup>nd</sup> hearings) Council Member Bastardi made a motion Ordinance 2011-640 be approved on second hearing By reading of title only and adopted; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner:

1. Amended Interlocal Agreement with Highlands County for Planning Services – Mrs. BuChans was present with an amended Interlocal Agreement with Highlands County for Planning Services. Mrs. BuChans stated Atty. Harris had reviewed the amendments made to the Interlocal and was satisfied. Council Member Royce made a motion we accept and approve the amended Interlocal Agreement between Highlands County, Florida and the Town of Lake Placid for 2011-2012 planning services the version signed by the County Staff; motion seconded by Council Member Worley. On roll call motion carried unanimously.

B. Town Attorney:

1. Highlands County Recreation Interlocal Agreement – Council Member Royce stated he would like for Atty. Harris to discuss this Agreement with the County. Council Member Royce stated the County has kind of agreed to taking out the 50/50 match, but he felt we should discuss it further with them. Council Member Royce made a motion that we ask our Staff to move forward with securing an Interlocal Agreement for Recreation and that the portion that speaks to the method of reimbursement be changed to not allow there to be a percentage reimbursement formula, but that there just be a straight division of reimbursement of applicable costs until we have reached the maximum amount budgeted by the County and that it be paid quarterly; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Ordinance 2011-636 – Write-off of Due Tos & Due Froms (Adoption Only) John Davis, of Wicks, Brown, Williams & Co. was present to explain to the County what was meant by Due Tos and Due Froms. Mr. Davis stated most of our Due Tos and Due Froms occurred in the last two years due to the allocations, requested by Council, of salaries, benefits, Town insurance, etc. There are amounts that can be transferred to the account that is due, or they could be written off, being as the monies all belong to the Town. The Council decided to take each one on a separate basis.

- Water owes Sanitation (\$21,906.66) Council Member Worley made a motion that the Water Department repay the Sanitation Department the amount of \$21,906.66; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- Sanitation owes General Fund (\$52,882.04) Council Member Worley made a motion that the Sanitation Department repay the General Fund \$52,882.04; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- Water owes General Fund (\$35,754.68) Council Member Worley made a motion that the Water Department repay the General Fund the amount of \$35,754.68 less the \$7,310.37 owed by General Fund to the Water Department, therefore netting the General Fund \$28,444.31; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- Water Department pay W/S Cap Council Member Worley made a motion that the Water Department-Operating Account to pay \$3,600 into the Water/Wastewater Capital Improvement Bank Account; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- Unpaid account of Highlands Utilities Company Customers Mrs. Rachel Osborne, Town Bookkeeper, explained that when we purchased Highlands Utilities Company there were some outstanding accounts due to Highlands Utilities Company in the

amount of \$2,948.24. When we received their accounts receivables, they had deducted \$2,948.24 for the accounts they did not get paid for. Council Member Worley made a motion this account be written off; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

- Cemetery owes General Fund \$42,689.16 Council Member Worley made a motion the \$42,689.16 owed by the Cemetery Account to the General Fund be written off; motion seconded by Council Member Royce. On roll call, Council Member Worley and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 2 to 1.
- General owes Wastewater \$879.28 Council Member Worley made a motion the General Fund repay the Wastewater account \$879.28; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- Council Member Royce made a motion to table the items in relation on this chart to water and wastewater, between wastewater and general fund (\$52,726.27) and wastewater and water (\$76,505.37) until our Staff has an opportunity to come back and clarify the issues and present us a plan as to what the most appropriate course of action would be; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Royce stated his motion was that the Council be allowed to see the whole picture; as to salary, benefits, insurance, etc., before any loans or transfers are made.

Council Member Worley made a motion Ordinance 2011-636 be approved and adopted with the items we addressed and tabling the items we just made solutions for; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### C. Public Works Director:

1. Asked the Council to go by Don's Carpet and look at the light posts. He stated he is trying some new bulbs, to save energy and would like Council's opinion.

#### D. Mayor Holbrook:

1. Mayor Holbrook stated with the resignation of Council Member Davis the Council needs to decide if they are going to appoint a new Council Member or wait until the regular election in April. Atty. Harris stated the Charter states the Council Members shall appoint a new Council Member. Council asked that the Clerk advertise for candidates and that we schedule a special meeting on October 24, 2011 at 5:30 P.M. to interview candidates. At that time, Council can decide if they want to select a Council Member or wait for the April election.

Council also asked that the Clerk advertise October 24, 2011 as a meeting to discuss the pending matters.

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 8:15 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
OCTOBER 10, 2011 5:35 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday October 10, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

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

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Minutes
- C. Approval of monthly reports
- D. Approval of monthly bills
- E. Accountability Statements
- F. Resolution 2011-13 Rollover of Capital and Grants
- G. Resolution 2011-14 Fund Balance Policy
- H. Approve transfer from Cemetery Trust to Cemetery Account (See Ord. 2011-636)

Council Member Bastardi made a motion to approve items A, B, C, D, and E under the consent agenda; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

ITEM F. Resolution 2011-13 Rollover of Capital and Grants – Mrs. Tuck explained that this Resolution would allow the funds for projects that are being completed with capital funds and/or grants to be rolled over to the next fiscal year for completion. Council Member Bastardi made a motion Resolution 2011-13 be approved; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

ITEM G. Resolution 2011-14 Fund Balance Policy - Mrs. Tuck explained that this is a policy that is being requested by the Florida Governmental Standards. The Council was concerned

about the enterprise funds, especially utilities having to maintain 33%. Council Member Royce made a motion to table Resolution 2011-14 for further research and conversation and discovery; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

ITEM H. Approve Transfer of Cemetery Trust to Cemetery Account (\$34,800.85) (Due to/Due froms) Mrs. Tuck stated she and Mr. Davis, of Wicks, Brown, Williams & Co. researched this matter back to 1993, when the account was first opened. She stated the Cemetery operating fund placed \$25,000.00 into a CD, by request of the Town Council. Over the years it has been reclassified as Cemetery Trust monies. Council felt they did not want to see the perpetual care loss \$34,800.85. Council Member Bastardi made a motion to reclassify the funds as Cemetery Trust Account monies and leave it in the Cemetery Trust Account; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

