

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
January 13, 2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, January 13, 2014 at 5:30 pm at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. Don Roberts gave the Invocation and led the Pledge of Allegiance. 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

Attorney Bert Harris
Administrator Phil Williams
Town Clerk Eva Cooper Hapeman
Finance Manager Rachel Osborne
Police Chief James Fansler

CONSENT AGENDA

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council on December 9, 2013
- C. Approval of Departmental Budgetary Accountability Statements for the month of December 2013
- D. Approval of Departmental Financial Reports for the month of December 2013
- E. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network
- F. Approval of all bills for Royce Suppliers
- G. Approval of all bills for The Hometown Network

Motion – Moved by Council Member Waldron, seconded by Council Member Royce, to approve Consent Agenda Items A through E. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Waldron, seconded by Council Member Worley, to Approve Consent Agenda Item F, bills for Royce Supply. **Roll Call Vote:** Yes – Bastardi, Waldron and Worley. Abstain – Royce due to family relation with the company. The proper paperwork has been filed with the Clerk.

Motion – Moved by Council Member Waldron, seconded by Council Member Worley, to Approve Consent Agenda Item G, Bills for Hometown Network. **Roll Call Vote:** Yes-Waldron, Worley, Royce. Abstain – Bastardi owns Hometown Network. The proper paperwork has been filed with the Clerk.

PRESENTATIONS

- A. J. Corbett Alday, Guardian Inc.
 - 1. Update Report- the Town of Lake Placid CDBG and FEMA Projects
 - 2. Fair Housing Presentation
 - 3. Keep Lake Placid Beautiful Quarterly Report

Mr. Brantley, President of Keep Lake Placid Beautiful, Inc presented their Quarterly Report to council; in addition, he presented to council the Keep Lake Placid Beautiful, Inc letter transferring ownership of the Industrial Wood Chipper to the Town of Lake Placid.

PUBLIC HEARINGS

- A. Ordinance Second Reading ALCOHOLIC BEVERAGES

Mr. Harris read for the public the ordinance description.

Discussion by Town Council and Public Citizens on the second reading amending the Alcoholic Beverage Ordinance.

- Members of the community questioned the necessity for removing the time restriction to sell alcohol on Sundays and the necessity to change the ordinance at all. Objections were made from church representatives from the community as it pertains to alcohol consumption.
- What can be done instead of changing the Alcohol Ordinances to spur business and what has the town done.
- Council Member Waldron stated his position is from an economic standpoint. The goal would be to keep a possible 100 to 200 people staying in Lake Placid to dine, rather than driving to Sebring, which in turn would be good for the town.
- Comments from council and the Mayor included examples of what the Town has done to encourage and assist businesses, the establishment of Enterprise Zone Incentives, working with the Chamber in a progressive manner, in the past there was a business owners associations, which Mr. LeBlanc is working to bring back. Council Member Worley has been working to bring back the Flee Market. Mayor Holbrook commented there are no easy answers and welcome comments and ideas from the community.

Motion – Moved by Council Member Bastardi, seconded by Council Member Waldron, to adopt ordinance 14-661 amending the Alcohol Ordinance. **Roll Call Vote:** Unanimous approval.

Town Administrator

1. FDOT Resolution 2014-2 and Contract Agreement

Town Administrator Williams presented to council a FDOT three (3) year agreement which FDOT will pay the Town for maintaining areas on US 27 and a Town Resolution. He pointed out some key differences in the agreement, the first is that it is \$3478 less than the previous agreement and second the Town will be required to use E-Verify when hiring employees. The agreement and resolution must be executed by January 30, 2014.

Council discussed and questions were addressed:

- How much is the cost to the Town to do the maintenance. An analysis has never been done to determine the true cost of maintaining the area and its cost effectiveness.
- In the case of FDOT or another designee taking back over the maintenance of the area, it was noted that it would most likely not be maintained in the manner that the Town has been doing.
- Town Administrator Williams stated he would work on putting some tracking options in place as to calculate the cost to the Town.
- There was an error on the resolution showing the previous contract amount \$18,226.21; this requires a change to the correct amount of \$17,066.75, which matches the FDOT Contract Agreement.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve FDOT Resolution 2014-2 including the correction to the resolution of \$17,066.75 and approving the FDOT Contract Agreement. **Roll Call Vote:** Unanimous approval.

2. April 8, 2014 – Election -Resolution 2014-1: 2014 Town Election Canvassing Board Alternate appointment.

Town Clerk, Mrs. Cooper-Hapeman reviewed the resolution with council. The Town Code indicates that the terms of two council members and the mayor are up for Election. Which leaves herself and two council members as the canvassing board members as stated in code. Although, this would be appropriate, it was recommended to her to have an alternate named to the canvassing board in the event one of the canvassing board members was unable to attend on Election Day.

Motion – Moved by Council Member Worley, seconded by Council Member Royce, to approve. Resolution 2014-1: Appointing Town Administrator Phil Williams as a canvassing board alternate. **Roll Call Vote:** Unanimous approval.

3. Community Redevelopment (CRA)

Ken LeBlanc owner of The Cottage Company and working in conjunction with the Greater Lake Placid Chamber presented a slide presentation on Downtown Visioning 2014 and discussed the benefits of having a CRA. He made note to assist in rebuilding the Lake Placid Downtown will take a Public/Private partnership.

Motion – Moved by Council Member Worley, seconded by Council Member Waldron, to move forward on obtaining a CRA.

Discussion by Town Council and Public Citizens on whether to have a CRA established by Town.

- CRA's have their own Granting capabilities which has assisted Sebring in improving their downtown. Avon Park has applied for a Federal Grant of \$750,000 for an improvement to a six-block area under CRA.
- A defined area for the CRA needs to be established, and a "Findings of Necessity" study conducted.
- It was stated the estimated cost to the town to develop a CRA could be, between \$75,000 and \$80,000 just for the hiring of consultants. It was mentioned that it may be possible for the Central Florida Regional Planning Council (CFRPC) to do the work and could cost approximately \$15,000 for the study and \$25,000 in developing the CRA.
- Central Florida Regional Planning Council (CFRPC) indicated at the Lake Placid CRA Workshop that they were able to obtain a grant from the Department of Economic Opportunity (DEO) for the city of Frostproofs "Findings of Necessity" study.
- Should the Town wait or as indicated by CFRPC, could the Town apply to DEO for a grant? The Town would have to wait until after the 2014 legislative session in Tallahassee to find out how much grant money would be available. In addition, they reported that it is a competitive grant to apply for, but it was the belief of CFRPC there would be funding available.
- Discussion consisted of whether to wait and let CFRPC apply for a grant to fund the "Findings of Necessity" study, in which it may not cost the Town any money or to move forward with the development of a CRA.
- It was commented that having a CRA would redirect taxpayer Ad Valorem taxes from the County and The Town into the CRA Commission. The Town would still be required to provide services without the additional tax revenue.
- There was mixed consensus from council members whether a new medical center would be included in the tax base in enough time to benefit CRA funding in which the additional tax revenue from the medical center could be part of CRA funding.
- Doing the Request for Proposal (RFP) and going to bid could take some time, most likely would not be until June.
- On this issue, there are some that are in favor of developing a CRA, and some against; it is the Mayors concern that if nothing is done there is a chance of losing the businesses in the Town.
- The Town Administrator would develop a strategy to develop the RFP, reaching out for assistance, and to make sure it is cost effective.

Motion – Moved by Council Member Worley, seconded by Council Member Waldron, to approve to publish an RFP, and to go out for Bid on a Necessity of Needs Study. **Roll Call Vote:** Yes – Worley, Waldron. No – Royce and Bastardi **Roll Call Vote:** Split **Tiebreaker Vote:** Yes – Mayor Holbrook

4. Utility Director hiring review committee

Town Administrator Williams requested Town Council appoint a Utility Director Hiring Review Committee to assist in reviewing resumes and choosing a Utilities Director in anticipation of Gary Freeman's retirement. He stated that Jon Draper Chairman of the LPRUAC agreed to be on the committee, other members would include himself, Gary Freeman and Council Member Bastardi.

Discussion and questions by Town Council,

- Resumes have been received, and a couple of interested parties have come by Town Hall. These were not formal interviews.
- The question on whether the experience needed for the new director's position would need to be an administrator with finance, budgeting, and planning background or have, they have background as an Operator.
- The committee will meet to set up guidelines on the process for reviewing the applicants.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to establish a Utility Director hiring review committee. Members of the committee will consist of Town Administrator Phil Williams, Jon Draper, Gary Freeman, Utilities Director, and Council Member Bastardi **Roll Call Vote:** Unanimous approval.

5. Discussion on funds for Pre-Mitigation (FEMA) Grant

Mr. Williams stated as a reminder to council, and as required by the FEMA grant that there would be FEMA funds moved, which has already be previously approved by council. No further discussion took place as this was previously approved by council.

6. Surplus vehicles

Mr. Williams requested to have two of the Police surplus vehicles sold. Chief Fansler confirmed that the two vehicles are a 2003 Crown Victoria and a 2004 Ford Explorer. Both vehicles are not worth putting any additional money into them. The vehicles will be either sold or scrapped and he did not expect to get much money for them.

When the vehicles are sold, it was confirmed that any proceeds would be added to the infrastructure account.

Motion – Moved by Council Member Bastardi, seconded by Council Member Worley, to approve the two asset vehicles of the Lake Placid Police Department be sold. **Roll Call Vote:** Unanimous approval.

New Business

School Board Lake Country Elementary

Administrator Williams introduced Frank Brown, Director of Facilities for the School Board. Mr. Brown discussed Lake Country Elementary Schools water well issue. In November, there was a partial collapse of the well. He stated that, at this point they have been able to handle the problem but only on a short-term basis. Two options are being looked at they could either drill another well or tap into the towns water system. Mr. Brown was directed to approach the Lake Placid Town Council to inquire on whether you would be receptive on allowing the school to tap into the town's water system.

Town Council Discussion:

- It was pointed out that when the council agreed to work with the College, it was after completion of the project the college informed the Town it was not required to pay impact fees, and no impact fees were paid.
- Mr. Brown confirmed that the same would be true for the school board, which falls within the same guidelines and would not pay the impact fee, although, the school board would agree to absorb much of the cost of the project which in turn would benefit the town.
- Consideration on the Towns water capacity would also need to be taken, prior to approval.
- Consensus of council was favorable in allowing the school to tap in to the Town Water system.
- Staff was directed to work with the school board on the details and developing an Interlocal agreement to bring back to council

Tennis Courts Update

Mr. Waldron on another matter requested an update on the Tennis Courts from Mr. Brown. Mr. Brown stated that RPAC was requesting more documentation on the grant application and that there was a meeting this week. He had no further information available.

Mayor/Council Members/Town Administrator

Mr. Williams reported he has developed and implemented a new peddler's permit application and the new procedure has been put into place. He informed council that he saw that there was not a process in place when Council Member Worley inquired about a peddler's permit for a flea market. The purpose of the new process is to have the ability to know who is selling goods and services within the Town Limits. In addition, he stated that the permits are listed on the website for easy verification during events by Law Enforcement.

Town Administrator Williams reported that in response to Council Member Waldron request, for a business friendly experience on the website, he has been working with Ms. Cooper-Hapeman in revising the Business portion of the website.

In addition, to additional requests from Council Member Waldron's request for updates on new business or changes of businesses within the Town. Town Administrator Williams reported he has met with the Town Planners, and will begin to have monthly meetings with them to receive updates and discuss any issues that may be pending. In addition, they have invited him to attend their meetings with Central Florida Planning Council. Mr. Williams will update council of the outcomes of these meetings.

Mr. Williams brought to the councils attention, the Towns contract with CFRPC to develop the Land Development Regulations (LDR's) for the town expired on December 4, 2013. As of this date, the contract for the LDR's has not been completed as far as he is aware. He reported that of the \$30,000 in the contract for the service, the Town has been invoiced twice for a total of \$15,000, which has been paid. He said he has been in contact via email with CFRPC with no response; he will keep council updated on the outcome.

In addition, he reported that it is looking favorable with the FDOT tentative work program report to have Tangerine resurfaced and rebuilt in this year. There has been \$410,000 that has been allotted for the project. In addition, Mr. Harris will be presenting annexation agreements to council in the near future to acquire the property for the turn lanes, the county is looking to put turn lanes in on either end, and the town should move quickly. Mr. Harris suggested taking the process in two stages beginning with the intersection of West Interlake and West Tangerine, first an annexation agreement, subject to the change in zoning. The second and separate is the contract to purchase the 40-foot right of way for the contract amount of funds, along with an Interlocal agreement with the county to pay a portion.

Council Member Royce suggested that there be a place added on the Town website for a one to two page executive summary for the Town Budget, explaining what is being allocated and spent.

Council Member Bastardi stated, he sees a problem concerning the edge damage that will occur due to the exiting on and off properties that have no driveways. He stated if there is no regulation or ordinance put in place to ensure that the damage does not continue after the new work that has been done. He stated it is something council should think about and put on the agenda.

In addition, as it pertains to the old area of Town, the way it is platted out, those lots will never have onsite parking, or water retention. He stated if a business on these properties were lost in a fire and wanted to rebuild they would have a difficult time because these properties do not meet current regulations. He stated he believes that the old town district is a special needs district. He suggested that this should be addressed at to make it easier to build or rebuild in this district. He suggested defining a district, which the town allows to have onsite municipal parking, and encourages development of these properties.

ADJOURNMENT 8:40 PM

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
February 17,2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, February 17, 2014 at 5:30 pm at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. Jimmy Goins of Heartland Family Church of Christ gave the Invocation and led the Pledge of Allegiance. 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

Administrator Phil Williams
Town Clerk Eva Cooper Hapeman
Finance Manger Rachel Osborne
Town Attorney Kim Sapp
Utilities Director Gary Freeman
Public Works Director John Komasa

CONSENT AGENDA

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council on January 13, 2014
- C. Approval of Departmental Updates and Budget Accountability Reports for the month of January 2014
- D. Approval of Departmental Financial Reports for the month of January 2014
- E. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network
- F. Approval of all bills for Royce Suppliers
- G. Approval of all bills for The Hometown Network

Motion – Moved by Council Member Waldron, seconded by Council Member Worley, to approve Consent Agenda Items A through E. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Waldron, seconded by Council Member Worley, to Approve Consent Agenda Item F, bills for Royce Supply. **Roll Call Vote:** Yes – Bastardi, Waldron and Worley. Abstain – Royce due to family relation with the company. The proper paperwork has been filed with the Clerk.

Motion – Moved by Council Member Waldron, seconded by Council Member Worley, to Approve Consent Agenda Item G, Bills for Hometown Network. **Roll Call Vote:** Yes-Waldron, Worley, Royce. Abstain – Bastardi owns Hometown Network. The proper paperwork has been filed with the Clerk.

Town Administrator

1. Budget Amendment – Payroll

Town Administrator Williams presented to council a request for approval a payroll budget amendment to transfer funds. He reported that the approved budget did not reflect Florida Retirement System (FRS) costs for employees categorized as Senior Management and one employee transferring to a new position.

Town Administrator and Town Council discussed the reasons for the budget amendment request and questions were addressed:

- FRS, Senior Management calculation for retirement, the Town Clerk is categorized as senior management under FRS, which was not reflected in the approved budget.
- FRS, Senior Management calculation for retirement for a Town Administrator was also not included. Mr. Williams moved from being Chief of the LPPD categorized as Senior Management, but was not included in the Towns Budget as Town Administrator as the town did not have a Town Administrator in the past. Chief Fansler is categorized as high-risk category under FRS, which is a different calculation than Senior Management.
- A town employee was transferred from a meter reader to a police officer with the LPPD, which also requires an adjustment to the budget for salary and FRS.
- In addition, it is Mr. William's recommendation, and he pointed out to council, that Ms. Osborne has been an asset to him, and to the town. He stated that as the finance manager he felt a move in her position to Senior Management level within FRS was appropriate.
- The total cost requested for transfer as a budget amendment for approval, which includes all employees involved, is \$26,288.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, approving 4.A.1. of the agenda a budget amendment for payroll. **Roll Call Vote:** Unanimous approval.

2. Cemetery Well Replacement

Public Works Director Komasa reported to council the problem with the well at the cemetery has been repaired. In addition, he said that after discussion with Mr. Williams and Ms. Osborne that he determined he would reduce his capital expenses currently budgeted for \$30,000, which was for a new building, reducing it to \$15,000. He stated he would address the new building in the next budget cycle.

Town Council and Public Works Director Komasa discussed and questions were addressed:

- The town did not go out for bid, due to the well failing, which required a crane to make the necessary repairs.
- In this instance Caulfield and Sons is the only company with a crane to do the job.
- Does the Town have a preferred vendor list, it was reported to council that the town currently does not have a preferred vendor list.
- Mr. Komasa detailed the problem, the well had failed, but he stated that the lining in the well was ok, the piping was replaced in the same well, and the shaft has been fixed.
- Council Member Royce thought there should be a budget amendment even though the funding is in the budget.
- After discussion it was determined that, the budget for the building was to be utilized for repairs and replace, and therefore a reduction of the cemetery capital expense from the budgeted amount of \$30,000 to \$15,000 was acceptable.
- No budget amendment was needed.

3. Fire Inspections

Mr. Williams said that Council Member Waldron requested this item be placed on the agenda. Council Member Waldron stated that this is old business and he would like to see it addressed. He also said, he had requested Chief Hess be present, but Mr. Hess had a prior engagement.

Discussion by Town Council, Mayor, and Town Administrator:

- There has not been any reporting or records to determine how many inspections have been done within Town limits, since the Interlocal Agreement with the county was in executed in 1991.
- Town Administrator Williams, suggested options to assist in solving the issue of Fire Safety Inspections in the Town. 1) Included in the agenda packet was a draft letter from the Mayor to the county inspector requesting 25 fire inspections, which the Mayor has the authority to request fire inspections according to the Interlocal agreement. In addition, the number of 25 was calculated by using the number of inspections Sebring does as a ratio. 2) Another option is to have the Town's Code Enforcement officer be certified as a fire inspector, which is a two-year process, with an increase in salary.

- Within the draft letter, the Mayor and Council Members were not comfortable setting a specific number of fire inspections.
- Suggested by Council Member Royce 1) acquire the number of inspections that have been done in the past, 2) Recommend to county inspector how many inspections, 3) Step up the pace or number of inspections.
- Comments included that some businesses that have not been inspected in years. Council Member Worley stated businesses are responsible and don't want to have their businesses burn down.
- The town is made up of older buildings with zero lot lines, Council Bastardi commented, it is the responsibility of the Town to do the right thing within the Town limits.
- Discussion in reference to the business tax was the question, could the business tax process be used to facilitate fire inspections. Council Member Worley said that the business tax is a tax, not a license, and it was changed by the state, so that it was not utilized to set regulatory requirements on businesses.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to have council recommend a letter be drafted to Mr. Eures similar to the letter included in the meeting packet with modifications, keeping the letter general in nature, included in the letter a reminder of the Interlocal agreement, and a request to receive reports of inspections done within the town. **Roll Call Vote:** Yes – Royce, Bastardi and Waldron. No – Worley.