Mrs. Tuck reminded the Council at the last meeting they had discussed the Due tos/Due Froms Wastewater that were owed to General Fund and water. She stated the Council wanted the amounts to be paid to the specific departments. However, being as the wastewater fund does not have the money at this time to repay the General Fund (\$52,726.27) and the Water Department (\$76,505.37), that the payments be made over time. Mrs. Tuck stated she had included an amortization schedule for Council's review. Council Member Royce made a motion the amortization schedule attached to Ordinance No. 2011-636 as attachment A be approved; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### PUBLIC HEARINGS:

- A. Ordinance 10-625 – Local Preference – Adoption Only – Council Member Worley stated she felt in Section 4-1.1 Competitive Bidding – should be changed to state a specific amount instead of more than five thousand dollars (\$5,000.00). Council suggested that any place it states “in excess of \$5,000.00 or more than \$5,000.00”, it be changed to “\$5,000.00”. In other words, the first line under 4-1.1 should read: “Any purchase involving an expenditure of ~~more than~~ five thousand dollars (\$5,000.00) ...” and in the first line under 4-1.3 it should read: “In the event that the purchase price of the item to be purchased is ~~in excess of~~ five thousand dollars (\$5,000.00) ...”. Council Member Worley made a motion to adopt Ordinance 10-625 with the one change as suggested; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### DEPARTMENT HEADS:

- A. Town Planner:
  1. Council Member Royce stated he sat on the interviewing committee for a new employee with the Planning Department. He stated a gentleman had been selected who he feels is going to do a good job for the County. Council Member Royce stated

being as Mrs. BuChans is now a Planner II, we will be working with the gentleman who was recently selected. He stated he felt we will be in good hands.

B. Police Chief:

1. Approval to purchase fingerprinting scanner – Chief Williams stated he had over \$20,000.00 in his donation fund and would like to move \$15,000.00 from the donation fund to the operating fund so that he can purchase a fingerprinting scanner for the Department. Council Member Royce made a motion that we authorize the transfer of \$15,000.00 from the police department’s donation fund to their operating account and ask the Chief to bring back a proposed contract to buy the fingerprint scanning equipment; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Chief Williams stated they charge \$5.00 for fingerprinting at this time. Council Member Bastardi stated he felt the Chief should investigate if \$5.00 is sufficient to recover the costs involved. Chief Williams stated he would look into it.

C. Utility Director:

1. Mr. Freeman gave the Council a list of charges for retrofitting the Town of Lake Placid lift stations. To completely redo 10 lift stations with all new parts would cost approximately \$111,000.00.

To fix the 10 lift stations, but not including things such as: providing and/or installing new lift station control panels, providing and/or installing new float switches and mounting brackets inside lift stations, any costs that may be incurred to replace and/or repair damaged materials inside existing lift station control panels, found during retrofit scope of work, any costs that may be incurred by power company for disconnection and reconnection of electrical services, meter cans, etc, and any power and/or pumps that may be needed to keep lift station operable during the electrical retrofit scope of work would run approximately \$98,276.00

Council Member Royce made a motion to instruct Mr. Freeman to deliver an appropriate specs for the electrical work and seek bids, as well as seek the appropriate specs for the bid package for the pond work and bring it back to the Council for their consideration; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

D. Public Works Director:

1. Bid selection for Mower – Mr. Komasa stated we received one bid for the purchase of a new mower for the public works department. Council Member Worley stated she did not feel the bid had been published for a sufficient amount of time. Mr. Komasa stated the bid was published in the Highlands Today newspaper last

Wednesday and he had also furnished copies of the bid to the different businesses he knew sold the equipment we were looking for. Also the one bid we received was State Contract bid.

Council Member Worley made a motion that the bid received be rejected and that Mr. Komasa rebid the mower and for a bid operating of the morning of the 24<sup>th</sup> of October 2011; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Mr. Komasa stated back in August he approached the Council about purchasing a new tractor for the public works department. He stated with the additional work now on U.S. Highway 27 he is in dire need of a new tractor. He stated he and Council Member Bastardi had seen some demonstrations of some tractors. He also stated he has recently seen another demonstration. Council Member Royce made a motion to allow Mr. Komasa to develop specs in the range discussed tonight, and if he is satisfied that the proper specs can be achieved then to enter the bid process and have a bid process that is at least nine days long; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

E. Mayor:

1. The Mayor announced we had two individuals who were interested in filling Council Member Davis's seat – Tom Katsanis and Ken LeBlanc. He stated we were still taking resumes, but to please remember you must live within the town limits to qualify.
2. The Mayor announced we had engagement letters from both Wicks, Brown, Williams & Co. and LarsonAllen. He stated LarsonAllen was willing to do the same thing as last year. He stated with as late as it is now, he was suggesting we stay with Wicks, Brown, Williams & Co. for the audit and LarsonAllen for the accounting assistance. Council Member Worley stated her understanding from LarsonAllen is that if they assist us, they cannot apply for the audit work the following year. She stated it was some type of understanding that they could not be involved with the Town for one year. The Mayor stated he and the Town Clerk had met with LarsonAllen and his understanding was that they could not work on the previous year's audit. Council Member Royce stated that was his understanding also.

Council Member Royce made a motion that we accept the engagement letter from Wicks, Brown, Williams & Co. to perform our audit with the provision they agree to issue all their reports and their final audit no later than January 31, 2012; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

3. Council Member Royce stated he would like for us to ask Julie Fowler of LarsenAllen to come down and discuss with us what they anticipate they will be doing and how many hours it will take. Council Member Worley stated she has been working with Rachel Osborne, the Utility Bookkeeper, and that they have a power Pointe they would like to present. She stated Rachel had some good ideas about what needs to be done.

Council Member Royce made a motion we table the engagement letter with LarsenAllen until October 24, 2011 at 5:35 or shortly thereafter at this very location; 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 8:15 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY OCTOBER 24, 2011 5:35 P.M.

Drew Severance, of the First Presbyterian Church presented an invocation. Students from the Lake Placid Christian School led in the Pledge of Allegiance to the American Flag.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Monday October 24, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

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

CONSENT AGENDA:

- A. Approval of agenda – Council Member Royce stated he would like to add another thing to the agenda. He stated he is concerned about the flood maps that are being prepared by the County through Southwest Florida Water Management District. He stated there are many homes in Lake Placid that will be effected by the flood maps but are not in the impacted parcels that are being reviewed by SWFWMD. Therefore, these property owners will not be receiving any notification from the SWFWMD concerning the flood maps. He stated he would like to discuss this matter later.

Council Member Royce made a motion to approve the consent agenda as amended; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

INTERVIEWS FOR COUNCIL MEMBERS:

This special meeting had been set to interview prospective candidates for the seat vacated by Council Member Davis on September 20, 2011. The Clerk informed the Council she had four applications, all were voters within Highlands County for the past six months and all were residents of the Town of Lake Placid. She stated the candidates were: 1) Tom Katsanis; 2) Ken LeBlanc; 3) Mack Payne and 4) Mike Waldron.

Mayor Holbrook stated we would ask allow each candidate a time to introduce themselves and ask for questions. Each candidate gave an introduction of themselves and answered questions after their introduction. The Mayor and Council then ranked the candidates. The ranking was as follows:

Mike Waldron	Ranked #1 by three
Ken LeBlanc	Ranked #1 by one
Ken LeBlanc	Ranked #2 by three
Mike Waldron	Ranked #2 by one
Tom Katsanis	Ranked #3 by two
Mack Payne	Ranked #3 by two
Tom Katsanis	Ranked #4 by two
Mack Payne	Ranked #4 by two

Council Member Worley made a motion to fill the vacancy by vote for Mike Waldron; motion seconded by Council Member Bastardi. On roll call, Council Member Worley, Council Member Bastardi, and Council Member Royce voted yes. Motion passed 3-0.

Mike Waldron was sworn in and took his seat on the Council.

#### PRESENTATION:

- A. Julie Fowler – LarsenAllen, LLC – Mrs. Fowler was present to answer some questions concerning their participation in the Town’s audit. Mrs. Fowler stated her company’s policy was not to do any audits that they had participated in, until one year has lapsed since their participation. Therefore, if the Town wanted them to consider doing the audit for 2011-2012, they would not be able to work with the Town this year.

Council Member Royce stated his understanding was that at the next Council Meeting Council would be advised by Atty. Harris if we are following the Statute as to hiring an auditor. At that meeting Council will decide whether to stick with LarsenAllen or go out for bids. Council was in agreement Wicks, Brown, Williams & Co. would do the audit, but we do need someone to come in and bring the books up to a status that the audit can be completed.

#### B. Public Works Director:

- 1. Bids for mower – Mr. Komasa stated we had received several bids on the two mowers he had advertised for. He stated staff reviewed all bids and was recommending the bid from Royce Supply Co. for a total of \$15,839.98. He stated the bid is \$18.00 more than the lowest bid, but staff was recommending Royce Supply Co. because of their location and ability of the provider to furnish maintenance and service and because Royce Supply has always been willing to assist

the Town, even to loaning the Town equipment when the Town needed it. Council Member Bastardi made a motion the Council accept the Department Head's recommendation on this issue; motion seconded by Council Member Waldron. On roll call, motion carried unanimously.

PENDING MATTERS:

- A. Recreation – Atty. Harris presented the Council with a proposed Ordinance for recreation fees. The Council reviewed the Ordinance, made changes and asked Atty. Harris to bring it back to the Council.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Waldron. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 10:00 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
TUESDAY NOVEMBER 1, 2011 5:00 P.M.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Tuesday November 1, 2011 at 5:00 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. This meeting was called to review with the Town Council a small scale comp plan amendment which has been requested in the Greater Lake Placid Vision Area.

ROLL CALL:

Mayor John Holbrook  
Council Member Ray Royce  
Council Member Debra Worley  
Council Member Mike Waldron  
Council Member Steve Bastardi

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Planner Sue BuChans

CONSENT AGENDA:

- A. Approval of Agenda – Council Member Bastardi made a motion the agenda be approved as presented; motion seconded by Council Member Royce. Council Member Bastardi and Council Member Royce voted yes; Council Member Worley and Council Member Waldron had not arrived as yet.

PRESENTATION:

CPA-10-520SS

The Mayor then turned the meeting over to Mrs. BuChans for Staff's presentation of the small scale comp. plan amendment. Mrs. BuChans stated an application had been received from Highlands Gateway Land Trust, a Florida Land Trust; William D. Rapp and Mark Lindner, Co-Trustees. She stated the effected property was located at 2741 US 27 South and 2691 US 27, Lake Placid, Florida. The current use of the property is vacant and undeveloped. The existing zoning district is B-2 limited business district. She further stated the applicants were not asking for a zoning change. The existing land use classification is agriculture. There are approximately 9.9997 acres involved in the comp. plan amendment change. The request is to change the land use from agriculture to B2.

Mrs. BuChans stated this application will be going before the County's Planning and Zoning Board on Tuesday November 8, 2011 at 3:00 P.M. and the County would like the Town to submit any comments they might have on the application being as the property is in the Town's Greater Lake Placid Vision Area.

After discussion on this matter, the following recommendations were presented:

1. Council Member Royce made a motion that the Council's recommendation be the language as outlined by the Town Attorney (See Exhibit A) that he will present to Mrs. BuChans for inclusion into both the recommendations and a proposed alternative Ordinance; motion seconded by Council Member Worley. On roll call, Council Member Royce, Council Member Worley, Council Member Waldron and Council Member Bastardi voted yes. Motion carried 4 to 0.

Mrs. BuChans stated her understanding was that numbers 1 and 2 in her Ordinance would be deleted and the Council's 1 through 4 items above would take the place of her numbers 1 and 2. Atty. Harris stated that is his understanding.