4. Community Redevelopment Agency (CRA) / Annexation discussion

Town Administrator Williams requested guidance from council; he was instructed by Mayor Holbrook to work with Council Member Worley on the Community Redevelopment Agency (CRA) Request for Quotation (RFQ) for a Finding of Necessity Study required to begin the process of developing a CRA. He stated Council Member Worley's direction is to annex properties currently not within the town limits in order for them to be included in the CRA. Council Member Worley confirmed, she has spoken to most of the property owners and has received verbal interest, which will be a benefit increasing the Town limits and CRA funding.

Mayor Holbrook, Town Council, and Town Administrator discussed Annexation and CRA:

- Mayor Holbrook passed out to council and the town clerk information on CRA, and stated that Pat Steed of the Central Florida Planning Council is willing to work with the Town to assist in the process.
- Council Member Worley presented a map, indicating the properties she would like to see annex into the town. Her thought is if these properties annex into the town and become part of the CRA, and they become developed, it will bring funds into the CRA that would not be available. In addition, she believes that to do a small area, as a CRA would not be worth the effort, because funding would be limited.
- Waldron stated he is not against annexation, but in speaking to Ms. Westmoreland last year, he stated she had made the suggestion to start small. He would support the downtown area. Council Member Worley indicated that if the CRA was started in that manner that does not include undeveloped areas she could not support it, because it would not be beneficial to the Town.
- In reference to the article on the Avon Park CRA applying for a grant, included in the agenda packet by Council Member Worley. She stated that her intent of including the article was to show that CRA's have grant receiving capabilities. Council Member Royce pointed out the CRA was also going to be required to spend funds as a grant match towards that grant.
- Clarification was given that the properties that would be asked to annex into the town would not be asked to annex into the town conditional upon being included and part of the CRA, all agreed.
- Discussion to hold off on moving forward with an RFQ for the Finding of Necessity Study was suggested, until such time a determination on the annexation of the properties discussed.
- Mr. Williams and Council Member Worley will meet with properties owners; she has already spoken to some of them about the possibility for annexation into the Town.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, recommend to not moving forward on the RFQ until Town Administrator Williams and Council Member Worley reports to Town Council on March 10, 2014. **Roll Call Vote:** Unanimous approval.

5. School Board, Waterline

Mr. Williams presented to council an Interlocal agreement between the Highlands County School Board and the Town of Lake Placid regarding the School Board's installation of a water line to the Lake Country Elementary School. He pointed out to council the final version of the agreement is included in the council's backup materials and was sent to him from the Town Attorney. He pointed out that Utilities Director Freeman has also reviewed the agreement. Attorney Sapp sitting in for Town Attorney Bert Harris stated they are comfortable with the agreement.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, approving the finalized February 17, 2014 version of the Interlocal agreement between the Town of Lake Placid and the Highlands County School Board. **Roll Call Vote:** Unanimous approval.

School board Tennis court status clarification requested by Council Member Waldron based on what he had read in the paper, that the county commission was not in favor of the project. The county commission questioned the cost of the project, and they believed that the school board should be putting in more funding. It was noted that although historically RPAC funds come from the Counties Infrastructure Surtax, it is not a requirement that the funds be used for recreation. The county may have other projects for the funds.

6. Lake McCoy Project \$17,500 grant shortage

Mr. Williams stated this is a grant project for Lake McCoy, Council Member Worley the Chair of the Lake Placid Watershed Advisory board placed on the agenda. She reported to council that the Lake McCoy project is one of the five lakes out of the 60 lakes in danger of declining due to run off as the SWFMD study reported. The study was done free which usually can cost as much as the grant. In addition, out of a \$170,000, grant \$42,000, is needed for matching funds. Highlands Soil and Water has agreed to up to \$25,000 to assist with the matching funds required, in order to save Lake McCoy and has taken the lead for the grant application project, leaving a funding shortage for the grant match of approximately \$17,500. The Lake Placid Watershed Advisory Board met and voted to request the council to approve a resolution of support and a request to inquire if the Town would consider assisting with some of the funding shortage. The time limitation to ensure that the shortage of funds has been acquired is April or there is a possibility of losing the grant.

Council discussed and questions were addressed:

- Council Member Worley pointed out the condominiums and WW Lumber are within the town limits, which is a contributor to the runoff into the Lake.
- Council Member Worley informed council that the regular Watershed Advisory Board meeting was moved from Wednesday to Friday February 21st 6:00pm, and invitations to Highlands Soil and Water, SWFMD and the homeowners on Lake McCoy have been extended. The meeting is to inform the homeowners of the project and see whether they are willing to assist in funding the shortage on the grant as they have a stake in Lake McCoy as homeowners.
- FDOT as part of the US 27 area of Lake McCoy, which contributes to the runoff is not putting any funds towards the project, but has agreed to maintain the system in the future. In addition, discussion with the Condo owners, have indicated they are willing to give FDOT the retention pond.
- Pam Fentress board member of the LP Watershed Advisory Board, and board member of Highlands Soil and Water reported that originally, Highlands County submitted Lake McCoy project to SWFMD, and after the application, the county developed a policy that stated they would no longer assist or fund lakes that did not have a public access boat ramp. At this point Highlands Soil and Water stepped up and said they will assist with up to \$25,000 of the \$42,000 matching funds. At this point, the county has said they will not be the technical support on the application, in addition, the application did not include the design, and engineering, which brings the shortfall to the estimated amount of \$17,500.

- Council Member Royce indicated reservations. Without knowing on the direction on funding assistance and until there is some definitive answers on where other funding will be coming from for example the homeowners of Lake McCoy, and the condominium owners deed of the retention pond he was not sure he can support using town funds.
- Council Member Waldron stated that the motion would be to set aside the funds, not to actually spend the funds.
- Council Member Bastardi discussed his concern that in the past there has been a concern for Lake Rachard and other lakes that are completely in the town limits as it pertains to run off. He would like to see these projects considered.

Motion – Moved by Council Member Waldron, seconded by Council Member Waldron, approve for the Town of Lake Placid to set aside \$2500.00 for the Lake McCoy project. **Roll Call Vote:** Yes – Waldron, and Waldron. No – Royce and Bastardi, Tiebreaker Yes - Mayor Holbrook agreeing to set aside.

7. Support Resolution for the Lake McCoy SWFMD Grant Project

Council discussed and questions were addressed:

- Corrections to the Resolution were pointed out, changing Highlands County Soil and Water Conservation District, to its correct name Highlands Soil and Water Conservation District, in addition, to add the word “treatment” to the 2nd whereas after the word “runoff”.
- It was noted that only a small amount of the properties is within Town limits. These properties are the Condominiums on Lake McCoy.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, approving Resolution 2014-3 with the correction of the organizations name to Highlands Soil & Water Conservation District and add the word treatment after the word runoff. **Roll Call Vote:** Unanimous approval.

8. Town Administrator Discussion

Mr. Williams stated this item instructed by Mayor to address at the next council meeting.

9. Surplus Police Equipment

Mr. Williams reported the Lake Placid Police Department has surplus electronic equipment that they are requesting to sell.

Motion – Moved by Council Member Royce, seconded by Council Member Waldron, approving selling the equipment surplus. **Roll Call Vote:** Unanimous approval

Mayor/Council Members

Council Member Waldron requested an update on Placid Lakes Utilities. Mr. Williams reported that we have been waiting for the Department of Rural Water study, Mr. Freeman was notified that would be completed and to us by February 27th, at which time we will move forward. In addition, being discussed is on whether to spend the \$17,000 to enter into a contract for the engineering study, in order to move forward.

Council Member Waldron also, requested an update on the cost analysis of the FDOT maintenance of the median on US Hwy 27 versus what the actual town cost would be. The FDOT agreement was approved and executed at the end of January. Update requested for the next meeting on what the cost is maintaining the area, will wait for Mr. Komasa.

Council Member Royce reminded citizens that qualifying for the election began today and ends at noon on Friday February 21, 2014 if anybody is interested in running for office.

Mr. Williams reported to council, he has had the first of regular monthly update meetings with planning and he will be joining them this month for a meeting with Central Florida Planning Council.

CITIZENS NOT ON THE AGENDA

Nancy Sanders Relay for Life informed council of the Survivors Dinner on April 4, 2014, she has extended an invitation through a letter, inviting council to be Celebrity Servers. There will be a follow-up letter to confirm attendance. In addition, she stated that the time of the dinner has changed from 6:00 pm to 8:00 pm.

Ginger Keimel a representative for Relay for Life, requested approval from council to place Purple Ribbons throughout the town for the event on light polls and various locations.

Motion – Moved by Council Member Worley, seconded by Council Member Waldron, approving Relay for Life Event to place purple ribbons in the town beginning March 22, and the ribbons be removed by April 4, 2014 after the event ends. **Roll Call Vote:** Unanimous approval.

Tom Papageorio has been having a fund raising event for Coz's youth bowlers at the Lake Placid hardware store, grilling hamburgers and hot dogs once a month. It is 100% non-profit all the funds generated go into scholarship fund for the kids at the bowling center. There are three scholarship tournaments over the summer to keep the kids active. He was not aware he needed approval from the Town Council. He reported he was shut down on the previous Saturday. After discussion, it was determined that Mr. Papageorio was instructed to go to the LPPD to pick up a permit and registered with the town at no cost and would be fine to continue with the fund raising.

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 8:15pm.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
March 10, 2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, March 10, 2014 at 5:30 pm at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. Tim Taylor of the Church of Nazarene gave the Invocation and led the Pledge of Allegiance. 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 - Absent

3. CONSENT AGENDA

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council on February 17, 2014
- C. Approval of Departmental Updates and Budget Accountability Reports for the month of February 2014
- D. Approval of Departmental Financial Reports for the month of February 2014
- E. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network
- F. Approval of all bills for Royce Suppliers
- G. Approval of all bills for The Hometown Network
- H. Approval of Resolution 2014-5 for Budget 2013-2014 Amendment

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve Consent Agenda Items A through E, G and H. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Waldron, seconded by Council Member Worley, to Approve Consent Agenda Item F, bills for Royce Supply. **Roll Call Vote:** Yes –, Waldron and Worley. Abstain – Royce due to family relation with the company. The proper paperwork has been filed with the Clerk.

4. PRESENTATIONS

A. Resolution 2014-4 Appreciation of Service

Mayor Holbrook read and presented to Council Member Waldron a resolution of Appreciation of Service as a member of the Town Council. He noted that this would be the last council meeting for Council Member Waldron.

Motion – Moved by Council Member Worley, seconded by Council Member Royce, to Approve Resolution 2014-4 Appreciation of Service to Council Member Waldron Serving on the Town Council.

Roll Call Vote: Yes-Worley, Royce.

B. Resolution 2014-7 Thanking Highlands County Board of Commissioners

Mayor Holbrook presented the resolution to the Board of County Commissioners for the work on West Interlake Blvd. Council Member Waldron expressed his thanks to Highlands County, and wished to commend county staff on the completion of the project. Council Member Royce suggested that maybe upon completion to add some plants and shrubs around the retention area. This would also keep drivers off the area during events.

Motion – Moved by Council Member Worley, seconded by Council Member Royce, to Approve Resolution 2014-7 Thanking the Highlands County Board of Commissioners. **Roll Call Vote:** Yes-Worley, Royce and Waldron.

C. Proclamation “Donate Life Month”, LifeLink Foundation

Mayor Holbrook read and presented to council for approval a proclamation for “Donate Life Month emphasizing organ donation.

Motion – Moved by Council Member Royce, seconded by Council Member Waldron, to Approve Proclamation “Donate Life Month” **Roll Call Vote:** Yes-Royce, Waldron, and Worley.

D. Proclamation April 4, 2014 as “Lake Placid’s Race for a Cure Day”

Council Member Worley stated how proud she is for this event in our community. Mayor Holbrook added it is a large event and there are many participants, booths, food, and cancer survivors. Council Member Waldron reported that the Jaycees also held a Relay for Life bowling tournament to raise funds.

Motion – Moved by Council Member Worley, seconded by Council Member Waldron, to Approve Proclamation “Donate Life Month” **Roll Call Vote:** Yes-Worley, Waldron and Royce.

5. DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS

A. Town Administrator

1. Resolution 2014-6 for North Tangerine Right Of Way

Town Administrator Williams presented the resolution. He requested Town Attorney Harris continue explanation of the resolution. Mr. Harris stated the resolution presented for approval is for the North Tangerine Right-of-Way, which is one of two items on the agenda. At this point, He requested that 5.A.2 the Town Planner’s presentation be done first and have the Towns Planners to discuss the annexation process and options for property owners, which includes the property in the resolution.

Town Attorney Harris and Town Council discussed the resolution pertaining to the North Tangerine reconstruction and right-of-away:

- The property in the resolution has been previously discussed by council in the past.
- The parcel is located at North Tangerine and West Interlake Blvd. The owners of the property are asking \$20,000 to acquire 40 ft of right-of-way to reconstruct North Tangerine. In addition, a request to have Highlands County contributes half of the amount, plus transactions costs. Mr. Harris noted there could be funds available from the county from funds that are left over from the West Interlake project. The closing for the right of way purchase is contingent on rezoning and the Comprehensive Plan amendment.
- The Rogers want to have the property zoned for commercial purposes, up to a convenience store with gas. Mr. Harris pointed out that no promises can be made, that the permitting would be approved by council.
- At this point, the town can obtain the annexation consent conditioned on the rezoning and acquisition. Then it moves to the public hearing process, bringing it before the Town Council for public discussion for the rezoning.
- Council Member Royce commented on the timing of the right-of-way acquisition, the reason being that the county may have funds secured to rebuild the entire length of North Tangerine. This will be at no cost to the town for a road that is currently the Towns responsibility. The county can make intersection improvements, add turn lanes, but this will not be able to happen if the town does not own the necessary right-of-way. The timing is important, to coincide with the design phase the county will be starting soon.
- If the zoning change was approved, Council will still have control on the architectural design. An example can be seen with the esthetics used for the Raceway gas station on US 27.
- Mr. Rogers reduced the original price by \$5000 and he as in the past contributed approximately \$160,000 in road construction for Heartland Blvd.
- The resolution conveys the intent of council; it is not a final vote that ensures anything at this point. There will still be public hearings, allowing for public input and Interlocal agreements executed with Highlands County.
-

Motion – Moved by Council Member Waldron, seconded by Council Member Worley, to Approve Resolution 2014-6 acquisition of right-of-way North Tangerine Drive. **Roll Call Vote:** Yes-Waldron, Worley, and Royce.

2. West Interlake Annexation

Representing the planning staff for the Town was Mark Hill, Town and Zoning Official, he introduced Sue Buchan the Town Planner and Linda Conrad the Counties Zoning Supervisor. In addition, he recognized County Commissioner Jack Richie, who is the representative for the Lake Placid area.

Mr. Hill stated, as the town grows in the coming years, it would be receiving numerous requests from property owners to annex into the Town. The purpose for the staff presentation is to offer council various options on how the town handles annexation requests. There are currently several annexation requests for the West Interlake Blvd area. Mr. Hill turned the presentation over to Sue Buchan for the presentation discussing the annexation options.

Key Points of the Presentation and Council Discussion on options presented:

- The presentation included properties located on West Interlake Blvd, Catfish Creek Road, Jackson Road, and Tangerine Road. The presentation included the 18 parcels outlined.
- Option 1-Annex into the Town; maintain County Land Use and Zoning. As the 18 parcels annex into the town they will maintain the county zoning and county land use. What that means is that the properties will continue with the zoning and land uses as currently permitted under agriculture depending on the parcel.
- Option 2-Annex into the Town; the 18 parcels would adopt a Town Land Use and Maintain County Zoning. The currently 18 parcels to be annexed would then have an inconsistency between the land use and the zoning. According to Florida Statutes, which does not like to see this kind of inconsistency, although, it is still an option for the landowner to annex into the town.
- Option 3-Annex into the Town, adopt Town Land Use and Rezone to a Conceptual Planned Development (PD) District. The plan would only require a conceptual site plan with very little detail, and the landowner would come back to the town later to present detailed plans. An example of a conceptual design would be that the landowner would come into the town stating they know they want to have a restaurant in this location, landscaping generally in a location. Not much detail of the site plan would be required. The property owner would come back to the Town later at the time of development with a detailed site plan. Council Member Royce inquired if the conceptual option was binding; for example could the owner change direction on the project. They would need to seek a PD change from the town, Ms. Buchan confirmed.
- Option 4-Annex into the Town, adopt Town Land Use and Rezone to a Planned Development District (PD). The Difference between option 3 and option 4 is there is a final plan for development. Everything is ready to move forward with the development.
- Planning Staff is requesting direction from the Town Council to discuss the options with the 18 properties owners presented to Council and any property owners on future annexations based on the options laid out.
- It was noted that if staff were directed in most cases to present option 3 conceptual, that this step could be skipped, and choice of option 4 would be selected. Planning staff would work with the property owners on whatever options they would prefer, but would like direction from council.
- Can option 1 and 2 could be eliminated as options.
- Mr. Harris suggested that option 1 and 2 be available as part of the growth management plan. If the property owners are satisfied with their current zoning, they can keep it like it is. There would be no requirement to change. Although, the properties being discussed in the presentation may want to upgrade their current zoning, allowing for commercial.
- Options 1 or 2 make it difficult to get permits done. These options, for example, would be used for properties currently zoned residential and wish to remain so.
- Guidance for staff in discussions property owners is to suggest the use of option 3 or 4.
- Utilizing option 3 at the time of annexing, would work for annexation, and noted within the ordinances and that they would be required to come back to the town with a site plan to move the project forward. In addition, option 3 does not allow for permitting to be obtained, the property owner would be required to present a site plan to move forward with development.
- It was pointed out that, as part of the annexation process there would be no cost for the zoning change to the property owner. The property owner would have to utilize option 4, which would restrict the property as presented in the site plan for development. The town would not pay for the engineering portion.
- The staff's intention is to get the direction from council. It is then the intention of staff to meet with the property owners.

Motion – Moved by Council Member Royce, seconded by Council Member Waldron, to Approve Planning Staff to speak with the property owners interested in annexation, and discuss with them the options as stated in the presentation. **Roll Call Vote:** Yes-Royce, Waldron and Worley.

3. Parking South Magnolia Avenue

Mr. Williams requested input from council on any ideas to solve the parking issue along Chef Buddy's restaurant. He reported Chief Fansler's original idea was to have the road changed to one-way, but no longer believes that is feasible.