Council asked Mrs. BuChans to check with Mr. Mark Hill, Director of the Planning Department and see if two ordinances could be presented to the P&L at the November 8, 2011 Board meeting; the one Mrs. BuChans was presenting tonight and another one with Council's recommendations in it.

2. Council Member Worley made a motion: a) the developer shall be required to put in all necessary dry lines and future hookups in at the time of development so that they can hookup when the facilities are within ¼ mile and that all hookup fees shall be a lien on the property and b) that an executed, recordable annexation agreement be delivered to the County prior to adoption of the Ordinance; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
3. Council Member Royce made a motion that recreation requirements will be addressed at PD (Planned Development), to the extent required; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Mrs. BuChans stated the P&Z meeting will be held Tuesday November 8, 2011 at 3:00 P.M. at the Government Building. Atty. Harris stated he felt it would be advisable for all Council Members to be present at the meeting and state their position.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Waldron. Mayor Holbrook hearing no objections declared the meeting adjourned at 7:00 P.M.

## EXHIBIT A

### **Language presented by Atty. Harris):**

In addition to the amended Ordinance, the Town Council also voted to request and recommend the following actions.

1. **Annexation.** The County Code provides that an applicant “should” be required to consent to annexation into the Town of Lake Placid when contiguous. That county policy should be implemented by the staff presenting an annexation consent to be signed as part of the application process (to be recorded upon successful completion of the process). In this case, the consent should be sought immediately by staff or as part of the Planning and Zoning commission hearing. The application should be denied if the annexation consent is not made.
2. **Recreation fee.** Staff report and related documentation should conclude that the amount of the recreation fee, if any, will be determined through the Planned Development Process.
3. **Utilities** (terms in the amended ordinance). The Ordinance amending the Comprehensive Plan should require the owner to encumber the land with a covenant requiring the owner to install dry utility lines at development, if the development is such that central water and sewer are required under the GLPVO, when the services are reasonably available; and requiring the then owners to pay the respective capacity and installation charges and fees; and creating a lien on the land for such charges and fees.
4. **Planned Development** (terms in the amended ordinance). By agreement with the owner of the subject property, the 22 acre tract (the subject property and the lands between the subject property and US 27) shall be rezoned as one Planned Development, with one Planned Development Site Plan. The Legal description of the total tract should be included in the Comprehensive Plan Amendment. No building permits should be issued until the Planned Development Zoning is approved.
5. **Surrounding Environmental and Agricultural Lands.** The surrounding agricultural and environmental lands should be protected from claims (released) from the owners and occupants of the subject lands for smoke damage or damage caused by normal agricultural practices (fertilizers, pesticides, and herbicides used at label rates).



REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY NOVEMBER 14, 2011 5:35 P.M.

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday November 14, 2011 at 5:35 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

Mayor John Holbrook  
Council Member Ray Royce  
Council Member Debra Worley  
Council Member Mike Waldron  
Council Member Steve Bastardi

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

ELECTION OF COUNCIL MEMBER:

Mrs. Tuck stated Council needed to revote on Council Member Waldron. She stated the Charter calls for the Mayor to be involved in appointing a Council Member to fill a vacancy and Mayor Holbrook did not vote. Council Member Worley made a motion Mike Waldron be appointed to the position of Council Member; motion seconded by Council Member Bastardi. On roll call, Council Member Worley, Council Member Bastardi, Council Member Royce and Mayor Holbrook voted yes. Motion carried 4 to 0.

Mrs. Tuck also stated at the last meeting Council Member Waldron voted on some items and that those items needed to be revoted on due to the inconsistency of the election. She stated the items were as follows:

Council Member Royce stated he wanted to advise that his brother is the owner and operator of Royce Supply Co., which the Town purchases from and that from now on he will be abstaining from voting when there is a bill from Royce Supply Co. He also stated the Council voted on October 24, 2011 to purchase a mower from Royce Supply Co. and he voted on it. He stated when the items listed are voted on he will abstain from voting on the bid purchase of the mower.

October 24, 2011 Council Meeting:

1. Bids for mower – Motion the Council accept the Department Head’s recommendation on this issue.
2. Adjournment – Motion the meeting of October 24, 2011 adjourn.

November 1, 2011 Meeting:

1. Recommended changes to the Small Scale Comp. Plan for property within the Greater Lake Placid Visionary area – Motion that the Council’s recommendation be the language as outlined by the Town Attorney (See Exhibit A) that he will present to Mrs. BuChans for inclusion into both the recommendations and a proposed alternative Ordinance.
2. Dry Lines and Annexation – Motion the developer shall be required to put in all necessary dry lines and future hookups in at the time of development so that they can hookup when the facilities are within ¼ mile and that all hookup fees shall be a lien on the property and that an executed, recordable annexation agreement be delivered to the County prior to adoption of the Ordinance.
3. Recreation – Motion that recreation requirements will be addressed at PD (Planned Development), t the extent required.
4. Adjournment – Motion to adjourn November 1, 2011 meeting.

Council Member Bastardi made a motion to ratify the voted items of the meeting of October 24, 2011 and November 1, 2011 less the issue relative to the mowing equipment and the payment of the monthly bills; motion seconded by Council Member Worley. On roll call Council Member Bastardi, Council Member Worley, Council Member Royce and Council Member Waldron voted yes. Motion carried 4 to 0.

Council Member Worley made a motion to grant the bid on the mower to Royce Supply Co. and also to approve the October 24, 2011 payment of the monthly bills; motion seconded by Council Member Bastardi. On roll call, Council Member Worley, Council Member Bastardi and Council Member Waldron voted yes; Council Member Royce abstained from voting due to a conflict of interest. Motion carried 3 to 0.

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Minutes
- C. Approval of monthly reports

Council Member Royce made a motion to approve consent agenda items A, B, and C; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- D. Approval of Monthly Bills – Council Member Royce made a motion to approve payment of the monthly bills except any relating to Royce Supply Co.; motion seconded by Council Member Waldron. On roll call, motion carried unanimously.
- E. Approval of Monthly Bills – Council Member Worley made a motion to approve the monthly bill for Royce Supply Co.; motion seconded by Council Member Bastardi. On roll call, Council Member Worley, Council Member Bastardi and Council Member Waldron voted yes; Council Member Royce abstained from voting due to a conflict of interest. Motion carried 3 to 0.
- F. Accountability Statements – Thanked the Public Works Director for his report. Council Member Bastardi stated he wanted to remind everyone we still do not have an Interlocal Agreement with the County on Recreation. Council Member Royce made a motion that the Council authorize the Mayor to sign an Interlocal Agreement that utilizes the past format for Interlocal Agreements with two changes: 1) that no longer includes a requirement for a match, a reimbursement percentage match; and 2) that the total be the maximum that was allowed as budgeted by Highlands County in their 2011-2012 budget; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Accountability Statements – Council Member Bastardi made a motion the Accountability Statements be approved; motion seconded by Council Member Waldron. On roll call, motion carried unanimously.

- G. Resolution 2011-14 – Fund Balance Policy – Mrs. Tuck stated she and Rachel Osborne needed to do some more work on this matter. She will bring it back after January 1, 2012.
- H. Approval to allow County Elections Office to use Town Hall for Early Voting – Mayor Holbrook stated he was concerned to allow the Elections Office to hold the election in the Council Chambers because we don't know if we will have to use it if we acquire Highlands County Utilities. Council Member Bastardi stated he thought the elections office had requested the Council Chambers when the library was being renovated and he then thought they would go back to the library. Mrs. Tuck stated she did not feel they could go back to the library because the library is closed on Monday and for early voting the office has to open from Monday through Saturday.

Council Member Royce stated we need to tell Mr. Campbell at this time, on November 14, 2011, he should not necessarily count on the availability of this room, but that we are

certainly willing to, as we get two or three months down the road see what is available. Unfortunately, we cannot assure Mr. Campbell at this space (Council Chambers) will be available. Council Member Royce made a motion we cannot give Mr. Campbell complete assurance that the Council Chambers will be available for early voting next fall; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- I. Lake Placid Arts & Crafts Festival – Mrs. Tuck stated she had received a letter from the Country Fair Arts & Crafts Festival Committee requesting the use of DeVane Park on February 4<sup>th</sup> and 5<sup>th</sup>, 2012 for their Festival. The question was raised about if the Ordinance requiring Park Fees is passed prior to the Festival, if the Committee would be responsible for paying the fee. Council Member Worley stated she would like to see the Council waive the fee because the Committee had to relocate last year because the park was being renovated. Council Member Royce made a motion that we allow, for scheduling priority to the Lake Placid Arts & Crafts Country Fair Committee for the dates of February 4 and February 5, 2012, for DeVane Park, the use of such Park will be suggest to applicable rules, guidelines and fee structure at the time of the park’s use; motion seconded by Council Member Bastardi. On roll call, Council Member Royce and Council Member Bastardi voted yes; Council Member Worley and Council Member Waldron voted no. Mayor Holbrook voted no to break the tie. Motion failed 3 to 2.

Council Member Worley made a motion to allow the Lake Placid Arts & Crafts Country Fair Committee to reserve the DeVane Park for January 31 through February 5, 2012 and not be under the new guidelines for fees for the Parks and Recreation; motion seconded by Council Member Waldron. On roll call, Council Member Worley and Council Member Waldron voted yes; Council Member Royce and Council Member Bastardi voted no. Mayor Holbrook voted yes to break the tie. Motion carried 3 to 2 in favor.

#### PUBLIC HEARINGS:

- A. Ordinance 2011-641 – Changes to Permitted Sign (1<sup>st</sup> hearing) – Mayor Holbrook read the title of the Ordinance. Council Member Worley made a motion to approve Ordinance 2011-641 on first hearing by reading of title only; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
- B. Ordinance 2011-642 – Obscene Acts (1<sup>st</sup> hearing) – Mayor Holbrook read the title of the Ordinance. Council Member Worley made a motion to approve Ordinance 2011-642 on first hearing by reading of title only; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### PRESENTATION:

- A. Council Member Worley and Rachel Osborne – Council Member Worley and Ms. Osborne (accountant for the Town) presented a power point restructuring the financial

department for the Town of Lake Placid. Council Member Worley made a motion to retain Wicks, Brown, Williams & Co., to do our audit for this previous fiscal year, with the understandings that he has to have the financials prepared by an outside entity; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner – Not here

B. Town Attorney:

1. Recreation Impact Fee Ordinance – After much discussion, the Council asked the Recreation Meeting to start meeting, everyday if they needed too, but to bring back a proposal to the Council of impact fees for Lake June Ball fields. Council asked Council Member Waldron to act as a liaison to the Recreation Committee. Mrs. Tuck stated she would advertise for special meetings of the Recreation Committee for November 22, November 29, November 30, December 5 and December 6, 2011, beginning at 4:00 P.M.

Council Member Royce suggested the Mayor ask some committees to work on coming up with fees for the passive parks. Some committees suggested by Council Member Royce were: Lake Placid Merchants Association, Tour Lake Placid, and Lake Placid Chamber of Commerce. Council Member Royce stated he feels as Council Member Bastardi that there should be some type of fees for passive parks.

Mayor Holbrook informed everyone that Atty. Harris was called away from the meeting due to an emergency.