Town Council, Town Administrator Williams, John Komasa, and Chief Fansler discussed options:

- There is not enough room for there to be two directional parking on either side of Magnolia.
- Repave and Restripe making the parking next to Chef Buddy's parallel parking.
- Parking should be addressed as new businesses come in.
- Mr. Komasa stated that the property line ends at the end of the building; therefore, the portion being discussed does belong to the town.
- Suggested to pave further down around the church and at the fence where people park during the games at the stadium. That is a long-term process and the property along the fence is school board property. In the short term people are parking illegally and dangerously due to no proper delineation of where parking should be, this should be address first, and then look at the long-term possibilities.
- A suggestion to add a handicap parking spot, Mr. Komasa a will check into it.
- Suggestion to contact County to inquire with them to do the work, Mr. Komasa stated he would contact them and inquire.

Motion – Moved by Council Member Royce, seconded by Council Member Waldron, to Approve Staff to continue to explore paving Magnolia approximately 200 ft, and to temporarily stripe the West side area as parallel parking. **Roll Call Vote:**

Council Member Royce withdrew Motion

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve Town staff to explore any possibilities to repave Magnolia Ave from Interlake Blvd North, up to 200 ft, permanently restripe it, and instruct Town staff to temporarily stripe the Magnolia Ave western parking area to properly delineate parallel parking. **Roll Call Vote:** Yes-Royce, Worley, and Waldron

4. Emergency Purchase sole source Treatment Plant Anoxic Tank Mixer

Mr. Freeman is requesting an emergency purchase for the North Wastewater Treatment Plant Anoxic Tank Mixer in which the bearings are going out. The unit will take five to six weeks to have built and needs to be ordered before it completely fails. Council Member Royce inquired whether these are the types of bearings that cannot be replaced. Mr. Freeman affirmed that they couldn't be replaced. The funds would be taken from the capital funds. Council Member Royce clarified that what council is being asked to do is to allow the purchase without the usual bidding process and as a sole source provider.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve waving the Bid Process with a sole source provider for the equipment as an emergency purchase in the amount of up to \$14,995.00 **Roll Call Vote:** Yes-Royce, Worley, and Waldron

B. Mayor/Council Members

--Property located on the northeast corner of Tangerine

Council Member Royce addressed a property located on the northeast corner of Tangerine, which was used as a restaurant he believes inappropriately. The property is currently for lease and available. He stated before the property owner leases the space out again and a business owner makes a financial investment thinking there is ample parking for the business. He suggested a letter should be sent to the property owner. The letter should remind them that the use of public right-of-way for parking is inappropriate and the Town is purchasing additional right-of-way and rebuilding Tangerine. This would put the owner on official notice that the Town is going to enforce the no parking or utilization of right-of-

way. Mr. Harris suggested having the Town Planners check to see if the property could be used as a restaurant, since it lacks the proper parking at that location.

--Lake McCoy Project

Council Member Worley updated council on the Lake McCoy project. She reported that Bob Howard who is a member of the Watershed Board has found a company that would do the engineering and design for \$10,000. This lowers the grant to \$110,000, the grant match contributions include: Highlands Soil and Water \$25,000, The Town of Lake Placid's \$2500, landowners \$8500 and WW Lumber picking up the remainder of \$1500. The Lake McCoy Project looks like it will be moving forward. Mayor Holbrook stated he heard the Watershed Board had a good meeting. The homeowners of Lake McCoy were very pleased with what was being done.

Council Member Royce stated, he recalled the funds were set aside until the project moved forward. He inquired whether there would be some formal action prior to the funds being appropriated from the Town budget. He did not believe that the previous motion at the February Town Council Meeting a month ago was at the level of having the town invoiced. Council Member Worley reported the way this was setup was to allow Highlands Soil and Water Conservation District to move forward, invoices would be sent, and any funds that are not used would be reimbursed. Council Member Royce said that language-stating funds would be disbursed under a specified set of conditions to be drafted for council to take action later. Further, he suggested to have Mr. Harris and Mr. Williams put some appropriate language together that protects the town's interests. Council Member Worley stated that Highlands Soil and Water Conservation District was hoping to have everything ready to present on April 14th to report what has been done.

--Meeting with CFRPC, Planning Staff

Mr. Williams reported he met with Central Florida Regional Planning Council, the Town Planners at Mr. Harris's office. CFRPC will be coming before council utilizing notebooks to present to council a streamlined approach to assist in explaining and discussing with council the Land Development Regulations.

--US 27 Median Maintenance Cost Analysis

Council Member Waldron inquired whether a cost analysis had been done in reference FDOT maintenance of the median US 27. Mr. Komasa was present and the cost to the town was approximately \$13,000 for the mowing and maintenance.

--Update Placid Lakes Utilities

Council Member Waldron requested an update on the Placid Lakes Utilities; a Rural Study was to be completed. Mr. Williams reported the Rural Study is in, he stated there was a very concentrated meeting with representatives. Mr. Harris stated representation included, Jon Draper Chairmen of the Lake Placid Regional Utilities, LPRUAC Liaison Council Member Bastardi, Phil Williams, and Gary Freeman. The study was reviewed via conference call with Central Florida Water who had prepared the study. They agreed to gather some additional information that was not included in the study, and get back to the town quickly. Additional information being gathered is the value of the equipment, including the land cost. The intent is to lay out the proposal for the Mayor's consideration; if he agrees, a contract would be drawn up; this process was previously agreed to by council. The Mayor would sign and give it to Placid Lakes; if they sign, the contract would be brought to Town Council for approval.

--Update CRA

Council Member Waldron inquired on whether Mr. Williams and Council Member Worley have met in regards to the CRA. Mr. Williams confirmed they are working together. Waldron inquired specifically, if an area has been looked at as a CRA district and what is the status of the RFQ to have the study done. Mr. Williams noted that with the change of council he would delay the CRA discussion in order to get new direction from the new council. Waldron commented that the town needs some vitalization. Council Member Royce reminded Council Member Waldron that at the last meeting a delay with the RFQ was approved in order for Mr. Williams and Council Member Worley to work with some property owners for the purpose of annexing properties that may be considered a part of the CRA in the future. He stated that was the only reason the RFQ has been delayed. Council Member Worley was concerned whether she should continue to meet with the property owners, as she was not able to discuss the CRA. Council

Member Royce stated he does not see a problem discussing the CRA with property owner. He stated that the Town Administrator's concern is that no promises are made to property owners implying they will be included in the CRA if they annex into the Town.

--Fire Prevention Education

Council Member Waldron addressed the Lake Placid Fire Department and Chief Hess's continued efforts to make the department one of the best. He pointed out that approximately 90% of funding for the department comes from outside the Town. Council Member Waldron stated a Fire Marshal in Tallahassee suggested starting Fire Prevention, which would assist the Chief and his department to go into a building not declaring a Fire Inspection; they would be doing Fire Prevention education. He requested council to continue to work with Chief Hess.

Citizen Comments

--Closing of the Lake Placid Health Department Office

A representative of the Caladium Pediatrics board brought to the attention of the Town Council that the Lake Placid Health Department location has discontinued offering medical and dental services. A concern is that the children in the community will no longer be able to receive their booster shots, school physicals and to be seen when they are sick. In addition, their parents, who most often do not have transportation, will not be able to travel to Sebring to have their children receive medical care. Another concern is for the elderly. It was requested of the Town Council to be a voice for the citizens.

Discussion closing of the Lake Placid location of the Highlands County Health Department:

- Tom Moran a representative of the health department was present. He reported to council that the decision to consolidate and close the Lake Placid location was done while he was on vacation and was recently made aware of the consolidation.
- He reported all clients in the area were notified in advance of the change.
- Currently he stated that negotiations with Central Florida Health Care and the Highlands County Board of County Commissioners are taking place.
- He cited reduction in Medicare reimbursement along with the retirement of the senior nurse as part of the reasons for the closure.
- Mr. Harris inquired who made the decision, when the decision was made, and who is in charge. The decision to close was made by the administration of the Florida Department of Health in Highlands County and senior administrator Mary Kay Burns. The decision to close the Lake Placid office was made sometime at the end of February.
- Council Member Royce stated that the health department withdrew services not just from the Town of Lake Placid but the Greater Lake Placid area. This is approximately 32% of Highlands County who live here and that there were no public notices to the media or conversations about the services ending.
- Caladium Pediatrics physician Dr. Raghuvveera spoke stating that there are a number of children who receive services from the health department. Among them, these patients often walk to his office. He restated that the Town council be the voice to help.

--Purchase vacant land on Lake Clay

Robert Hummel of the Audubon Society of Highlands County requested of Town Council to purchase the vacant land at the west end of Lake Clay to turn it into a park and not let the land go to developers.

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 8:17pm

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
April 14, 2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, April 14, 2014 at 5:30 pm at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. Tim Hess of the Memorial United Methodist gave the Invocation and led the Pledge of Allegiance. A quorum was present.

1. CALL TO ORDER – Mayor John Holbrook

2. SWEARING IN NEW AND RE-ELECTED - MAYOR AND COUNCIL MEMBERS

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

3. ROLL CALL

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

4. CONSENT AGENDA

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council on March 10, 2014
- C. Approval of Departmental Updates and Budget Accountability Reports for the month of March 2014
- D. Approval of Departmental Financial Reports for the month of March 2014
- E. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network

Motion – Moved by Council Member Bastardi, seconded by Council Member Worley, to approve Consent Agenda Items A through D **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Waldron, seconded by Council Member Worley, to Approve Consent Agenda Item E **Roll Call Vote:** Unanimous approval

5. PRESENTATIONS

A. Budget Analysis (presented after Item 5.B)

Town Administrator Williams stated that it is his goal to have a Budget Analysis presented to Council Quarterly or at the minimal halfway through the Budget Year. In addition, Mr. Williams reported that he has reviewed the Budget Analysis, which will be presented by Ms. Osborne.

Rachel Osborne, Financial Manager, presented a Budget Analysis and answered questions from Council.

- 2012-2013 Budget Analysis page 106 of the agenda packet reflects over and under on expenses.
- Page 7 through 16 Revenue Analysis reflects revenue comparisons from the previous year to the current year.
- 2013-2014 Budget Analysis page 17 of the agenda packet reflects six months of the budget year over and under on expenses.
- Page 18 reflects a two-year comparison of the fund balance.
- Page 19 is interest revenue comparison of the previous year to the current year. Ms. Osborne pointed out that in October 2013 the town signed a new contract transitioning all accounts to Seacoast National Bank.
- 2012-2013 Fiscal Year Close shows the fund balance at \$5,586,810, at year-end the Town had a remaining budget balance of \$1,189,896.
- In the infrastructure account, there is a balance of \$106,459 remaining, which was previously decided that it would remain in the fund balance along with the Utilities balance of \$670,000.

- The Police and Transportation reflects a negative balance. This is due to a year-end journal entry, which is required in order to accrue the last week of payroll of the year in order to close out the Fiscal Year.
- Ad valorem fund balances reflects an increase of about \$12,000.
- Franchise Fees Utility Tax shows a reduction when comparing with the previous year, this is due to Duke Energy's reduction in revenue as shown in the attachment.
- Community Service Tax is down; Ms. Osborne reported that it is also down by 3 to 18 percent statewide. This tax includes landlines and cell phones. The budget line item is not set by the town it is set by the state.
- Interest is down by \$1600, the reason for this is there was a problem with the way Seacoast Bank was calculating the interest and bank charges, they have since corrected the issue.
- The Water Utility Revenue is down. After investigation it was determined that there were water meter misreads which required adjustments be done. In addition, there has been a reduction in water usage and the interest is slightly down.
- Council Member Royce stated his concern on the reduction in Water Utility Revenue of approximately \$130,000.
- It was noted the Water Utility Revenue Budget projections compared to actual are within approximately \$31,000 of meeting budget.
- Ms. Osborne clarified that there were approximately 10 to 12 accounts that were misread and customer services need to adjust the bills.
- Council Member Royce recommended continuing tracking closely the Utilities revenue.

B. Keep Lake Placid Beautiful Quarterly Report

Bill Brantley reported to council.

- Due to beginning of the rainy season, transition to full time weed maintenance has begun.
- The Tower parking lot retention area has been weeded.
- Confirmation from the Sheriff's office that there will be a continuation of trustees sent to the Town as long as they are needed, along with the Desoto Correctional Institute trustees.
- The Sheriff's office and Desoto Correctional Institute have been able to cover; therefore, no citizen workers have been needed.
- In the report, there was a \$10,105 savings to the Town of Lake Placid, based on the Division of Forestry Labor Rates.
- The towable lift was used by the mural society to restore and reseal several murals, 350 hours.
- Removal of Brazilian Peppers from the Town.

6. PUBLIC HEARINGS ORDINANCES and RESOLUTIONS

A. Business Tax Ordinance 2013-660 1st Reading

Town Attorney, Town Council, and Town Administration Discussion:

- Business Tax Ordinance 2013-660 title read by Mayor Holbrook.
- Mr. Harris noted the first pages show the repeal of the old ordinance; page three begins adopting the new ordinance.
- Mr. Harris requested clarification on Council's direction as it pertains to registered agents doing business in the town; the ordinance addresses it in paragraph 4 bolded. In the past, the businesses that are represented by registered agents have not been subject to the business tax. Is it the direction of Council to require the registered agents be subject to the business tax?
- Council Member Worley stated she is not in favor of the business tax, but if the only place that business is being done is through a registered agent, there should be a requirement the business tax is paid.
- Highlands County does not collect business tax.
- Council Member Worley pointed out that the business tax is just a tax and should not have regulations attached to it.
- Council Member Royce stated that this business tax is utilized to generate revenue for governmental agencies to provide services.

- The exemptions in section 95 are directed by state statutes; the Town does not make the determinations of the exemptions within the ordinance.
- Mr. Harris addressed the section referencing the requirements for a business to obtain fire inspections, garbage collection services and zoning. How does council want to determine how the process should be handled to follow-up with compliance.
- Council Member Royce stated the business tax should not be a gateway to regulation that can be handled under other processes.
- Mr. Harris stated he would remove the section.
- Mr. Harris will include wording that addresses that the payment of the business tax does not indicate approval the business is meeting all other regulatory requirements to run a business in the Town, County, or State.
- Council Member Royce stated that the ordinance still requires some significant changes and not ready for approval on 1st reading.

Motion – Moved by Council Member Worley, seconded by Council Member Royce, to Table the Business Tax Ordinance 2013-660. Roll **Call Vote:** Unanimous approval

(Additional Comments took place after Item 7.A.11)

Mr. Harris requested clarification from Council, as the council tabled the ordinance. Does council want to continue with the business tax or Council does have the option to repeal it. Council Member Royce stated that his concern in passing the ordinance on first reading was that it required significant modification. In the previous first readings of ordinances that were passed, there was a small amount of changes required.

Mr. Harris requested direction from Council on which directions they want him to move forward on the ordinance. The consensus of Council was to have Mr. Harris bring back to council at the next public hearing.

B. Resolution 2014-9 Annexation of Interlake Apartments, Lake Placid Villas, Larry & Carol Watson and Joann Murphy, Trustee – By Ordinance 2014-662

Town Attorney, Town Administration and Town Council Questions and Discussion:

- Inquiry made on whether a resolution is required to proceed through the annexation process. Mr. Harris stated it is not required for the ordinance, but is an appropriate way to instruct staff to proceed.
- A Map of the properties to be annexed was included in the agenda packet for Council review.
- Council Member Royce asked about the two individual homes included in the annexation. Does the Town Garbage truck already service that area or are they going to be making trips to only those two homes.
- Town Attorney Harris responded that part of the annexation process is to have the Town Administrator contact Choice Environmental Services in reference to the proposed annexation and ask for their service proposal, which is addressed in state statute.
- Mr. Williams stated in regards to sanitation that for current and future annexations there will most likely be a need to be some flexible when these issues come up in regards to sanitation.
- Mr. Williams also stated, although the annexation processes has been done in the past it has been some time ago, and the process has a new approach. Therefore, there may be issues that come up from time to time which will need to be addressed by Council as the Town moves forward.
- Mr. Harris requested Council consider going through the process as follows: Section 8 - to set the effective date as December 31st for this annexation ordinance and in the future, this allows staff and all entities affected ample time to move through the process and will affect the tax rolls a day before the effective date, which is January. Solid waste addressed in two places section 10 and 11 Mr. Harris noted. Once Mr. Williams meets with Choice only one section would be left in the final draft. Section 12 and section 13 the Town does not assume maintenance of any road maintained by the county or the state. Section 14 on Land Use, in this ordinance there are no zoning issues.

Motion – Moved by Council Member Bastardi, seconded by Council Member Worley, to Approve Resolution 2014-9 Annexation of Interlake Apartments, Lake Placid Villas, Larry & Carol Watson and Joann Murphy, Trustee. **Roll Call Vote:** Unanimous approval

7. DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS

A. Town Administrator

1. 60 Days Notice from Highlands County Attorney MacBeth, Impact Fee

Mr. Williams stated this is a simple 60-Day notification from Highlands County's Attorney on the impact fees.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve waiving the sixty-day notification in regards to the impact fees. **Roll Call Vote:** Unanimous approval

2. CRA "Findings of Necessity" Study Grant

Town Council, Town Attorney and Town Administration Questions and Discussion:

- Mr. Williams asked council if they would consider allowing Central Florida Regional Planning Council (CFRPC) to obtain a grant for \$25,000 or less in order to have a "findings of necessity" study completed as a first step to establishing a CRA.
- CFRPC has been successful in obtaining this grant for the city of Frostproof.
- Mr. Williams stated that he has confirmed that if the study were completed utilizing the grant funds and the town does not precede with the establishment of a CRA the Town would not be responsible to repay the grant funds used for the study.
- Council Member Tuck inquired what the timeline is on obtaining the grant, how long it would take to find out if the grant had been secured and once the study is completed how long to was it to establish a CRA. Mr. Williams stated he would find out the details and inform Council.
- Council Member Worley commented there was an increase of approximately \$300,000 in property taxes this year. Her concern is if the town waits too long it will not be able to capture the increased property values from new development, such as Dunkin Donuts, and the Medical Center. She does not want to see us lose the money.
- Council Member Royce commented there could not be a determination of where the CRA boundaries would be located and what the projected revenues would be until the study is completed.
- Council Member Worley would like to see this move forward through the RFP process, and have CFRPC Bid.
- Council Member Bastardi commented that the Town of Lake Placid tax base would not receive the funds; the Town would actually lose funds, which will be redirected into the CRA. The Town will still be responsible to provide services. His concern would be how the CRA would spend the funds.
- Council Member Worley stated the CRA Board would be the Town Council; Council would be making the decision on how the funds are spent, and could even decide to give the money back if Council wanted too.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to Approve Central Florida Regional Planning Council(CFRPC) to seek a grant on behalf of the Town of Lake Placid to obtain funding for a "Finding of Necessity" Study at no cost to the town for a potential CRA for the town. **Roll Call Vote:** Yes- Royce, Tuck, Bastardi, No – Worley

3. Grant Discussion and Questions, Corbett Alday

Corbett Alday, Town Council, Town Attorney and Town Administration Questions and Discussion:

- The current CBDG will possibly be closing by the end of this year.
- The Town would be eligible to apply next year for another grant.
- Mr. Alday reviewed some of the different types of grants available.