2. Camp Florida – Mayor Holbrook stated Atty. Harris had one more item on his agenda. It is a Resolution for Annexation between the Town of Lake Placid and Camp Florida. He stated Camp Florida has their own utility system, but whenever the Town gets to a point where they might annex Camp Florida, Camp Florida might want to join the Town's utility system. Council Member Royce made a motion that we authorize the Mayor to sign the annexation and utility agreement with the folks from Camp Florida; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Town Police Chief:

1. TIP program – Chief Williams explained to the Council that we had a meeting with all the employees to explain the TIP program to each one of them. Chief Williams stated prior to the meeting with the employees, Staff met and decided to suggest dividing the employees into teams, having four teams. Each team would appoint a Chairman. Each team would meet for up to two hours per quarter, having

safety instruction during the meeting. Each member of each team would be responsible for presenting an improving safety, improving productivity, or improving efficiency suggestion. Each employee who presents such an idea will be entitled to \$250.00. Each team will then get together and discuss all suggestions. They will select one suggestion and present that suggestion to the Town Council. The suggestion selected by the Town Council as the best, will entitle the person coming up with the suggestion to another \$250.00. That person can then decide if they want to split the \$250.00 between the other team members, keep the \$250.00 themselves, or whatever their pleasure might be.

Council Member Royce made a motion that we approve the TIPS program format as outlined by Chief Williams and put together by our Town staff so that they can implement it for the first quarter of the year 2011-2012; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Fingerprinting Scanner – Chief Williams stated after reviewing several products, he would like Town Council to consider the Cross Match as the vendor. He stated this product would be purchased with donations received by the Police Department. He stated they sent out for bids. Council Member Royce made a motion the Chief be allowed to purchase the fingerprinting scanner from Cross Match; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

D. Town Utility Director:

1. Bid results for lift station electrical improvements – Mr. Freeman stated he advertised for three separate bids. They are:
  1. Completely built new electrical panels for eleven lift stations delivered ready to be installed by an electrical contractor.
  2. Provide labor and materials to install new generator manual transfer switches and generator receptacles, connect to existing lift station control panels and retrofit existing wiring to meet the electrical code.
  3. Provide labor and materials to install the new electrical control panels from Bid One. It also includes retrofitting existing lift station wiring to meet code and accommodate the new control panels.

Mr. Freeman stated he received three bids for the #1 project and was recommending the selection of Florida Bearings, Inc. For bids #2 and #3 he received only one bid and that was from Central Contractors, which he was recommending. The total cost will be \$85,916 to be paid from the loan received from the Town's Infrastructure Account.

Council Member Worley made a motion to accept the bid for \$85,916.00 as recommended by Gary Freeman from Florida Bearings, Inc. and Central Contractors and to borrow the money from the Town's Infrastructure Account; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

E. Town Clerk:

- a. Mrs. Tuck stated Council has not decided what they want to do about someone to do the Financial Statements for the Town. Council Member Royce made a motion we authorize the Mayor to approve a bid spec to go out for necessary financial assistance and consulting; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Bastardi made a motion to adjourn; motion seconded by Council Member Waldron. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 9:50 P.M.

SPECIAL MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY NOVEMBER 28, 2011 5:30 P.M.

Mayor John Holbrook called the special meeting of the Lake Placid Town Council to order on Monday November 28, 2011 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 Mike Waldron  
Council Member Steve Bastardi

Town Clerk Arlene Tuck  
Town Attorney Bert Harris  
Town Police Chief Phil Williams

CONSENT AGENDA:

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

PUBLIC HEARINGS:

- A. Ordinance 2011-641 – Changes to Permitted Signs (2<sup>nd</sup> hearing) – Mayor Holbrook read the title to the Ordinance. Council Member Worley made a motion Ordinance 2011-641 be approved on second hearing by reading of title and adopted; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- B. Ordinance 2011-642 – Obscene Acts (2<sup>nd</sup> hearing) – Mayor Holbrook read the title to the Ordinance. Council Member Worley made a motion Ordinance 2011-642 be approved on second hearing by reading of title and adopted; motion seconded by Council Member Waldron. On roll call, motion carried unanimously.

DISCUSSION:

- A. Atty. Harris – transferring Quickbooks to Council Member’s computer – Atty. Harris stated Council Member Worley has requested that she be allowed to have a copy of the the Town’s Quickbooks program. Atty. Harris stated the Clerk was working on archiving the years not requested and on purging the restricted information. The Clerk asked if the rest of the Council Members wanted it put on their computers. Council Member Bastardi stated he wanted it on his.

PRESENTATION:

A. Highlands County Planning Department – Greater Lake Placid Planning Area

1. Camp Florida – Small Scale Comp. Plan Amendment – Mrs. BuChans stated Camp Florida, who is in the Greater Lake Placid Planned Vision Overlay, is asking for a change to the Future Land Use Map from Agriculture to High Density Residential and a zoning change from CG-3 to RV park (FUD)-PD in order to bring the land use and zoning designation into compliance with its current use as a common area that includes an outdoor storage area and community recreational facilities associated with an existing RV park. The proposed zoning designation will recognize the existing common area and existing outdoor storage area as permitted uses under this District.

This property is located within the Greater Lake Placid Planned Vision Overlay (GLPPVO) and is approximately 7.89 acres in size. Based on the size of the property, the application qualifies under Section 163.3187(1)(a)(c), of the Florida Statutes (F.S.) as a Small-Scale amendment. Based on the location of the property, the zoning change requires a PD under FLUE Objective 12, GLPPVO Policy 12.5.2.B.

Council Member Royce made a motion that Council recommend approval of the Small Scale Comp. Plan land use Ordinance to the Highlands County P&Z and Highlands County Commission as presented with the addition of the third language in Section 2, as outlined by the Town Attorney\*; motion seconded by Council Member Waldron. On roll call, motion carried unanimously.

*\*SECTION 2. Amendment and Adoption. The following conditions are hereby adopted as a requirement for development of the real property described in Section 1 of this Ordinance:*

1. *Any future redevelopment of the property shall be implemented through a planned development PD zoning.*
2. *All future development actions for the property shall be in accordance with all Comprehensive Plan policies including Future Land Use Element Objective 12: Greater Lake Placid Planned Vision Overlay (GLPPVO) and Associated GLPPVO Policies of the Comprehensive Plan.*
3. *This Ordinance does not create density which can be transferred to any other parcel.*

Council Member Royce made a motion the Council recommend approval of Highlands County P&Z #1995 Pd rezoning as represented by the PD site plan dated October 17, 2011 and site plan dated November 7, 2011 from Camp Florida Property Owners/Andrew Jackson; motion seconded by Council Member Worley.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Waldron. Mayor Holbrook, hearing no objections, declared the meeting adjourned at 6:35 P.M.

REGULAR MEETING  
TOWN OF LAKE PLACID TOWN COUNCIL  
MONDAY DECEMBER 12, 2011 5:35 PM

Vice Mayor Ray Royce, in the absence of Mayor John Holbrook, called the December 12, 2011 meeting to order at 5:35 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 Mike Waldron  
Council Member Steve Bastardi

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

CONSENT AGENDA:

- A. Approval of Agenda
- B. Approval of Minutes
- C. Approval of monthly reports
- D. Approval of monthly bills, excluding bills to Royce Supply
- E. Approval of monthly bills to Royce Supply
- F. Accountability Statements
- G. Approval of Merry Creswell to serve as Lake Placid's representative on the Library Advisory Board
- H. Approval of Letter to State on Water Supply Plan

Council Member Bastardi made a motion to approve the agenda (A) as presented; motion seconded by Council Member Waldron. On roll call, motion carried unanimously.

Council Member Waldron made a motion to approve the minutes (B); motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Bastardi made a motion to approve the monthly reports (C); motion seconded by Council Member Waldron. On roll call, Council Member Bastardi, Council Member

Waldron and Council Member Royce voted yes; Council Member Worley voted no. Motion carried 3 to 1.

Council Member Waldron made a motion to approve the monthly bills, excluding bills to Royce Supply; motion seconded by Council Member Bastardi. On roll call, Council Member Waldron, Council Member Bastardi and Council Member Royce voted yes; Council Member Worley voted no. Motion carried 3 to 1.

Council Member Waldron made a motion to approve the monthly bills to Royce Supply; motion seconded by Council Member Bastardi. On roll call, Council Member Waldron, Council Member Bastardi and Council Member Worley voted yes; Council Member Royce abstained from voting due to a conflict of interest. Motion carried 3 to 0.

Council Member Waldron made a motion to approve the accountability statements; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Waldron made a motion to approve Merry Creswell to serve as Lake Placid's representative on the Library Advisory Board; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Waldron made a motion to approve a letter to Florida Department of Economic Opportunity requesting the withdrawal of the Town's proposed Comprehensive Plan Amendment Package LAKE PLACID 08RWSP1 (Water Supply Plan); motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

#### PRESENTATIONS:

- A. Supervisor of Elections – Joe Campbell – Mr. Campbell was present to request use of the Lake Placid Town Council Chamber for the Presidential Preference Primary election on January 31, 2012. He stated he would like to use the Chamber for early voting and the election. This will take place January 21, 2012 through Sunday January 29, 2012. Mr. Campbell stated the election, by State law, must be held in the Supervisor of Elections headquarters, or an office they have occupied for at least one year, a municipal library or a municipal building. He stated the municipal library is just not big enough for the election. So he stated his only option is the Town Office. Council Member Waldron made a motion we give the Highlands County Supervisor of Elections, Mr. Joe Campbell, complete assurance that we will allow him to use the Council Chambers for the early voting in January 2012 for the period of time needed to complete their early voting; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- B. TIP Program –

1. Team A – Mrs. Tuck explained that their Chairman, Eddie San Miguel, was unable to make the meeting and asked that she present their suggestion. Mrs. Tuck stated their team’s suggestion came from Sergio Olivia and it involved placing timers on all hot water heaters for the Town. Mrs. Tuck stated Mr. Olivia figured this would save the Town \$450.00 per year and over a ten year period it would save \$18,000.00.
2. Team B – Mr. Freeman stated he was asked by their Chairman, James Fansler, to present Team B’s suggestion. Team B’s suggestion was to change the pay for town employees to every two weeks. He stated Beverly Hunt presented the suggestion and felt this would save the payroll clerk time and money.
3. Team C – Mrs. Jackie Haynes, Chairman of Team C, stated her team’s suggestion came from Eddie Armes and it was to use a chemical called Embark on certain kinds of grass the Town has. The chemical restricts grown and would cut back 50% of grown. This would cut back on the grass cutting, save on the equipment and save on fuel.
4. Team D – Mrs. Rachel Osborne, Chairman of Team D, stated her team’s suggestion came from Steve Dampier and it was for the Town to hire a full time mechanic to work on all Town vehicles and to convert a section of the Town O & M facility into an area to be used by the mechanic.

Council Member Worley made a motion all the suggestions presented be accepted as legitimate and valid suggestions to earn the first part of the TIP program; motion seconded by Council Member Waldron. On roll call, motion carried unanimously.

Council discussed all four suggestions and felt that all of them were very good. Council Member Waldron made a motion to move forward tonight with the suggestions at hand and rank them, if you will, so that we have a team from the TIP Project designated as the winner from the first quarter and ranked number one as Team D; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

C. Recreation Committee – Jon Million, Chairman of the Town of Lake Placid Recreation Committee was present. Mr. Million informed the Council the Recreation Committee had met four times and was presenting the Ordinance in front of the Council. He stated his Committee added to and deleted from the Ordinance. Mr. Million went through the changes the Committee had made. He also stated the Committee was suggesting the following:

1. A user fee of \$20.00 a year (from January 1 through December 31) for anyone using Lake June Complex. This would include the boat ramp, beach area and fields.
2. Enforcement fee for anyone without a permit of \$50.00; \$20.00 to go for the permit fee and the balance to go to the Recreation fund.