- Leverage for applying for grants has been reduced from \$100,000 to \$50,000.
- The 2013 grant cycle is open for Economic Development; the funds will be gone by July or August.
- To begin the process an RFP to select a Grant Administration Service firm is required. In addition, the suggestion was to have an advisory committee established to develop some ideas for the grant, which would then come back to Council with a recommendation.
- Mr. Williams reported to council that an RFP for Grant Administrative Services is being drafted and will be published soon.
- State rules require that fees be used as part of the ranking in the RFP process. There is a budget cap of 8% for administrative fees, but is not required to be used on fees and could be rolled over to construction if needed. In the past, the town has never used this portion in full and has rolled over to construction.
- Prior to applying for the grant, the fee can be negotiated for the grant administration cost.

4. Interlocal Agreement- LP-HC Tangerine St. Development (presented after Item 6.)

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to Approve the Interlocal agreement between the Town of Lake Placid and Highlands County for the Tangerine Right of Way, any modification made to the agreement by Highlands County will be brought back to council. **Roll Call Vote:** Yes- Royce, Tuck, Bastardi, Abstain – Worley due to personal conflict

Mr. Harris stated that the contract is to be signed by Mr. Williams and if accepted will be brought back to council for final approval.

5. Interlocal Agreement School Board, Right of Way

Town Council, Town Attorney and Town Administration Discussion

- Mr. Harris reported to council that the agreement has been sent back to Mr. McClure.
- Council has not approved the agreement at this point, but did give approval to have staff continue to work with the staff of the Highlands County School Board.
- Mr. Harris and Council recalled, one issue was in reference to storm water runoff and how that problem was going to be solved as it pertains to any cost to the town. Mr. Harris stated the section that pertained to the town was removed.
- Staff will continue to work with the School Board on the agreement and will bring the agreement back to Council.

6. Envisors, LLC Bid Award Recommendation Letter

Envisors, LLC reported the results of the bids for the 2012 CDBG; details included in Recommendation Letter.

- Projects included separate portions, Water plant refurbish Magnolia Ave, lift station to raise the wet well, install a new generator, fencing and the access road, street milling and repaving of eleven streets south of the down town area.
- Three contractors submitted bids.
- Excavation Point holds an underground utilities contractor's license, and not a general contractor's license. The Town staff and town attorney have looked into the lack of a contractor's license; the town attorney's office rendered an opinion that Excavation Point would be disqualified from the bidding process because they are not a general contractor.
- The contractor budget for CDBG was \$688,000, which included \$563,000 in grant funds and \$125,000 in the Town leverage.
- L. Cobb's bid come in at \$86,251.39 over budget.
- There are three options to accept the L. Cobbs bid, 1) cover the additional cost with Town funds, 2) rebid the project with the reduced scope of work, less streets to be milled and resurfaced. 3)

to award to L. Cobb and negotiate after the award is made to reduce the cost. All is subject to final approval from DEO.

- Council Member Tuck recommended the \$125,000 currently budgeted to come out of the Streets account to come out of the Infrastructure account.
- Council Member Royce commented that since the majority of the grant funding is slated for utilities, he suggested that the grant match come from utilities.
- Mr. Freeman stated there is enough in utilities capital improvements account to cover the funds.
- Council Member Bastardi voiced his concern that without ordinances or mechanism protecting the right of ways, the resurfacing will continue to be damaged with vehicles pulling on and off the right of ways.
- Council Member Royce inquired how a miscalculation of 86,000 took place.
- Envisors reported that prices utilized in the beginning of the process were from a year ago and similar projects were looked at to estimate the cost.
- Council Members and Mayor discussed the Town taking a more assertive action as it pertained to the damage done to the roads from parking, pulling on and off the right of ways. They discussed that what has been tolerated in the past requires a change and are willing to work on the problem in the future.
- Council Member Worley suggested this issue be addressed at another meeting and have the public notified.
- Council Member Royce recommended that staff develop a plan within the next six months, prior to the repaving being completed, whether it is through code enforcement or another mechanism to protect the edge of the new paving as much as possible.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve the Attorneys recommendation to disqualify Excavation Point from the bidding, due to the lack of a general contractor's license required for the project. **Roll Call Vote:** Unanimous approval

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to Approve to award the Bid to L. Cobb from the bidding process subject to approval from FDEO. **Roll Call Vote:** Unanimous approval

Motion – Moved by Council Member Royce, seconded by Council Member Worley, Approve staff to configure a plan on the allocation of the grant matching funding and bring back to council for review. **Roll Call Vote:** Unanimous approval

7. Water Use Permit (WUP) Renewal Letter

Roger Homann of Envisors, LLC updated council

- Envisors has submitted a Water Use Permit on behalf of the Town.
- Mr. Homann stated a comment letter has been received. The letter included five comments four minor, the fifth is to supply additional information on population projections and water demand projections. Homann stated he is working with Town Attorney Harris on these issues.
- Mr. Homann stated the Water Management District is requesting additional documentation in a request to reduce the permit fee from \$1500 to \$100 under financial hardship to the Town.
- Mr. Homann is requesting a letter from the Town stating that the cost of \$1500 is a financial hardship to the town.

Motion – Moved by Council Member Bastardi, seconded by Council Member Worley, to Approve the Mayor sign a letter declaring a financial hardship for the Water Use Permit fee. **Roll Call Vote:** Unanimous approval

8. Utility Director Hiring Committee

Town Council, Town Attorney, and Town Administration Discussion:

- Mr. Williams presented to council a report and a sampling of the applicants from the Hiring Committee to begin the hiring process in preparation for Mr. Freeman's retirement in November 2014.
- The committee has identified two applicants that the committee believes are the top applicants. Joseph Barbar and Pamela Brothridge.
- The Hiring Committee is requesting direction from Council on how to proceed. Will the Council want the committee to proceed with final selection, does council want the applicants ranked, or should the committee continue with further recruitment.
- Council Member Bastardi a member of the Hiring Committee wanted to clarify how Council wants the final hiring decision be made, by council with recommendation from the committee, the committee or by the Town Administrator. In addition, he pointed out that Chairman Draper of the Regional Utilities Advisory Commission is a member of the hiring committee, the commission itself has not been involved.
- The Mayor commented his thoughts are the Committee and Town Manager.
- Council Member Worley commented that the Lake Placid Regional Utilities Advisory Commission (LPRUAC) should be involved.
- Mr. Williams said that the committee has discussed having the two candidates tour the facility and then go before the LPRAC to have an opportunity to observe the candidates speaking to a governmental group. He did not expect the hiring decision to be made by the LPRAC.
- Council Member Royce stated he was confident that the committee can make a recommendation to the Town Administrator and he would then make an offer to the chosen candidate.
- Questions on whether the Town Administrator has authority to hire were discussed.
- Based on Town Administrator resolution passed by council the delegated authority to Mr. Williams is supervising authority and based on the Town Code the Mayor retains that authority as CEO. The Mayor then makes recommendations to Town Council.
- Council Member Royce commented that in the future council should look at amending or doing a charter amendment to be giving someone the authority to hire and fire employees. He suggested a Charter Review be done in the future to bring Town Charter up to date.
- The Mayor would make the recommendation to council for final approval and the Mayor and Town Administer would negotiate salary.

9. Town Administrator Protocol Discussion

Not Discussed.

10. Proclamation Pledge of Civility (Added after first publish 04/10/14)

- Mayor Holbrook presented the Proclamation Pledge of Civility to Council prior to signing.

11. North US 27 Properties Annexation

Town Council, Town Attorney, and Town Administration Discussion:

- Mr. Williams stated he has been working with Council Member Worley on acquiring annexation agreements for the North US 27 properties, which he has named the north triangle; a picture was included in the agenda packet of the properties for Council review.
- Mr. Williams commented that this area is critical in moving towards the vision plan.
- Mr. Williams requested Council to approve the same approach as previously approved for the West Interlake Properties in regards to planning and discussions with the property owners.

Motion – Moved by Council Member Tuck, seconded by Council Member Bastardi, to Approve to invite annexation consents with the understanding upon agreement that the Town would provide the land use and zoning changes that would accompany those properties. **Roll Call Vote:** Yes- Tuck, Bastardi, Royce Abstain – Worley due to personal conflict

Additional Discussion:

- Council Member Worley abstained on the vote, but wanted to mention and discuss the possibly of future expansion of the sewer plant in that same area. She requested Utilities Director Gary Freeman address council in regards to this topic.
- Mr. Freeman stated there has been discussion in the past about expansion; the expansion would add another 15 acres. In addition, there have been funds set aside for the purchase of the land stemming from the impact fees.
- Council Member Worley stated that she wanted to make mention as we move through the annexation process, to keep in mind the expansion and zoning issues for the future if the town decides to purchase the property and expand.
- Mr. Harris clarified the property is currently zoned agriculture and if there were a zoning change to commercial, that would increase the value on the property that the town may wish to acquire in the future.

Mayor/Council Members

Council Member Bastardi commented further in reference to the new paving that will be taking place and the continued efforts of Council to work on solving the issue of vehicles damaging the right of ways.

8. CITIZENS ON AGENDA

A. Lake Placid Jaycees

Donald Clark of the Lake Placid Jaycees request to serve food at the June 22, 2014 Fireworks BBQ.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve to serve food at the on June 22, 2014 for the Fireworks BBQ. **Roll Call Vote:** Unanimous approval

B. Second Time Around

Mr. Tucciarone of Second Time Around, Town Council, Town Attorney, and Town Administration Discussion:

- Mr. Tucciarone of second Time Around requested approval to have a loading zone put at his place of business.
- Currently at the side door of his business there is parallel parking. He is requesting that the parking space directly in front of door be deemed a loading zone for his place of business.
- Council inquired whether Mr. Tucciarone could use the back of his business as a loading area.
- Council Member Tuck inquired whether there was a back door; Mr. Tucciarone stated the building sits high of the ground and that there is not enough room behind his business for a large box truck to maneuver for loading and unloading.
- Mr. Harris read from town code, which authorizes the Chief of Police to add, enforce, and change parking within the Town.
- Mr. Tucciarone is requesting one parking space to be marked as a loading zone.
- Mr. Williams stated the town is required to follow state law 316.1945.
- There are other businesses, which have requested loading zones. this could cause some issues.
- Mr. Williams inquired whether council wants the Police Chief have the authority; in his opinion, he would not recommend that direction.
- Council Member Royce stated he is not in favor of allowing the loading zone, his concern that there can be problems when the town gives away public right-of-ways for businesses such as loading zones, assigned parking for business, personal parking. It is not the public's issue to solve parking and loading zone issues for a private business.
- Mr. Williams for the record stated, the issue has been looked at and could not come up with a solution to recommend.
- There is no longer time restricted parking meters in the town.
- Council Member Tuck suggested the best alternative for Mr. Tucciarone is for him to put a door in the back of the building and load from the back.
- Mr. Williams stated he would look at the area again but does not foresee approving a loading zone parking.

- Mr. Tucciarone inquired if he places a legal vehicle and parks it in that space would there be a problem.
- As long as it is a legal vehicle, there would not be a problem.

9. CITIZENS NOT ON THE AGENDA

No other Citizens for discussion

10. ADJOURNMENT

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 9:30pm

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
June 9, 2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, June 9, 2014 at 5:30 pm at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. Cecil Kent, of Good Sheppard Hospice gave the Invocation and led the Pledge of Allegiance. A quorum was present

1. 5:35 P.M. Call to Order – Mayor John Holbrook

2. ROLL CALL

Present

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

In Attendance:

Town Administrator Phil Williams
Town Clerk Eva Cooper Hapeman
Finance Manager Rachel Osborne
Utilities Director Gary Freeman
Public Works Director John Komasa

3. CONSENT AGENDA (5:55 pm – 6:05 pm)

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council on May 12, 2014 and May 28, 2014 Special Joint Meeting Town Council and Lake Placid Regional Utilities Advisory Commission.
- C. Approval of Departmental Updates and Budget Accountability Reports for the month of April 2014
- D. Approval of Departmental Financial Reports for the month of May 2014
- E. Approval of all duly authorized monthly bills, less Royce Supplies
- F. Approval of all bills for Royce Supplies.
- G. Approval of Appointment to the LP Local Planning Agency (LPA), Michael Boley (Town resident), and Donald Clark as an alternate.
- H. Approval of Reappointment to the LP Regional Utilities Commission, Pam Brewer and Joy Eberhardt – Approval of John Davis as new member
- F. Approval of Supervisor of Elections Penny Ogg's request to utilize the Council Chambers for early voting, August 16-21 and October 25 – November 1

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve Consent Agenda Items with the exception of Item F. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to Approve Consent Agenda Item F. **Roll Call Vote:** Yes-Bastardi, Tuck, Worley, Abstain - Royce due to family relation with the company. The proper paperwork has been filed with the Town Clerk.

4. PRESENTATIONS (NONE)

5. PUBLIC HEARINGS ORDINANCES and RESOLUTIONS

- A. 1st Reading Business Tax Ordinance 2013-660

Town Attorney, Town Council, and Town Administrator Discussion

- Mayor Holbrook read the title of Ordinance 2013-660 for first reading
- Concerns of businesses utilizing a registered agent, but are doing business in the town limits and are not being required to pay the business tax.
- Mr. Harris: Addressed section 95-11 part four, this section was discussed previously by council; council requested it be left in as an exception. There are businesses in the Town such as, CPA's, Attorneys

and others that are registered agents. In addition, it is his recommendation that it be made clear the business is either taxed or not taxed.

- Mr. Harris: Clarified that in sections 95-11 part 1 and 2 that the words “Any Persons” does mean corporations too.
- An example of an exempted business would be a citrus grove owner using a business in the town limits only as their registered agent; the business would not be taxed, but if the grove itself were located within the town limits that business would be taxed.

Motion – Moved by Council Member Tuck, seconded by Council Member Royce, to Approve 1st Reading of Business Tax Ordinance 2013-660 retaining section 95-16. **Roll Call Vote:** Yes- Tuck, Royce, Bastardi, No - Worley.

6. TOWN ATTORNEY / DEPARTMENT HEADS / MAYOR/COUNCIL MEMBERS

A. Town Attorney

1. Buddy Rogers Property Agreement Amendment

Town Attorney, Town Council, and Town Administrator Discussion

- Mr. Harris: There were changes to the Interlocal agreement to retain all the funds available under the Transportation Impact fees for the South Highlands County Lake Placid Area. This is to the benefit of the Town. His recommendation to council is for approval of the language and authorize the agreement. Once approved the agreement will be presented to county.
- Mr. Harris: There was a slight change in the amount of funds, the remaining funds to be used at this point is approximately \$4,815.
- Mr. Harris: Presented the signed contract with Buddy Rogers, which included the vacant land rider attached, annexation, zoning, and all issues are addressed in the contract with Mr. Rogers.
- Clarification was requested that even though council approves the agreement, that the requirement to move through the LPA process for zoning and land use changes stays intact and does not preempt public input. Mr. Harris confirmed this is not final until all requirements and public input is completed.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to Approve the Amended Interlocal Agreement between Highlands County and The Town of Lake Placid Florida in regards to N. Tangerine right-of-way acquisition. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to Approve the Vacant Land Agreement between Alton D Rogers and Jason B Rogers and The Town of Lake Placid, including the Rider Attachment. **Roll Call Vote** Unanimous approval.

2. Placid Lakes Utilities Discussion

Town Attorney, Town Council, and Town Administrator Discussion

- No Discussion

3. Paradise Mobile Home Park Water and Annexation Agreement

Town Attorney, Town Council, and Town Administrator Discussion

- The Town has been supplying water and maintenance for 40 years. The Town currently does the maintenance at the expense of the Towns Utilities. Maintenance of the system in the past years has not been a problem. Mr. Freeman had done an analysis to retrofit the system; the cost would be approximately \$80,000.
- The solid waste for Paradise is currently with Choice the county’s solid waste company, for the next five years. State Statutes does state that a solid waste contract can stay intact up to five years in which addresses the issue of allowing Choice to continue to service the area. In addition, they currently have dumpster pickup type of service.
- Mr. Harris: The Town currently does not have a land use for mobile home parks; therefore, there would be a planned development process to go through during the annexation process. This would change the land use to multifamily. The agreement allows for annexation at anytime. The issue rose out of the Town policy on annexation consent agreements for new water customer sign up.
- Concerns from council: 1) Taking over a distribution system that is not up to good standards, could end up costing the Town. 2) The Town does not have the easements. Mr. Harris noted that the easements are included in the agreement.

- Discussion on installing a master meter, which would cost approximately \$7000. Putting a master meter would remove the responsibility of maintaining the system inside of the mobile home park from the town.
- Mr. Harris asked for direction from council. He suggested, including within section 7 of the agreement the Town would not assume maintenance of the system until annexation is complete. Letting the Town be in control of when the annexation takes place and having the owner of the property be responsible for fixing the system prior to annexation.
- Mr. Harris: Suggested another alternative is leaving everything as is until such time the system begins to need repair and at that point have the owner do the necessary repairs and then the Town will have the option of putting in master meter.
- Have staff review the cost of a master meter compared to what is currently in place for further discussion.
- Mr. Harris: Other suggestions to consider include 1) changing the agreement to read a master meter to be installed where Paradise maintains the system and annexation consent would be no sooner than 10 years, when annexation takes place the town will service water, reuse, and sanitation. 2) Not changing to a master meter today, consider leaving as is until the maintenance breaks down and at that point the Town will convert it to a master meter. 3) We do the maintenance at their expense.
- Mr. Harris: Put in the agreement a time certain, that after specified time annexation consent would be required.
- Council Member Royce: Suggested the staff come back to council with a written course of action and recommendation at the next council meeting. Council was in consensus.

B. Town Administrator

1. Heartland Bank Request to Extend Agreement with town re Lake Sirena Estes LTD, The Shore Club of Lake Placid. (Discussion moved to after Agenda Item 3)

Representing the Town, Attorney John McClure, Town Council and Town Administrator Discussion

- Mr. McClure: Is representing the Town of Lake Placid on the Heartland Bank Request, due to the Town Attorney Mr. Harris has recused himself from representing the town in this matter due to personal interest.
- Heartland Bank has a potential buyer for the Lake Sirena property. The potential buyers have requested that prior to purchasing the property that an extension to the land development agreement and the water and wastewater use agreement be approved Mr. McClure recommended extending the agreements until January 11, 2020.
- Council Member Worley: Homeowners in the area were not notified this would be coming before council for approval. Recommended that council wait at this point and revisit when it comes up again.
- Council Member Royce: Pointed out there has not been a great deal of change in the past four and half years. This is a PD (Planned Development) and it is more than likely, the new owners will want to make changes and go through the PD process again at which time council will have an opportunity to discuss it at that time. This is an opportunity for economic advancement for the community by accepting this amendment.
- Clarification was made that Council Member Royce no longer owns stock in Heartland National Bank.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to Approve both the first amendment amending the Development Agreement and the first Amended Water and Waster Agreement between Heartland National Bank and the Town of Lake Placid. **Roll Call Vote:** Yes- Royce, Bastardi, Tuck No-Worley

2. Town audit for year-end September 30, 2013

Motion – Moved by Council Member Tuck, seconded by Council Member Royce, to Approve the Town Audit as presented for year-end September 30, 2013. **Roll Call Vote:** Unanimous approval.

3. Request to Mitigate 102 Serenity Drive Code Enforcement Fines

Town Council and Town Administrator Discussion

- The property is currently in compliance.
- The code violation was that the property was not mowed.

- The amount of code enforcement accumulated fines is \$23,500.00.
- The request for council to mitigate the fines came from Peter Vito with Remax Real Estate in Sebring. Mr. Vito was not present to address council.
- Council Tabled the request until the Representative is present.

Motion – Moved by Council Member Tuck, seconded by Council Member Tuck, to table the matter until the next meeting. **Roll Call Vote:** Yes – Royce, Worley, Tuck, No - Bastardi,

4. Jaycees Alcohol Permit

Town Council and Town Administrator Discussion

- The Jaycees were approved for the Alcohol Permit for last year's Caladium Festival.
- Chief Fansler reported that there were no problems last year. In addition, he does not foresee any problems for this year if approved by council.
- Mr. Harris recommended the Jaycees file with the Town Administrator proof of insurance for the event.
- The Jaycees issue wristbands and special cups to people purchasing the alcohol, the area allowed for the consummation is marked using pennants donated by Bernie Little.
- Council Member Tuck expressed concern for Stuart Park; which is an area where there are more families. Devane Park where the car show there is no concern.
- The Jaycee's are requesting a larger area this year, than last year to serve alcoholic beverages.
- Council Member Bastardi: He would prefer the area being requested to sell alcohol be a smaller confined area.
- Mayor Holbrook: In favor in allowing, the Jaycees their request and see how it works out. He added that no alcohol be sold outside the sidewalks, remaining inside the grass areas.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve the Lake Placid Jaycees to sell alcohol in both Devane and Stuart Park at the Lake Placid Caladium Festival July 25, 26 and, 2014, limiting the sale of alcohol to within the concrete sidewalks of the two parks, to be known as the internal grassy area of each park. **Roll Call Vote:** Yes – Royce, Worley, No - Tuck, Bastardi, Tie Breaker- Yes - Mayor Holbrook.

5. Nu Hope Request to Acquire Town Property 107 South Main Avenue

Town Council, Mayor and Town Administrator, Town Attorney Discussion

- Nu-Hope is seeking the donation of the parcel of land next to the current location of Nu-Hope in the Town of Lake Placid.
- Council Member Tuck: Hoz Compton donated the property a number of years ago and he is supportive of the donation. The Town did not pay or has never paid anything for the property.
- Discussion on whether staff has any possible future use for the property.
- In the past, there was discussion to have the property used as parking lot or controlling storm water such as a retention pond.
- The storm water drainage is connected to the system on a Southside pipe near Strateup Youth Ministries, then to a retention pond. In past consideration to have a parking lot on the property, the size of the lot would not be conducive as a parking lot and the road behind the property is an old ally way that is also not conducive for traffic.
- Concern on what policies or procedures are currently in place regarding town property surplus.
- Mayor Holbrook stated that these types of requests could be treated on a case-by-case basis.
- Nu-Hope Executive Director Ingra Gardner: The organization relies on federal and state grants, these grants require local match of more than \$300,000. The Lake Placid thrift store generates matching funds and with an expansion of the thrift store, there would be additional matching funds to help the agency to serve.
- Mr. Harris: As per the Town's Charter, it would require an ordinance for any conveyance of land. Mr. Harris will check into any other requirements that would pertain to the conveyance of Town land.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to Approve donation of the requested Town Property to Nu Hope. **Roll Call Vote:** Motion Withdrawn by Council Member Tuck.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to instruct staff to bring back to council for consideration the appropriate mechanism for the transfer of ownership of town property. **Roll Call Vote:** Roll Call Vote: Unanimous approval.

6. Request for \$700 donation to project to restore the town welcome sign on US 27 North.

Town Council, Mayor and Town Administrator, Town Attorney Discussion

- Mr. Williams: Mr. Hartzell requested funding to refurbish the Welcome sign on the north end of town. There was no motion approving the funding in past minutes.
- Mr. Komasa confirmed there is funding within the repair and maintenance budget line item for the \$700 donation.
- Previously the Town made a donation for paint for the south sign.
- Council Member Royce: Suggested that the Regional Utility make the donation, and to have a small thank you to the Lake Placid Regional Utilities be placed on the sign.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to Approve to donate \$700 to the restoration of the welcome sign at the north entrance to the Town by the over pass. **Roll Call Vote:** Motion Withdrawn by Council Member Worley.

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to Approve The Lake Placid Regional Utilities donate up to \$700 for the repair of the Town of Lake Placid Welcome sign contingent upon the recognition of the donation by the Town of Lake Placid Regional Utilities to be placed somewhere on the sign. **Roll Call Vote:** Unanimous approval.

7. Chic Chick Boutique Request Approval for Food Vendor October 4, 2014, Stuart Park

Town Council, Mayor and Town Administrator, Town Attorney Discussion

- Gini Shevick of Chic Chick Boutique is hosting a pet adoption event Barktober Fest and is requesting approval to have a Food Vender at the Event. There will be one Food vendor and all information insurance and licensing information has been provided.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve Food Vendor for Barktober Fest and Pet Adoption event being held by Chic Chick Boutique at Stuart Park. **Roll Call Vote:** Unanimous approval.

Mr. Williams stated that as council moves through some of the issues before council, are there any items that Council would want the Town Administrator to have the authority to handle.

Council Member Royce requested Mr. Williams to changed the authority council gave the Town Administrator to approve vendors at events.

8. Bicentennial Park Lease Agreement.

Town Council, Mayor and Town Administrator, Town Attorney Discussion

- The Masons have notified the Town in writing that the park will be placed for sale.
- There is playground equipment in the park that belongs to the town. Mr. Komasa has suggested locating the equipment at the ball fields and the small park on Main Street. Moving the equipment would take approximately a week. The only Concern is there is a time capsule under the flagpole; the town will need to determine whom it belongs to and find out where the time capsule could be placed.
- Council Member Worley: The morning Rotary Club may be interested in the building.
- Council Member Royce: Suggested to speak to the Masons and request the park be donated to the Town.

Chief Fansler, Town Council, Mayor and Town Administrator, Discussion

9. Halloween Event Discussion

- Chief Fansler: Suggested that since the Water's Edge Halloween has grown substantially last year, causing some potential dangers. He is suggesting moving the event from Waters' Edge to the Down Town area for Halloween Festivities.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve having the Town Administrator and Chief develop a detailed plan to move the Water's Edge Halloween festivities to the Lake Placid Down Town area and bring back to council for consideration. Roll Call Vote: Unanimous approval.

10. Police equipment surplus - disposal / sale of surplus 9MM Rifles

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to declare the 9MM Rifles as Surplus. **Roll Call Vote:** Unanimous approval.

11. Police department request for budget amendment, additional school crossing guard

Town Council, Mayor and Town Administrator, Town Attorney Discussion

- Chief Fansler: There has been increased after school students from the Middle School crossing at Tangerine. Due to safety concerns, is requesting council approve funding for one additional crossing guard. There was a study done by the LPPD that found in the morning hours crossings were small but in the afternoon, there was a significant increase of children crossing at Tangerine.
- Council consensus recognized the area is a dangerous location for children crossing.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to authorize the Police Chief to add another employee, to utilize the existing personnel budget, and if at a later date additional funds will be needed to cover the personnel expense a to request council for a budget transfer. **Roll Call Vote:** Unanimous approval.

12. RFP 14-001 Program Administration Services CDBG and Related Services, proposals

Town Council, Mayor and Town Administrator, Town Attorney Discussion

- Mr. Williams: Recommendations to award Guardian Community Resources Management Inc based on the rankings from town staff of the proposals submitted for RFP 14-001. Overall Ranking sheet was included.
- Mr. Alday of Guardian requested clarification in reference to the single ranking sheet used which gave the totals of the Ranking Committee. Suggested in the future the ranking committee member's individual ranking sheets are made available along with the overall ranking sheet.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to accept the RFP proposal from Guardian Community Resources Management Inc, and to include both the summary ranking sheet and individual ranking sheets into the public record. **Roll Call Vote:** Unanimous approval.

13. Town Administrator requested approval of \$200 donation to Lake Placid Volunteer Fire Dept. Assn. (re appreciation for help with flagpole and other projects)

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve a donation of \$200 to the Lake Placid Volunteer Fire Department from the Lake Placid Utilities for their assistance. **Roll Call Vote:** Unanimous approval.

C. Mayor/Council Members

- Council Member Bastardi: The construction signs should be removed from West Interlake as the construction has been completed.
- Council Member Royce: The construction signs are still up as the county is waiting for the pavement to cure, once that is done, the county can do the final painting.
- Council Member Worley: Reported that all funds have been received for the Lake McCoy Watershed Project.

7. CITIZENS ON AGENDA (Moved prior to 6.b.8)

A. Jeff Cowell

- Mr. Cowell a business owner of the Town of Lake Placid voiced his concern that several businesses have gone out of business in the area.

- Mr. Cowell stated that the trees and shrubs that were planted a couple of years ago, which were funded by a grant, have grown to a point that they are obstructing the view of the businesses from the highway. He requested that the trees and shrubs be trimmed to allow the businesses to be seen from the Highway.
- Other issues Mr. Cowell addressed, were to resurface the road where Wendy's is located, it was confirmed that the CDBG grant would begin the resurfacing soon.

8. CITIZENS NOT ON THE AGENDA

None

9. ADJOURNMENT

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 8:45pm

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
July 14, 2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, July 14, 2014 at 5:30 pm at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. Sammy Telesco, of STR8 UP Youth Ministry gave the Invocation and led the Pledge of Allegiance. A quorum was present.

**5:32 P.M. INVOCATION
PLEDGE OF ALLEGIANCE**

1. 5:35 P.M. Call to Order – Mayor John Holbrook

**2. ROLL CALL
Present**

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

In Attendance:

Town Administrator Phil Williams
Town Clerk Eva Cooper Hapeman
Finance Manager Rachel Osborne
Utilities Director Gary Freeman
Utilities Joe Barber
Public Works John Komasa
Chief Fansler

3. CONSENT AGENDA 1

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council on June 9, 2014
- C. Approval of Department Head Reports
- D. Approval of Departmental Financial Reports for the month of June 2014
- E. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network
- F. Approval of Interlocal Agreement amending Tangerine Drive to Tangerine Avenue

Motion – Moved by Council Member Tuck, seconded by Council Member Bastardi, to approve Consent Agenda

1. **Roll Call Vote:** Unanimous approval

4. CONSENT AGENDA 2

- A. Approval of all bills for Royce Suppliers
- B. Approval of all bills for The Hometown Network

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to approve Consent Agenda 2. **Roll Call Vote:** Yes – Worley, Tuck Abstain – Royce due to family relation with the company, Abstain- Bastardi owns Hometown Network. The proper paperwork has been filed with the Town Clerk.

5. PRESENTATIONS (NONE)

6. BUDGET 2014-2015 / TENTATIVE MILLAGE

- A. Tentative Millage Rate

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve a tentative millage rate at 3.65. **Roll Call Vote:** Unanimous approval.

- B. Budget Workshop Dates for FY 2014-2015

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve the Dates for the 2014-2015 Budget Workshops and the dates be properly advertised to the public. **Roll Call Vote:** Unanimous approval.

7. **PUBLIC HEARINGS ORDINANCES and RESOLUTIONS**

A. 2nd Reading Business Tax Ordinance 2013-660

Town Council, Town Attorney Harris, Discussion:

- Section 95-21 when the tax is not paid, Code Enforcement brings it before the Special Magistrate and through the hearing process imposes the fines. The Town is responsible for the collection of the fines.
- Section 95-11 4. Designation of a registered agent or office within the town the ordinance should be clear that a business having a principle address in the town pays the business tax.
- Section 95-11 1-2 does address that businesses having a permanent business location in the town limit are required to pay the business tax.

Motion – Moved by Council Member Tuck, seconded by Council Member Bastardi, to Approve 2ndst Reading and adoption of the Business Tax Ordinance 2013-660. **Roll Call Vote:** Yes- Tuck, Royce, Bastardi, No - Worley.

B. 1st Reading 2014-662 Annexation Ordinance - LP Villas Watson Murphy Interlake Apts

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to approve Ordinance 2014-662 on 1st reading. **Roll Call Vote:** Unanimous approval.

C. 1st Reading 2014-665 Annexation Ordinance West Interlake Blvd

Motion – Moved by Council Member Tuck, seconded by Council Member Royce, to Approve Ordinance 2014-665 1st reading. **Roll Call Vote:** Unanimous approval.

D. 1st Reading 2014-667 Ordinance on sale to Nu-Hope

Mayor, Town Council, Town Attorney Harris, Town Administrator Discussion:

- Mayor Holbrook read the Title of the Ordinance.
- Nu-Hope approached council at the June 9, 2014 Town Council meeting in regards to having the town donate the property. At the time, Council agreed to consider, but only after staff reported on the proper procedures to use for the disposing of Town property.
- Discussion on conveying the property, by donating, selling the property to Nu-Hope for a specified price even as low as one dollar, or by putting the property out for Auction or BID.
- Concern on whether this was setting a precedent, having other business, not for profits and individuals coming to council to obtain surplus town assets from the town. The requests could be for property or other surplus of the Town, and expecting Council to approve these requests based on the current request before council is handled.
- Mr. Harris: The Town is required to utilize the ordinance process in the conveyance of land.
- Town Council inquired on whether there is a policy in place to address disposal of surplus of Town property.
- The property was gifted to the town by Hoz Compton.
- Council discussed if it was possible to give the property back to Mr. Compton, and have him convey the property to Nu Hope or to notify the Town in writing requesting the Town give the property to Nu Hope.
- Council directed staff to develop, if not already in place, policy and procedures on how the Town disposes surplus assets of the Town. In addition, to have staff develop a clear ordinance on the disposal of town surplus.
- Mr. Harris: Suggestion is to utilize a resolution instead of an ordinance as it allows the council to have the ability to wave requirements if deemed necessary.

Motion – Moved by Council Member Tuck, seconded by Council Member Royce, to contact the person who donated the property to the Town, inquire if they want the property back and if so the Town Deed the property back. **Roll Call Vote:** **Council Member Tuck - Motion Withdrawn**

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to have staff create an ordinance which will provide for the sale of the property in the amount of one dollar to Nu-Hope, included in the ordinance is the expressed wishes of the original grantor of the property to the town, and to include a reversion clause which is in effect only in the event that a structure is not placed on the property. **Roll Call Vote:** Yes-Tuck, Royce, Worley, No - Bastardi.

- Council Member Royce clarified the intent of the motion does not approve the ordinance presented for first reading due to significant changes, and have staff bring back to council a new ordinance for first reading.

E. 1st Reading 2014-668 Ordinance Amending Chapter 3 Section 11 and 12

Mayor, Town Council, Town Attorney Harris, Town Administrator Discussion:

- Mayor Holbrook read the Title of the Ordinance.
- The Florida Legislature amended the law, which allows joint meetings to be held between the Town Council and the County Commissioners; the language is included in section 1.1 paragraph D.
- Council suggested changes, 1-1A in reference to Regular meetings strike the word “shall” insert the word “should” and strike the word “fourth”. Section 1-1 B Insert “additional” and “emergency” retaining the word special meetings. 1.2 Agenda section remove “Town Clerk” insert “Mayor’s Designee”.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to Approve on 1st Reading Ordinance 2014-668 Amending Chapter 3 Section 11 and 12 with the following revisions: Section 1-1A in reference to Regular meetings strike the word “shall” insert the word “should” and strike the word “fourth”. Section 1-1 B Insert “additional” and “emergency” and retain the word special meetings. Section 1.2 Agenda remove “Town Clerk” and insert Mayor’s Designee. **Roll Call Vote:** Unanimous approval.

8. TOWN ATTORNEY / DEPARTMENT HEADS / MAYOR/COUNCIL MEMBERS

A. Town Attorney (AGENDA ITEMS NONE)

B. Town Administrator

1. Post Office mail delivery centers

Mayor, Town Council, Town Administrator, and Public, Discussion:

- Businesses and the Town were not notified prior to the change to mail distribution centers.
- The change placed hardship on the businesses along Interlake Blvd and Main. In addition to the hardship to the businesses, there could have been issues with traffic and parking associated with the centers.
- The post office has resumed regular delivery and has removed the mail distribution centers.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, that the Town Council prefers keeping the door-to-door mail delivery service and the Town be notified prior to any changes to mail delivery in the future. **Roll Call Vote:** Unanimous approval.

2. Fire hydrant repainting option to “piggyback” with City of Ocala's Bid with R&M Service Solutions.

Town Administrator, Town Council Discussion:

- The BID for this project came in high, but Utilities Director Freeman located a BID under the City Of Ocala.
- Requested Council to consider the Town “piggy pack” with the City of Ocala’s BID with R& M Service Solutions
- The project will only be for the repainting of the hydrants and will not include sandblasting.
- Discussion on whether the Town could do what Sebring is doing. The City of Sebring is painting there hydrants pink by volunteer with the city paying for the paint.
- Utilities Director Freeman stated that the quality of the paint being used by R&M Services is high quality and the preparation of the hydrants will be by pressure washing, scraping the hydrants prior to painting. The quality of paint being used is supposed to last 10 years. Responding to paint build up currently on

the hydrants, there are about 3 to 4 layers of paint on the hydrants. Mr. Freeman added that as the paint deteriorates, it actually disintegrates so there is not a buildup of paint.

- The Bid is \$13,272, which includes 316 hydrants.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to Approve for the fire hydrant repainting by “piggy backing” on the City of Ocala’s Bid with R&M Service Solutions. **Roll Call Vote:** Unanimous approval.