3. League penalty of \$250.00. If any player is caught without a permit playing on a league, that league will be charged \$250.00.
4. The permits will be issued by Town Hall.
5. For Special Events; the Fees will be as follows:
  - a. Electrical use - \$28.00 per hour
  - b. Field Area - \$10.00 per hour per field

Council went through the Ordinance and made some additional changes. They asked that Atty. Harris put it in a final form and send it to the Town Clerk. She will then send it to the Council and Recreation Committee Members for their review. Council asked that the first hearing be set for January 9, 2012.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner – Mr. Steve Josephson informed the Council Staff would reopen the work sessions with Keep Lake Placid Beautiful concerning a landscaping ordinance. Council thanks Mr. Josephson.
- B. Town Attorney –
  1. Oak Island Homeowners Association – Vacation of public dedication – Atty. Harris stated various owners within Oak Island Subdivision petitioned the Town Council to “vacate the public dedication of the roadways that lie within the boundaries of Oak Island Subdivision as found in Plat Book 12, Page 45 of the Public Records of Highlands County, Florida, specifically Deanna Drive and Melanie Drive.” Atty. Harris presented a letter stating his office’s opinion concerning what determination the Town Council must make. The opinion being “whether it is willing to act on an imperfect petition aware that there is a potential for claims by affected property owners that their access was impaired by the closing of the road or that the road closing is invalid due to conveying the road to the homeowners’ association.” Council Member Bastardi made a motion the Town Council take no action on this matter until the Homeowners’ Association presents a proposal; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- C. Public Works Director –
  1. Energy Saving System – Mr. Komasa had Ewald Probst present who presented a power point on energy saving bulbs for the Town’s antique street lights. Mr. Probst said the bulbs would last 22.8 years and over 100,000 hours. The price for the bulbs and ballasts would be a little over \$24,000.00 with a reduction if paid in cash. Council Member Waldron made a motion to have Mr. Komasa institute RFPs according to our recommendations; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Bastardi asked that Mr. Komasa investigate the cost of a suitable device (lift) to use for elevated jobs. Either find a price for a used one, a rental or a new one.

D. Police Chief – No comments

E. Utility Director –

1. Regional Utilities Technical Service Office – Mr. Freeman stated he was now in need of space to store and organize plans and documents and with the possible acquisition of Lake Placid Utilities, he needed more office space. He stated he had contacted Mrs. Richards at the Dentist's Office located at 204 W. Interlake Boulevard, across from Town Hall, and she is willing to lease to the Town, with an option to purchase. She has an office space that is 1,800 square feet for \$900.00 per month. The property is listed for sale at \$199,000.00.

Council had several other thoughts on this issue. Council Member Royce stated his direction would be to go to the Town O & M facility and build an office. He stated with the land we had there, we could expend in the future. Council Member Worley suggested placing a module in the back of Town Hall for a temporary structure. Council Member Waldron made a motion to table this matter until next month; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

2. Water Line – North US 27 (West side of US 27) Mr. Freeman presented Council with a breakdown for the cost to extend an eight (8") inch water main in order to furnish potable water to three dwellings and help to annex the properties into the Town limits. He stated this is a project Council Member Worley has been working on. Council Member Worley stated if we could proceed with this project, we could then proceed with annexing the Paul property next to the overpass and continue north to the Southern Living Assisted Nursing Home. Mr. Freeman presented Council with a breakdown of the cost to just get the engineering, design, and permitting as well as construction oversight. The total cost would be \$31,850.00 to get water to the three houses in the area. The funds would come out of the System Development Charge Funds. Mr. Freeman stated he was just asking for the \$5,500.00 task order for Envisors at this time. Council Member Worley made a motion the Town expend \$5,500.00 for the task order to be approved and contingent upon annexation consent being signed by a list of property owners (Industrial Park-North, McKay-Fuss-Alderman South, the Paul Industrial Park, Lake Placid Church of Christ, all the way up to and including the Southern Living Assisted Nursing Home) as defined by Council Member Worley

and Atty. Harris and presented to the Town Council; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

3. Heron's Garden – Request for installment payments – Mr. Freeman stated Heron's Garden was asking for an installment payment for past fees on their water bill. Mr. Freeman stated Mr. Wright (owner of Heron's Garden) has agreed to pay \$185.00 per month on the past due bill and his normal monthly bill. Council Member Worley made a motion to adopt the sample payment agreement for Heron's Garden and Stanford Wright and that in addition to the payment plan, if any amounts that are due are not paid timely, then the payment agreement is null and void and actually be taken by the utility department; motion seconded by Council Member Bastardi. On roll call, Council Member Worley, Council Member Bastardi and Council Member Royce voted yes; Council Member Waldron voted no. Motion carried 3 to 1.
- F. Town Clerk – stated she and Mrs. Rachel Osborne had contacted Mrs. Pat Gleason, with the Attorney General's Office today concerning Council Member Worley's request for the data file of the Town's accounting system. She stated they contacted Mrs. Gleason because, after, contacting two IT individuals, Quickbooks technical assistance, several City Clerks and Florida Governmental Finance Directors, they have not been able to find out how to redact confidential information from the Quickbooks accounting system. Mrs. Tuck stated Mrs. Gleason informed Mrs. Osborne and herself that the Council Members and Mayor were not employees of the Town; therefore, she would suggest any Council Member that wants information containing confidential information put in writing why they want the information. Mrs. Tuck then gave each Council Member a flash drive containing the Quickbooks data. Atty. Harris informed the Council Members they must remember once they have the data they are now record keepers and it is up to them to redact the information before it is give out.

Council Member Worley stated she had an individual who is an expert on Quickbooks and he informed her it was very easy to redact the information and it would not cost very much. Atty. Harris suggested Council Member Worley proceed with this individual to see what it will cost to redact the information. He then informed Council it would be up to them to decide if they want the Town to pay for the redacting or if the Council Member will have to pay. Council Member Worley stated she would continue to work on this matter.

- G. Mayor/Council Members –
1. Council Member Worley – stated she is ready to submit an application to the State for the Town to form a CRA (Community Redevelopment Association) and

would like to schedule a special meeting for Wednesday December 21, 2011 at 5:30 P.M. to take up all matters connected with the CRA's application; motion seconded by Council Member Waldron. On roll call, motion carried unanimously.

Council Member Worley will provide who will be attending the meeting. Vice Mayor Royce stated he would leave it with Council Member Worley to decide if the meeting should proceed.

Council Member Waldron made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Vice Mayor Royce, hearing no objections, declared the meeting adjourned at 11:30 P.M.