3. Interlocal Agreement between the Town of Lake Placid and the Highlands County School Board regarding construction of Green Dragon Restrooms and Parking facilities at Tennis Courts

Town Council, Town Administrator, , and Town Attorney Discussion:

- Town Administrator presented the Interlocal Agreement for the Tennis Court project, the Board of County Commissioners have approved the project utilizing RPAC funding.
- The school board has notified Mr. Williams that the agreement has been placed again with the school board attorney and may still have some revisions.
- The project is a good for the town and RPAC is putting in the funding with the Town also contributing.
- Council discussed that the Town encourage the school board to work with the Town on other issues that have not been addressed but have been requested by the Town. These would include the easement along Tangerine, the sand build up in the areas of the RMCA and SunTrust bank that is backing up the drain system, this is stemming from the fill and dirt brought into the School Board property along side RMCA.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to Approve the Interlocal agreement with the school board on the tennis court restrooms and parking facilities. **Roll Call Vote:** Yes-Tuck, Royce, Worley, No - Bastardi.

4. Watershed Advisory Board

Bob Howard, Watershed Advisory Board Member, Town Council Discussion

- Mr. Howard presented a letter drafted by the Lake Placid Watershed Advisory Board; the letter is to Southwest Florida Management District to address the delay on the phase II of the storm water retrofit for Lake June-In-Winter. The intent of the letter is to encourage the project to move forward. Funding has been approved for some time.
- Council discussed the importance of the lakes and run off that directs pollutants and garbage into Lake June.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to Approve the letter to SWFWMD in reference to the Lake June-In-Winter Storm water Retrofit Phase II. **Roll Call Vote:** Unanimous approval.

C. Mayor/Council Members (Item taken out of order, after 9.A)

Council Member Tuck, Council Discussion Bicentennial Park

- Inquired whether staff had contacted the owners of Bicentennial Park to see if they would donate the property to the town.
- Mr. Williams will contact the owners to find out what options there are for the property. The property is currently up for sale.
- Open issues discussed for the park, the Time Capsule will need to be relocated, whether the Rotary is interested, the Gazebo and preliminary plans for moving the playground equipment when the time comes.

Mr. Williams, Council, Town Attorney Discussion:

- Mr. Williams has not been contacted again by Mr. Vito of Remax on the request for the town to mitigate code enforcement fines for 102 Serenity Avenue.
- Council discussed on what the course of action is on code enforcement, with options of foreclosure of the properties violating town codes. Mitigations have been done in the past.

- Any fines the town levies do attach to the property, although any liens on a property are placed in order, for example a mortgage is first in forced sale or agreed sales of properties.

Mr. Williams's reminder to council:

- The Town will be presenting to the Board of County Commissioners budget workshop on August 6, 2014 at 9am. The presentation is for the continuation of recreation funding to the town.

Council Member Royce Discussion:

- Expressed concerns on comments from a school board staff about the grades of the Highlands County Schools, utilizing the word "Thrilled" at the grades.
- The Lake Placid schools have two "C" and one "D" School in our Town.
- As a Town, we should ask for and expect our schools to score better than this.

9. CITIZENS ON AGENDA

A. Albin "Big Al" Pelski President, Toby's Clown Foundation

- Mr. Pelski discussed some of history of Toby's Clown College, which opened in 1993.
- The foundation has been successful with the expansion of the college.
- Tourlakeplacid.com was established and has been successful bringing people to the Town. In addition, to having the town listed as the most interesting town.
- The Depot Museum is an historical landmark and because of the status, a sign on US Hwy 27 can legally be placed that states Visit Historic Downtown Lake Placid. This would direct people to visit our downtown and businesses.
- The college has experienced vandalism twice with rocks being thrown through the windows, the first time the windows were replaced. He reported the second time there were bigger rocks that damaged the actual window frames. The foundation will need to raise funds to replace all the windows and frames; and until the vandals are found, there has been wood, which will be painted white, being placed over the windows.

10. CITIZENS NOT ON THE AGENDA (NONE)

11. ADJOURNMENT (7:45 pm)



**LAKE PLACID TOWN COUNCIL
Budget Workshop
July 23, 2014, 5:30 PM
AGENDA**

(Please turn off all pagers and cell phones)

(Anyone wishing to speak and not on the agenda must fill out a card).

1. Call to Order – Vice Mayor Royce

2. ROLL CALL

Present

Council Member Ray Royce
Council Member Debra Worley
Council Member Arlene Tuck

Absent

Mayor John Holbrook
Council Member Steve Bastardi

In Attendance:

Town Administrator Phil Williams
Town Clerk Eva Cooper Hapeman
Finance Manager Rachel Osborne
Utilities Director Gary Freeman
Utilities Joe Barber

3. FY2014-2015 Budget Workshop

A. Utilities

Council, Phil Williams, Gary Freeman, and Rachel Osborne Utilities Budget Discussion:

- Director Freeman presented the Utilities line item budget to Council.
- There are no General Funds flowing into the Utilities budget.
- Mr. Williams stated there is a request for three promotions with pay increase within Utilities. These salary increases are not considered raises they are salary increases due to promotions. The consensus of council was to keep the proposed salary increases.
- In addition, discussion about giving a one percent raise to the Utilities employees, the one percent would not be included for three employees being promoted with a salary increase.
- Council discussed the Health Insurance; consensus was to keep the current Health Insurance.
- Mr. Williams informed council that Mr. Barber has been involved in the budget process.
- Council reviewed and discussed the presented budget line by line beginning with the water system revenue, Water Revenue will be less due to the reduction in water usage.
- Review of the Water system expenses: auditing allocation costs is up due to the percentage of the time spent by the auditors on the Utility department,
- PRM insurance has not notified the Town of any increase yet
- Due to the age of the some of the vehicles repair costs are up. There are two replacement vehicles included in the presented budget.
- Operating Supplies are high due to an unexpected charge from the county for copying.
- Dues and Subscriptions, Training and Education should remain to allow for license renewals, dues and subscriptions as well as training for the new Utilities Director Joe Barber.
- The current budget for Engineering was higher due to the water use permitting process.
- The budgeted amounts for several line items in the Water Department were reviewed and amounts rounded to whole numbers.

- Recommendation that reserves funds not be included in the budget, Council expressed a preference to have a realistic budget that any excess funds be placed in an actual reserve account and not part of the budget. In the event there is unexpected expenses a request for funds are made to council and amend the budget upon approval.
- The Towns Fuel comes from the county; the county gets a rebate from the state, Town Administrator Williams will check into whether the Town is due the rebated funds.
- Council discussed Wastewater/Sewer revenue and expenses.
- Council requested staff revise and that all Department Heads ensure that all yearend projections be included in the 2013/2014 Estimate Column.
- Council consensus is to include a one percent increase to salaries for utilities field employees, the increase does not include administration employees.
- Encourage all contractors to have the invoices to the Town on a timely basis through the end of the year budget.

4. ADJOURNMENT 7:45 PM

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
August 11, 2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, August 11, 2014 at 5:30 pm at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. Drew Severance of First Presbyterian Churchy gave the Invocation and led the Pledge of Allegiance. A quorum was present.

**5:30 P.M. INVOCATION
PLEDGE OF ALLEGIANCE**

1. 5:33 P.M. Call to Order – Mayor John Holbrook

2. ROLL CALL

Present

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

In Attendance:

Town Administrator Phil Williams
Town Clerk Eva Cooper Hapeman
Finance Manager Rachel Osborne
Utilities Director Gary Freeman
Utilities Joe Barber
Public Works Director John Komasa
Chief Fansler

3. CONSENT AGENDA 1

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council on July 14, 2014
- C. Approval of Department Head Reports
- D. Approval of Departmental Financial Reports for the month of August 2014
- E. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to approve Consent Agenda 1. **Roll Call Vote:** Unanimous approval.

4. CONSENT AGENDA 2

- A. Approval of all bills for The Hometown Network

Motion – Moved by Council Member Worley, seconded by Council Member Royce, to approve Consent Agenda 2 Hometown Network Bills. **Roll Call Vote:** Yes – Royce, Worley, Tuck Abstain- Bastardi owns Hometown Network. The proper paperwork has been filed with the Town Clerk.

5. PRESENTATIONS

A. KLPB Qtr Report 04-06-2014

- A representative was not present to present the Keep Lake Placid Beautiful Quarterly Report. The Report was provided in the council's agenda packet for review.

B. Highlands County Staff re 1% Sales Tax

Mayor, Town Council, Ms. Fisher, Mr. Benson:

- Highlands County Staff, June Fisher County Administrator, and Chris Benson Programs/Administrative Project Manger presented information on the extension of the Infrastructure Surtax, which will be put to the voters at the upcoming Primary Election on August 26, 2014.
- Ms. Fisher noted the reason this is being addressed now and being placed on the ballot, is because infrastructure projects are planned out into the future and the board commits funds for these projects.

Since the tax would expire in five years, it causes an issue when securing funds for these future projects.

- Mr. Benson gave a brief history on the Infrastructure Surtax, when the tax was first implemented, and what projects the funds have been utilized. The detailed information was provided to Council in the Council Agenda Packet.
- The Town of Lake Placid estimated distribution through September 30, 2015 would be approximately \$ 200,000 added to the Town's Budget.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, the Lake Placid Town Council is in support of the Local Infrastructure Surtax as it is an important and necessary component of revenue for projects for both the Town of Lake Placid and across Highlands County. **Roll Call Vote:** Unanimous approval.

6. PUBLIC HEARINGS ORDINANCES and RESOLUTIONS

A. 2nd Reading 2014 662 Annexation Ordinance - LP Villas Watson Murphy, Interlake Apts.

Mayor, Town Council, Town Attorney, Discussion:

- Mayor Holbrook read for the record by Title Ordinance 2014-662, the Ordinance for second hearing was provided to Council in the Council Agenda Meeting Packet.
- Mr. Harris recommended amending the ordinance map, County Lake Clay Drive is not highlighted on the map, and the ordinance does include Lake Clay Drive on the Northside of Track G.
- The frontage road right of way was discussed, it was undetermined what entity the frontage road (the road in front of the Interlake Condos) belongs to, and whether the County or State is responsible for the maintenance of the Road. Previous inquiries were not conclusive.
- Additional comment that Annexation does not drive maintenance of the Road.
- Both the County and State have declined to fix the road.
- Council inquired if the road could be closed, as per the Lake Placid Comprehensive Plan requires the road to stay open.
- Staff is instructed to inquire who is responsible for the Frontage Road.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve adoption on second hearing of annexation ordinance 2014-662 with the recommended changes to the ordinance map that includes County Lake Clay Drive on the North side of Track G. **Roll Call Vote:** Unanimous approval

B. 1st Reading Ordinance 2014 674 Town Parking

Mayor Town Council, Town Attorney Harris, Discussion:

- Mayor Holbrook read for the record by Title Ordinance 2014-674, the Ordinance for first reading was provided to Council in the Council Agenda Meeting Packet.
- Mr. Harris presented to council a Town Parking ordinance for consideration on first reading. Some issues have come up in Planning and Zoning. Mr. Harris requested council's input and in addition, a copy has been sent to the Town Planners for additional input.
- A review of the new Section 5 of the ordinance and subsections a, b, c, d were discussed. This section would allow for parking on public road rights-of-way through a Planned Development ordinance.
- Council expressed concern that if the town allows developer's town right-of- way for the use of parking, this could cause problems with the Town's ongoing issue with storm water, by allowing this type of development could continue this problem.
- The Planned Development plans can include how the developers are required to handle parking, with council having the final approval.
- Mr. Harris requested clarification on what changes council would prefer: 1) Map- Major and minor collector roads, 2) Through the Planned Development the developer be required to maintain parking areas, 3) include a requirement through the Planned Development process that the homeowners association set aside fees to ensure maintenance of the parking areas.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to table ordinance 2014-674 Town Parking to have staff to continue with revisions and bring back to Council. **Roll Call Vote:** Unanimous approval.

C. 1st Reading 2014 667 Ordinance on sale to Nu-Hope

Mayor, Town Council, Town Attorney Harris, Discussion

- Mayor Holbrook read for the record by Title Ordinance 2014-667, the Ordinance for first reading was provided to Council in the Council Agenda Meeting Packet.

- Town Charter directs that any conveyance of town property be through a Town Ordinance.
- Mr. Compton was the conveyer of the property to the town. Mr. Compton was contacted, and has indicated he is in favor of the property being donated to Nu-Hope. The language indicating Mr. Compton's support is included in the ordinance.
- Council requested Mr. Compton draft a letter indicating his support of the donation of the property to Nu-Hope to be included in the record.
- Mr. Williams added, at the last council meeting, the Town Administrator was asked to research Town policy regarding surplus property. Mr. Williams reviewed his findings with council; the details of his findings were included in the Town Administrator's Department Head report.
- Mr. Williams asked for direction from council whether a Town Policy be developed for disposal of surplus.
- Town Charter Section 4-13 subsection G addresses how real property is handled.

Motion – Moved by Council Member Tuck, seconded by Council Member Royce, to approve ordinance 2014-667 on first reading and include a letter from Mr. Compton indicating support. **Roll Call Vote:** Yes – Royce, Worley, Tuck No- Bastardi

D. 2st Reading 2014 668 Ordinance Amending Chapter 3 Section 11 and 12

Mayor, Town Council, Town Attorney Harris, Discussion

- Mayor Holbrook read for the record the Title of the Ordinance, the Ordinance for second hearing was provided to Council in the Council Agenda Meeting Packet.
- Council requested changes, replace "Clerk" with "Mayors Designee" due to change in the "Clerks" duties.
- Consensus of council to remove the regular meeting on the fourth Monday, eliminate all language 1C of the ordinance, keeping the last line section 1-C, change deadline for all items that are to be placed on the Council's agenda be supplied to the Town Administrator by 2:00 PM Tuesdays.

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to approve, and adopted ordinance 2014-668 on second hearing. **Roll Call Vote:** Motion Amended

Amended Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to approve, and adopted ordinance 2014-668 on second hearing with revisions replacing in the ordinance "Clerk" with "Mayors Designee", eliminate all Language in 1C, and retaining the last line of that section, and moving the deadline to have information placed on the agenda to Tuesday at 2:00 pm. **Roll Call Vote:** Unanimous approval.

7. TOWN ATTORNEY / DEPARTMENT HEADS / MAYOR/COUNCIL MEMBERS

A. Town Attorney

1. Paradise Mobile Home Park

- Mr. Harris reported there was a counter proposal submitted by Paradise Village, which was not included in the agenda packet.
- The topic will be brought back to Council for review at a later date.

B. Town Administrator

1. Limited English Proficiency Plan (LEP)

Mayor, Town Council, Town Administrator, Discussion

- Mr. Williams presented Resolution 2014-11 and a draft of the Limited English Proficiency Plan (LEP). Both the Draft Resolution and LEP plan was provided in the Council Agenda Meeting Packet.
- Chief Fansler had reported to Mr. Williams that the Florida Department of Law Enforcement had notified the Chief upon inspection of the departments grants, FDLE recommended that an LEP be put in place for future grants.
- Mr. Williams followed requirements to determine the language most affecting the Town, and concluded it to be Spanish. The LPPD typically has approximately ten Spanish only speaking people per week and the Utilities department has about three.
- The Town currently has procedures in place, but the plan puts this into writing. Bilingual employees are called in to assist in translations. Mr. Williams has changed the website to have the ability to change from English to other languages including Spanish.
- Having a LEP plan is not a requirement for grants at this time, but the town has been asked if it has an LEP plan.
- Mayor Holbrook read for the record the title of the Resolution.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve Resolution 2014-11 Limited English Proficiency Plan (LEP) **Roll Call Vote:** Yes – Worley, Bastardi, Royce No- Tuck

2. Appointment of CATV Board to review CDBG Grant

Mayor, Town Council, Town Administrator Discussion

- Mr. Williams presented five recommendations requesting Council to appoint the Citizens Advisory Task Force, which is a requirement for the 2014 Cycle for the Community Development Block Grant (CDBG). The list of recommendations task force members were provided in the Council Agenda Meeting Packet.
- Once appointed the Task Force would meet and discuss CDBG grant project options, and then would make recommendations to council. Council is not required to accept the recommendations.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve the recommended to appoint to the Citizens Advisory Task Force as listed. **Roll Call Vote:** Unanimous approval.

3. Fire department demolition house burns inside of town (Item Taken out of Order)

Mayor, Town Council, Town Administrator, Discussion

- Highlands County Emergency Operations Director Tim Eures and Fire Services Supervisor Charles Andrews addressed council in regards to allowing fire services to burn the houses located on East Belleview and North Pine for fire training.
- Council pointed out that the last time this was done, there was not adequate notification, and not only the businesses were affected, but also the local Saturday morning market was affected with strong winds blowing the smoke.
- Suggestions were to have the fire training be done on a Sunday when most Town businesses are closed.
- Council comments were training should be done at a proper training facility. In addition, Council concerns were: causes undo risk to public safety, legality of the ability to burn a home for these purposes, and notification to the public prior to the commencement of the training.
- Mr. Eures and Mr. Andrews both expressed to council that every safety protocol is strictly followed; the buildings are tested for asbestos, and if asbestos is found it is removed. They also added that it is good opportunity to train in a realistic environment for the local fire departments.
- Council requested that better communication with the town and the Town Administrator happen for any future burns.
- Clarification was made that the Public Notice would include a notice placed on the Town Website, and local newspaper. There would not be individual mailings done.

Motion – Moved by Council Member Tuck, seconded by Council Member Royce, to allow the burning of the homes for training with proper public notice 10 days prior to proposed burns and to return to council for any future burning of homes for training. **Roll Call Vote:** Yes – Royce, Worley, Tuck No- Bastardi

4. DEP Grant - North US 27 Homes, Water Services Extension SERV

Mayor, Town Council, Town Administrator, Utilities Director, Discussion

- DEP has agreed to reimburse the Town \$22,439, which will pay for waterlines to the three homes along 27, "North Triangle properties. Included in the Town Council Agenda packet is a description of the project and the grant funding from DEP.
- Mr. Williams and Mr. Freeman requested Council approve to utilize \$23,000 from the contribution account for the 2-inch water service extension to the North US 27 homes that have bad wells. The funds will be reimbursed by FDEP after the work is done.
- Mr. Williams reported there have been some productive meetings on the North Triangle properties with planning and the property owners on annexation with one property owner who will not be annexing. That property will have the ability to hook up to water, but will be required to sign annexation agreement.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, approve the transfer of \$23,000 and to designate the funds as a loan from the contribution account. **Roll Call Vote:** Unanimous approval.

Town Administrator – Bicentennial Park

- Mr. Williams as requested by council contacted the Masons to find out if they would consider donating Bicentennial Park to the Town. The Masons attorney has stated that it would be expensive to divide the park from the Boy Scout Building.

- The Masons have inquired whether the Town would pay for the legal work and advised they would consider further if the town could pay all costs associated with the transaction if approved.
- A survey could be done to determine on what lot or lots the Boy Scout Building is actually situated.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to approve up to \$1000.00 for a survey of the park. **Roll Call Vote:** Unanimous approval.

C. Mayor/Council Members

- Council Member Royce reminded staff to bring a plan to council to address the consolidating of the Towns bank accounts and to keep only the accounts that are required.
- Council Member Royce commented that Mr. Barber should begin to transition from working in the field, back into the office as Mr. Freeman is retiring in the next few months, and to begin to utilize his expertise.

8. CITIZENS NOT ON THE AGENDA

- No Citizen Comments

9. ADJOURNMENT (8:20 pm)

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
September 8, 2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, September 8, 2014 at 5:30 pm at Town Hall, 311 W Interlake Boulevard, Lake Placid, Florida. Tim Haas of First Memorial United Methodist Church gave the Invocation and led the Pledge of Allegiance. A quorum was present.

**5:30 P.M. INVOCATION
PLEDGE OF ALLEGIANCE**

1. 5:35 P.M. Call to Order – Mayor John Holbrook

2. ROLL CALL

Present

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

In Attendance:

Town Administrator Phil Williams
Town Clerk Eva Cooper Hapeman
Finance Manager Rachel Osborne
Utility Director Gary Freeman
Utility Director Joe Barber
Public Works Director John Komasa
Sergeant Heather Mulligan
Commissioner Richie
Town Planner Mark Hill
Town Planner Joedie Thayer
Town planner Martin Fitz

3. CONSENT AGENDA 1

A. Approval of Agenda

B. Approval of Minutes of the regular meeting of the Lake Placid Town Council on August 11, 2014

C. Approval of Minutes of Town Council Budget Workshops, July 23, 2014, August 7, 2014 and August 28, 2014

Items 3.D – 3.E delayed in first council packages due to software – will follow in addendum

D. Approval of Department Head Reports (Delayed due to software)

E. Approval of Departmental Financial Reports for the month of August 2014

E. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network

F. Approval of Reappointment to the Recreation Commission of Laura Teal and Edgar Vazquez

- Mayor Holbrook pointed out that there are two E's in consent agenda 1 and to change to the correct numbering of A thru G.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve Consent Agenda 1 Items A-G. **Roll Call Vote:** Unanimous approval.

4. CONSENT AGENDA 2

Items 4. A delayed in first council packages due to software – will follow in addendum

A. Approval of all bills for The Hometown Network

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve Consent Agenda 2 Item 4.A Hometown Network Bills. Roll Call Vote: Yes – Royce, Worley, Tuck, Abstain- Bastardi owns Hometown Network. The proper paperwork has been filed with the Town Clerk.

B. Approval of all bills for Royce Supply

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve Consent Agenda 2 Item 4.B Royce Supply Bills. Roll Call Vote: Yes – Worley, Bastardi, Tuck, Abstain- Royce, Family member owned business. The proper paperwork has been filed with the Town Clerk.

5. PRESENTATIONS (NONE)

6. PUBLIC HEARINGS ORDINANCES and RESOLUTIONS

A. 1st Reading Ordinance 2014-675 Approval of 2014-2015 Budget Millage.

Mayor, Town Council, Town Attorney, Discussion:

- Mayor Holbrook read for the record by Title Ordinance 2014-675, the Ordinance for first hearing was provided to Council in the Council Agenda Meeting Packet.
- The millage will remain the same as last year, the current millage of 3.65.

Motion – Moved by Council Member Tuck, seconded by Council Member Bastardi, to approve on first reading of ordinance 2014-675 2014-2015 Budget Millage by reading of Title only. **Roll Call Vote:** Unanimous approval.

B. 1st Reading Ordinance 2014-676 Approval of 2014-2015 Budget

Mayor, Town Council, Town Attorney, Discussion:

- Mayor Holbrook read for the record by Title Ordinance 2014-676, the Ordinance for first hearing was provided to Council in the Council Agenda Meeting Packet.
- Council Member Tuck recommended a 5% increase for the Town Administrator Phil Williams, and commented that Mr. Williams has done a good job for the Town. In addition, to include a 5% increase for Chief Fansler.
- Mr. Williams pointed out that a 5% raise was included in the budget for Chief Fansler.
- Council noted there was a change in the budget amount but no backup documents to reflect the change.
- Mr. Williams reported that based on the last council meeting there were additional salary adjustments he made.
- Council requested to see the additional salary adjustments, and the hearing was tabled to the end of the meeting, in order for Finance Manger Rachel Osborne to bring back the details on the updated budget.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to table the public hearing for 2014-676 until later in the meeting. **Roll Call Vote:** Unanimous approval.

- Budget hearing resumed, Ms. Osborne brought updated budget sheets back to council.
- Council reviewed the additional salary increases. In addition, were in consensus to raise Mr. William's salary to \$75,501.
- Mr. Williams complimented the town employees on their hard work and dedication and presented pictures of a water break at Serenity Lake over the past weekend.
- Mr. Williams informed council on an issue that has come up which may affect the budget at a later date. While working with the new software in regards to how Police Officer overtime is calculated. Currently the incentive pay, which can be up to \$1500 per year, must be included in as part of the calculation for overtime pay according to the Fair Labor Standards Act. Mr. Williams has contacted the town's labor attorney to receive clarification. Other Law Enforcement organizations were contacted to inquire how they are handling incentive pay and overtime. In Highlands County, the only law enforcement agencies calculating overtime to include the incentive pay are Highlands County Sheriff's office. Indian River County Sheriff's office is now calculating that way since they were found in violation of the fair labor standards.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to approve on first reading of ordinance 2014-676 2014-2015 Budget as read by Title, to include an increase in salary of 6.325% to \$75,501 for the Town Administrator Phil Williams. **Roll Call Vote:** Unanimous approval.

C. 1st Reading Ordinance 2014-674 Town Parking

Mayor, Town Council, Town Attorney, Discussion:

- Mayor Holbrook stated the ordinance was received late, and inquired whether council wanted to proceed with discussion.
- Town Attorney Harris requested discussion on the ordinance and if preferred council could take action later.
- This ordinance was presented for first reading at the last Town Council meeting.
- Mr. Harris reported that the recommended changes discussed at the last council meeting have been included in the ordinance. In addition, discussions have taken place with the Town Administrator and the Town Planners in regards to this ordinance.
- The ordinance incorporates protection of through ways of the roads, the public's rights to secure the town's right-of-ways, as well as storm water issues, which are dealt within the proposed ordinance. In addition, the ordinance will allow for zoning issues to be addressed through a Planned Development (PD) process.
- Mr. Harris stated that this ordinance would directly affect the next item on the agenda, the public hearing for planned development, and rezoning for the Belleview Cottages. The reasons the Development project would be affected is due to the Town Code requirement that a developer provide parking off the right-of-way on the developer's property.
- It was pointed out that the Town was platted to have parking on the public right of ways.
- The change in the ordinance provides council the tools to make the decision to intensify parking if council chooses too, if the streets are not going to be used for major or minor collector roads.
- The ordinance allows for the development of Town parking infrastructure.
- Mayor Holbrook read for the record by Title Ordinance 2014-674, the Ordinance for first hearing was provided to Council.
- Council discussed concerns and made recommended changes to ordinance as follows; make clear the parking is public parking and there will not be assigned parking. Recommended wording for section 6-b to be "shall include at least (150%), council recommend planning staff to address changes.
- Mr. Leblanc representative of the Cottage Company commented there are 21 proposed parking spaces included in the (Belleview Cottages PD), but only 14 are needed spaces. Suggested council consider the PD on a case-by-case basis and to maximize the parking, which would handle the possible overflow parking.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve on first reading of Ordinance 2014-674 as presented with a change to section 6-B inserting shall include at least 150%. **Roll Call Vote:** Unanimous approval.

D. 1st Reading Ordinance 2014-664 Belleview Avenue Cottages Planned Development

Mayor, Town Council, Town Attorney, Questions and Discussion:

- Mayor Holbrook read for the record by Title Ordinance 2014-664, the Ordinance and Town Planners Staff Report, PD for first hearing was provided to Council in the Council Agenda Meeting Packet.
- Town Planner Joedene Thayer reported the applicant Cultivating LLC is requesting a zoning change from R-1A Single-Family dwelling district to an R-1A/PD, Single-Family Dwelling District/Planned Development. In addition, there is companion request for a small scale comprehensive plan amendment from low density residential to Downtown Mix Use that will be heard at the second reading of the rezoning ordinance which is anticipated to be at the October 13, 2014 Town Council Meeting.
- Ms. Thayer reviewed the proposed development documented in the Staff report included in the meeting packet. The Local Planning Agency recommendation to Town Council was also included in the Planning Staff report. The recommendation that council adopt the rezone ordinance 2014-664 with conditions which are: 1) The Developer submit a final, engineered site plan to the Town depicting the subject property and its proposed parking area, landscaping, irrigation plans, retention plans and other required materials for review and approval as a commercial site development plan at the time of development. 2) The Developer shall submit for the Town's review and approval the Home Owners Association document specifically addressing ownership, maintenance of the single-family homes, clubhouse, storage, parking area, landscaping, and retention area. 3) Include a statement in the Planned Development Ordinance stipulating that the required landscaping be maintained, and if any trees or shrub should die, new ones shall be planted of the same size in its place. 4) Submission to

the Town the Engineered Drawings for proposed parking and adjacent roadways. In addition to staff recommendations, the LPA recommended two additional items. The adoption of the rezoning ordinance, Ordinance No. 2014-664, shall be contingent upon the State's approval of the companion small scale plan amendment, Ordinance No. 2014-663 and the developer shall dedicate 0.16 acres for recreation and open space, or make a payment in lieu of \$9,616.32, which takes into account the dedication of the sidewalk area.

- Mr. LeBlanc reviewed the rendering of the project there will be seven cottage dwellings, a community building and storage units for the residents. Estimated property tax assessments to the town would be approximately \$11,000 each year Mr. LeBlanc commented that the project is possible because of partners who are interested in investing in the revitalization of the Downtown area.
- Clarification of Staff Recommendations for the (PD) included: Recommendation 1-B the Town Council does have the final review and approval of the Home Owners Association documents. The Council has final approval of the planned development site plan.
- Council Member Bastardi voiced his opposition to the project. He commented that the property was platted for three residential lots and did not believe the development will enhance the property values for surrounding property owners.
- The Town Planning staff is comfortable with the proposed project and fits well with proper planning protocols of communities.
- Recommended changes on first reading of ordinance 2014-664: Section D-2 change the word "Ancillary" Mr. Harris will work on appropriate language to clearly word the section to include 21 space to be construction in the public right-of-way to meet land development regulations in the Town of Lake Placid and that the parking spaces are for public parking. Delete section D Uses-(i), Delete section D-(ii), and Delete section K, revise wording or take out section 106-3.8 C to cap parking in the development and public parking.
- Council discussed having the developer maintain the parking area.
- Mr. LeBlanc pointed out that once they pay to put the parking in the town should maintain the parking, he pointed out that the development would be bringing tax revenue into the town.
- Ms. Thayer clarified for council that staff recommended instead of the full \$12,821.76 the developer would pay 9,616.32 adjusting for the developer dedicating of the sidewalk area.
- Conditions will be set on the final agreement to include the completion dates and commencement dates. The project will be completed in its entirety and not one at a time. Mr. LeBlanc confirmed that the development would be built in its entirety less the interiors, in order to allow potential buyers to select the interior such as counter tops and interior colors.
- Planning staff and the Town Attorney to develop wording to accomplish the timing of the completion date that all the infrastructure and exterior of the eight buildings are completed.
- Mr. LeBlanc requested to include an extension if requested, in the event presales are not moving as predicted.
- Council recommendation for staff is to reword section 160-3.8 section C, to state that all parking is public parking.
- The HOA Documents, which will be included in the PD, should make clear that there is no assigned parking for the homeowners as all parking is Town public parking.
- Mr. Hill Town Planner explained that this is a conceptual PD and that the developer will still be required to go through the PD process. The Developer will come back to Council through an amended PD for the project and will include a site plan review and other completed documents that council will consider for approval. Mr. Hill clarified that the HOA documents will be included at the time of the site plan review.
- Mr. Harris inquired of planners that the final approval of the site plans and other documents would be through the resolution process instead of an ordinance process.
- Mr. Hill confirmed that the final PD and site review could be approved by either a resolution or ordinance.
- Mr. Harris recommended adding to 160-3.4 section C Conceptual Site Plan adding wording that approval of the site plan by Town Council will be by resolution. Council was in consensus to the change.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve on first reading of ordinance 2014-664 as amended by council discussion, subject to all the conditions and recommendations of the LPA and the Town Planning staff and the HOA Documents be submitted prior to second reading. **Roll Call**

Vote: Motion Amended after discussion

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve on first reading of ordinance 2014-664 as amended by council discussion, including additional changes as discussed to section 160-3.4 C, subject to all the conditions and recommendations of the LPA and the Town Planning staff. **Roll Call Vote:** Yes – Royce, Worley, Tuck No- Bastardi

E. 1st Reading Ordinance 2014-670 Bethel Baptist Church Planned Development

Mayor, Town Council, Town Attorney, Town Planners, Pastor Wylans Discussion:

- Mayor Holbrook read for the record by Title Ordinance 2014-670, the Ordinance and Town Planners Staff Report for first hearing was provided to Council in the Council Agenda Meeting Packet.
- Town Planner Joedene Thayer reported the applicant Bethel Baptist Church is requesting a zoning change from R-1A Single-Family dwelling district to a Planned Development district (PD). In addition there is companion request for a small scale comprehensive plan amendment from low Suburban Residential to Downtown Mix Use that will be heard at the second reading of the rezoning ordinance which is anticipated to be at the October 13, 2014 Town Council Meeting. Letters were obtained from surrounding property owners and were included in the staff report who has indicated no objections to the zoning of a child daycare facility. One additional letter from Mr. Rubin Mendoza, the adjacent property of the church, which was not included in the materials provided. Ms. Thayer read into the record the letter reflecting that Mr. Mendoza is aware of the proposed daycare facility and is not in opposition.
- Ms. Thayer gave an overview of the request for rezoning for the church to have a daycare center, which will be limited to 30 children. The applicant is proposing six new parking places, which are shown on the site plan with the details of the proposed rezoning change located in the Staff Report provided.
- The LPA's recommended motion to Town Council is included in the Staff Report.
- Poster Sean Wylans commented that there have been daycares in Lake Placid area, which have closed, and the existing daycares have extensive waiting lists. Pastor Wylans stated that there is a need for a childcare facility. He has been contacted by a number of people inquiring when the daycare facility would open.
- Ms. Cameron owner of Chef Buddy's restaurant requested confirmation based on the Alcohol ordinance recently passed by Town Council: does having a Daycare/School located near the restaurant effect the ability for the restaurant to serve alcohol.
- The Alcohol ordinance lifted restriction to sell Alcohol when near church, but did continue to restrict the selling of alcohol near schools.
- Ms. Thayer commented on selling alcohol and state law, if the establishment has sales of food that is 51% or higher, the restaurant can sell alcohol. It is only when the alcohol sales exceeds food sales that the sale of alcohol near a school is prohibited.
- Council discussed that in the future if a company wanted to open a wine bar, which would primarily be selling more wine than food; it is within the state law that the business would be prohibited as it pertains to selling alcohol near a school.
- Council Member Worley commented a concern in reference to some of the parking being presented is in the alleyway, which is already very narrow.
- The state statute does not reference day care centers.
- Mr. Harris recommended passing on first hearing and answer the alcohol issue at the adoption hearing.
- Pastor Wyle's stated he would be willing to drop the word school.
- Ms. Thayer stated that the 26 spaces they have is adequate, and there is not a need for the additional spaces along the alleyway.
- Council requested staff to research that if by creating another use for the property it would keep other property owners in the area from conducting business would cause a problem.
- Mr. Harris recommends changing 160.4.4 C to change the wording to read for example approval conceptual site development plan through "Town resolution with approval of Town Council".

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve on first reading ordinance 2014-670 with revisions to include, striking the six parking places along the alleyway, change wording to say in the final site plan be approved by council through the resolution process, because an accurate site plan has been submitted, strike the word school and to instruct staff to bring clarification that there is not an infringement to the businesses in the area. **Roll Call Vote:** Unanimous approval

F. 1st Reading Ordinance 2014-672 Lake June Reality Inc Planned Development

Mayor, Town Council, Town Attorney, Discussion:

- Mayor Holbrook read for the record by Title Ordinance 2014-672, the Ordinance and Town Planners Staff Report for first hearing was provided to Council in the Council Agenda Meeting Packet.

- Town Planner Joedene Thayer reported the applicant Lake June Realty, Inc is requesting a zoning change from Agricultural District (Highlands County and Town of Lake Place) to the Town of Lake Placid Highway Commercial District (C-1) / Planned Development (PD). This is a conceptual PD. In addition, there is companion request for a small-scale comprehensive plan amendment from Agriculture and Rural Landscape to Commercial-General. There were no Letters received as it pertains to this property.
- Ms. Thayer gave an overview of the application for the rezoning details were included within the Town Council Agenda Materials, and the Town Planning Staff report. The request for Highway Commercial District (C-1) Uses for one or more of the following, Bank, Commercial, Retail, and Convenience Store with a fuel station. The plan is consistent with the Town's Comprehensive plan. The LPA recommended adoption of the ordinances rezone 2014-672 and small scale 2014-671 by a six to zero votes, which is included in the staff report. A conceptual plan and a final site plan to be brought to council for approval.
- Mr. Harris recommended council to approve on 1st hearing as written, staff will work on refining how the process is handled, and how the site plans will be handled.
- Mr. Harris pointed out on page 161 of the town agenda packet (C) Development Concept this is where staff will make changes and bring back to council on 2nd hearing.
- Council Member Tuck stated her concern on having a Convenience Store in that location.

Motion – Moved by Council Member Bastardi, seconded by Council Member Worley, to approve on first reading of ordinance 2014-672 **Roll Call Vote:** Yes-Royce, Worley, No-Bastardi, Tuck Tie Breaker- Yes Mayor Holbrook

7. TOWN ATTORNEY / DEPARTMENT HEADS / MAYOR/COUNCIL MEMBERS (7:15 pm – 7:45 pm)

A. Town Attorney

1. Discussion by town attorney regarding streamlining annexations planning processes

Town Attorney, Discussion

- Mr. Harris stated there have been discussions with the Town Planners to work on a plan to make the process on annexation, faster, less expense for the Town, less expensive for the applicants, while still maintaining public input. The process in 2014 with annexations that were agreeable to the town and property owners is taking months to complete. It has been taking approximately four months.
- Recommendation could be that the following when all parties are in agreement: Annexation, Land Use, and zoning all for first readings, then following 30 days the 2nd hearing for annexation, land use and zoning.
- PD Ordinance on the Conceptual with site plans and site plans with the approval of council through the annexation approval process.
- In addition, to bring the long planning staff report to one page, when having a conceptual PD and theoretical land use, the items landscape plans, traffic studies would be done at development of the longer report.
- Mr. Hill stated his support to streamline the process. Keeping with the required procedures, annexation placed first for approval, second the land use, and the zoning this will work?

B. Town Administrator

1. Request for reduction of code enforcement fines at 102 Serenity Avenue

Mayor, Town Council, Town Attorney, and Mr. Peter Vito Cusumano-Foreclosure/Investment Specialist, RE/MAX Realty Plus Discussion:

- Mr. Vito Cusumano, is working for the Seller Friendly Home Equity. The property was obtained in foreclosure. The owner Mary Bush obtained a mortgage on the property August 31, 2007 and passed away in October of 2007. Mr. Cusumano reviewed the pictures and the condition of the property, which were included in the Council Agenda Packet Materials. The property was listed for \$17,900, it has dropped to \$12,000 there is an offer of \$15,000 due to the liens.
- Mr. Cusumano on behalf of the seller is requesting a waiver on the code enforcement lien on the property considering the property is under water.
- Council Member Bastardi expressed his concern on how a property gets to this point; fines getting this high and what can be done to fix the process.
- Mr. Harris recommended addressing the process on these code violation issues and how to enforce as an agenda item for next the next council meeting. In addition, recommended to address the issue for this property currently before council.
- Mr. Cusumano stated the buyer is ready and willing to make the necessary repairs to the property. A proof of funds can be provided to council to give assurance there are funds to have the necessary repairs to bring the property into compliance.

- Sergeant Mulligan Code Enforcement Officer commented that the property once purchased by the seller did not come into compliance for 458 days. In relation to the interior of the property, code enforcement is not able to enter unless invited to. The fines are \$23,020.
- Mr. Harris stated that compliance is the goal; he could recommend council approve without having a guarantee that the property will be brought to compliance with town code.
- Town Attorney Harris recommended to Mr. Cusumano to go back to the seller or buyer, and either one place in writing guaranteeing the property will be brought up to code and bring back to council next month.
- Mr. Cusumano stated the buyer is willing to work to get this resolved.
- Mr. Harris suggested determining the amount of the lien waiver council is willing to accept to release the lien, then have a conditional release of lien when the property is brought to code no more than a specified number of days.
- Council directed staff to draft an agreement for the buyer.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve staff to prepare an agreement for the mayor's consideration and approval that will facilitate the sale of the property with a waiver of the fines to \$500 if the new buyers have brought the entire property up to code within 120 days after closing. **Roll Call Vote:** Unanimous approval.

2. Paradise Village Mobile Home Park discussion (Amend added 09/03/14)

Mayor, Town Council, Town Attorney, Town Administrator, Discussion:

- Mr. Williams presented an agreement, which was included in the council agenda packet for review.
- It is been over a year to come to an agreement on consent to annex into the town with the mobile home park. This process is based on the ordinance that requires new services hookup for properties outside the town limit sign consent to annex agreement.
- The system would take approximately \$70,000 to bring up to standards.
- Council Member Bastardi discussed that this portion of the utilities was brought into the town in the 1960's connecting into the town. This process is based on the ordinance that requires any new service hookup for properties outside the town limits to sign a consent to annex agreement. In this situation the mobile home park has one owner of the property, but each mobile home has individual accounts and meters.
- Mr. Williams stated this agreement is the last effort the town will take to work with Paradise Village to get this resolved. The next step for the Town will be installing a master meter, and at such time, Paradise Village will be responsible for all the water lines within the mobile home park, the individual meters, and billing the residents.
- The town administrator is requesting council approve the agreement and that the agreement is presented to Paradise Village. In addition, he has spoken to the owner representative of the property who has indicated he would like to speak to town council at the next meeting. After the next council meeting, five days after that would be the set point to make the switch to the master meter if the agreement is not signed or said that may change the council's position.
- Utility Director Barber confirmed that a backflow preventer would be installed. Mr. Barber reported the cost of the repairs and cost of the master meter.
- Council was in consensus that a master meter be installed. Mr. Williams confirmed no motion is needed for this to be done.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve to move forward with the proposed agreement and have staff work with the landowner on the issue. **Roll Call Vote:** Unanimous approval.

3. Interlocal agreement Highlands County/Town of Lake Placid re Planning Services (Amend added 09/05/14)

- Mr. Hill commented that it would take about four weeks to have the agreement move through the process, and in speaking with the County Administrator there will not be a break in services with the Town while waiting for the agreement to be finalized.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve entering into an Interlocal agreement with Highlands County for Planning services option 1 of the Summary reading a lump sum of \$35,000 billable in four quarterly installments of \$8,750. **Roll Call Vote:** Unanimous approval

C. Mayor/Council Members

- Mr. Williams reported the following: received notification from Central Florida Planning Council that the grant for the CRA Findings of Necessity study has been granted for \$15,000. All work on the study must be completed by May 30, 2014. Spoke to County Engineer there currently is not an estimated cost for Tangerine.
- Council Member Worley stated there would be a 911 ceremony, and council is invited to attend.
- Town Clerk Hapeman announced that immediately following the Town Council Special Meeting on Monday, September 15, 2014 the LPA would be holding a scheduled meeting.

8. CITIZENS NOT ON THE AGENDA (NONE)

9. ADJOURNMENT (9:30 pm)

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 9:30pm

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
October 13, 2014 5:35 PM**

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, October 13, 2014 at 5:30 pm at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Boy Scout Troop 426 provided an Honor Guard and led the Pledge of Allegiance. Johnny Bryant, 1st Assembly of God Church gave the Invocation. A quorum was present.

**5:30 P.M. INVOCATION
 PLEDGE OF ALLEGIANCE**

5:35 P.M. Call to Order – Mayor John Holbrook

ROLL CALL

Present

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

In Attendance:

Town Administrator Phil Williams
Finance Manager Rachel Osborne
Utility Director Joe Barber
Public Works Director John Komasa
Police Chief James Fansler
Deputy Clerk Vickie Bollinger
Town Attorney Bert Harris
Highlands County Commissioner Richie
Town Planner Susan Buchans
Town Planner Joedie Thayer

1. CONSENT AGENDA 1

- a. Approval of Agenda
- b. Approval of Minutes of the regular meeting of the Lake Placid Town Council September 8, 2014
- c. Approval of Minutes of Town Council Special Meeting, September 15, 2014
- d. Approval of Department Head Reports
- e. Approval of Departmental Financial Reports for the month of September 2014
- f. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network
- g. Approval of the 2014-2014 Town Calendar, Holidays and Town Meetings Dates

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve Consent Agenda 1 Items A – G. **Roll Call Vote:** Unanimous approval.

2. CONSENT AGENDA 2

A. Approval of all bills for The Hometown Network

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to approve Consent Agenda 2 Item 4.A Hometown Network Bills. **Roll Call Vote:** Yes – Worley, Tuck, Royce; Abstain - Bastardi owns Hometown Network. The proper paperwork has been filed with the Town Clerk.

B. Approval of all bills for Royce Supply

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to approve Consent Agenda 2 Item 4.B Royce Supply Bills. **Roll Call Vote:** Yes – Worley, Tuck, Bastardi, Abstain- Royce, Family member owned business. The proper paperwork has been filed with the Town Clerk.

3. PRESENTATIONS (NONE)

4. PUBLIC HEARINGS ORDINANCES and RESOLUTIONS

a) Ordinance 2014-674 Town Parking, 2nd hearing – Taken after Agenda Item 5.b.3 Boy Scout Building and Bicentennial Park

Mayor read by title only Ordinance 2014-674.

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to approve and adopt on 2nd Reading Ordinance 2014-674.

Discussion:

- Attorney Harris stated that all changes requested by Council had been made and that Section 6.c.2 was restated to provide travel lane widths for the different types of roads.
- Some streets are through streets and have more traffic and higher speeds and therefore need wider traffic lanes.
- Ordinance should not be changed just to accommodate one project. The project can move forward without changing the parking ordinance. Council also needs to consider the size of the parking spaces – they need to be large enough for larger trucks to be completely out of the travel lanes. Parallel and diagonal parking should be considered.
- Focus should be on all parking in the town, not just one new development. Redevelopment in the downtown area will continue and Council should focus on how parking and the roads should look in the future.
- More analysis and review is needed before making any changes. Compliance with FDOT standards is required, as well as looking at speed limits, parallel or diagonal parking, placement of stop signs.
- This ordinance is to preserve public rights-of-way.
- Council must not convert public rights-of-way to private parking. As the town is redeveloped, Council needs to provide for more open travel on roads. This ordinance would allow a restriction to the public right-of-way.
- FDOT standards apply to travel lanes, they do not address parking. Parking is a local issue.
- Attorney Harris said the issue is parking for development. The question is when will the Council waive parking regulations for development. Travel lane widths must be maintained.
- Ordinance will allow parking in the right-of-way only under well defined and limited situations.
- Ordinance will increase size of travel lanes from 18 feet to 20-22 feet.
- New development design can be changed to meet the current parking ordinance.

Vote on the Motion: Yes: Royce, Tuck, Holbrook; No: Worley, Bastardi. Motion passed.

b) Ordinance 2014-667 Town Sale to Nu-Hope, 2nd hearing – Taken after Agenda Item 5.b.5 Interlocal Agreement

Mayor read by title only Ordinance 2014-667 Sale of Property to Nu-Hope

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to approve on 2nd Reading by title only Ordinance 2014-667 and adopted. **Roll Call Vote:** Yes: Tuck, Worley, Royce; No: Bastardi. Motion passed.

c) Ordinance 2014-664 Belleview Cottages Planned Development Re-Zone, 2nd hearing and Ordinance 2014-663 Small Scale – Taken after Agenda Item 4.a) Ordinance 2014-674

Mayor read by title only Ordinance 2014-664 Belleview Cottages Planned Development Re-Zone.

Joedie Thayer, Town Planner, read by title only Ordinance 2014-663 Small Scale Comp Plan Amendment.

Ms. Thayer stated this is a combined public hearing for both issues. It is the first public hearing for the Small Scale amendment and this ordinance should be voted on first. It is the second public hearing for the re-zoning. Proper advertising was done and proof of publication is filed with the Town Clerk. No correspondence was received.

Ms. Thayer stated the applicant is requesting a zoning change from Single-family Dwelling to Single-family Planned Development and a comprehensive plan amendment from Low Density Residential to Downtown Mixed Use.

Discussion:

- The LPA voted 4-0 to recommend forwarding this request to Town Council.
- Council may approve the planned development, but the developer must come back in the future for a development review and site plan, before building permits can be issued.
- Setbacks, parking, rights-of-way would be discussed at future meetings with the developer.

Motion – Moved by Council Member Tuck, seconded by Council Member Royce, to approve and adopt Ordinance 2014-663 including the Planning Department recommendations. **Roll Call Vote:** Yes: Tuck, Royce Worley; No: Bastardi. Motion passed.

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to approve and adopt on 2nd Reading Ordinance 2014-664 including the Planning Department recommendations. **Roll Call Vote:** Yes: Royce, Tuck, Worley; No: Bastardi. Motion passed.

d) Ordinance 2014-670 Bethel Baptist Church Planned Development Re-Zone, 2nd hearing and Ordinance 2014-669 Small Scale

Mayor read by title only Ordinance 2014-670 Bethel Baptist Church Planned Development Re-Zone. Joedie Thayer, Town Planner, read by title only Ordinance 2014-669 Small Scale Comp Plan Amendment. Ms. Thayer stated this is a combined public hearing for both issues. It is the first public hearing for the Small Scale amendment and this ordinance should be voted on first. It is the second public hearing for the re-zoning. Proper advertising was done and proof of publication is filed with the Town Clerk. Six letters were received in favor of the development and no letters were received in opposition.

Ms. Thayer stated the applicant is requesting a zoning change from Single-family Dwelling to Planned Development and a comprehensive plan amendment from Low Density Residential to Downtown Mixed Use. Discussion:

- Alcohol sales and proximity to a school were discussed.
- The new use of this property is for a day care center which is not considered a school. Ordinance uses the term “day care” and not school.

Motion – Moved by Council Member Bastardi, seconded by Council Member Worley, to approve and adopt Ordinance 2014-669 including the Planning Department recommendations. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Bastardi, seconded by Council Member Worley, to approve and adopt on 2nd Reading Ordinance 2014-670 including the Planning Department recommendations. **Roll Call Vote:** Unanimous approval.

e) Ordinance 2014-672 Lake June Realty Planned Development Re-Zone, 2nd hearing and Ordinance 2014-671 Small Scale

Mayor read by title only Ordinance 2014-672 Lake June Realty Planned Development Re-Zone. Joedie Thayer, Town Planner, read by title only Ordinance 2014-671 Small Scale Comp Plan Amendment. Ms. Thayer stated this is a combined public hearing for both issues.

Motion – Moved by Council Member Worley, seconded by Council Member Royce, to approve and adopt Ordinance 2014-671. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve and adopt on 2nd Reading Ordinance 2014-672. **Roll Call Vote:** Yes: Worley, Bastardi, Royce; No: Tuck. Motion passed.

f) Ordinance 2014-678 West Interlake – Property 1, 1st hearing

Mayor read by title only Ordinance 2014-678 630-634 West Interlake Blvd. Joedie Thayer, Town Planner, stated the applicants Mark and Shawn Shives have consented to annex into the Town and are requesting a zoning change from Business District to Planned Development for 630-634 W. Interlake. Notice of hearings and proof of publication are on file with the Town Clerk. No correspondence has been received. This is the first reading of the rezoning ordinance and there will be a companion small scale comp plan amendment to be considered at the time of the 2nd reading for the rezoning issue.

Ms. Thayer said the proposed use of the property is for a cabinet business including showroom, retail sales, office, manufacturing, and indoor storage. After annexation, development Phase 1 is to use the existing structures for the cabinet business. In development Phase 2, the owners want to have a planned development with multi-family residences and commercial uses. The development concept which is included in the ordinance details planned uses and densities.

In response to questions, Ms. Thayer confirmed that after final approval, the owners may begin operation of the cabinet business. Also, before any changes in use, the owners must come back to Council with development and site plans including space and uses.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve on 1st Reading Ordinance 2014-678. **Roll Call Vote:** Unanimous approval.

In response to questions, Susan Buchans, Town Planner, stated that Section 160-6.4 provides details on the proposed phases and uses for the property. The section states any changes to the structures or use (other than the cabinet business) must be approved by Town Council.

g) Ordinance 2014-680 West Interlake – Property 2, 1st hearing

Mayor read by title only Ordinance 2014-680, 600 West Interlake Blvd.

Joedie Thayer, Town Planner, stated the applicants Happiness Farms have consented to annex into the Town and are requesting a zoning change from Agricultural District to Planned Development for a 2.64 acre parcel at 600 W. Interlake. Notice of hearings and proof of publication are on file with the Town Clerk. No correspondence has been received. This is the first reading of the rezoning ordinance and there will be a companion small scale comp plan amendment from Agriculture District to Downtown Mixed Use to be considered at the time of the 2nd reading for the rezoning issue.

Ms. Thayer said the property is currently being used for agricultural purposes and will continue to be used as such until the owners are ready to develop the property. Before any changes in use can be made, the owners must come back to Council with development and site plans.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve on 1st Reading Ordinance 2014-680.

In response to questions of future use, specifically a convenience store and gas station, Ms. Thayer read the list of possible uses in the planned development. This list provides for all possible uses including a convenience store and gas station. However, the developer would have to present specific uses and plans for the property to Council for approval before any changes are made to the property.

Vote on the Motion: Roll Call Vote: Unanimous approval.

h) Ordinance 2014-682 West Interlake – Property 3, 1st hearing

Joedie Thayer, Town Planner, read by title only Ordinance 2014-682, SE corner of West Interlake Blvd and Temple Drive.

Joedie Thayer, Town Planner, stated the applicants Dale and Susan Bury have consented to annex into the Town and are requesting a zoning change from Agricultural District to Planned Development for a 10.6 acre parcel at the intersection of West Interlake Blvd. and Temple Drive. Notice of hearings and proof of publication are on file with the Town Clerk. No correspondence has been received. This is the first reading of the rezoning ordinance and there will be a companion small scale comp plan amendment from Agriculture District to Downtown Mixed Use to be considered at the time of the 2nd reading for the rezoning issue.

Ms. Thayer said the property is currently being used for agricultural purposes and will continue to be used as such until the owners are ready to develop the property. Before any changes in use can be made, the owners must come back to Council with development and site plans. In response to a question, Ms. Thayer confirmed the property is all agricultural; there are no non-agricultural structures.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to approve on 1st Reading Ordinance 2014-682. **Roll Call Vote:** Unanimous approval.

i) Ordinance 2014-686 West Interlake – Property 4, 1st hearing

Mayor read by title only Ordinance 2014-686, 202 South Tangerine.

Joedie Thayer, Town Planner, stated the applicant Happiness Farms has consented to annex into the Town and are requesting a zoning change from Agricultural District to Planned Development for a 4.87 acre parcel at 202 South Tangerine. Notice of hearings and proof of publication are on file with the Town Clerk. No correspondence has been received. This is the first reading of the rezoning ordinance and there will be a companion small scale comp plan amendment from Agriculture and Low Density Residential District to Downtown Mixed Use to be considered at the time of the 2nd reading for the rezoning issue.

Ms. Thayer said this matter is similar to the first one for Happiness Farms. The owner wishes to keep the parcels separate so that in the future they can be kept separate or treated as one property at the time of development. The property is currently being used for agricultural purposes and will continue to be used as such until the owners are ready to develop the property. Before any changes in use can be made, the owners must come back to Council with development and site plans.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve on 1st Reading Ordinance 2014-686. **Roll Call Vote:** Unanimous approval.

5. TOWN ATTORNEY / DEPARTMENT HEADS / MAYOR/COUNCIL MEMBERS

a) Town Attorney

1. Interlocal Agreement Town of Lake Placid, School Board of Highlands County Tangerine and Other Rights-of-Way – Taken after Agenda item 4.b) Ordinance 2014-667

Attorney Harris stated the Interlocal agreement with the School Board provides:

- School Board will use the South Tangerine right-of-way as they are now – Paragraph 8
- The Town will give 6 months notice to remove any improvements and provide survey.
- Town will be allowed to pave Tangerine and Marquatta.
- Conditions apply to Marquatta right-of-way.
- Paragraph 7 states the School Board will give a Quick Claim Deed to the Town.
- Paragraph 9 names a couple roads that the Town will vacate and waive any fees.

Attorney Harris recommended the agreement be approved and adopted. In response to a question he stated all references to storm water were removed from the document.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to approve and adopt the Interlocal Agreement between the Town of Lake Placid and the School Board of Highlands County regarding South Tangerine and other Rights-of-way. **Roll Call Vote:** Unanimous approval.

b) Town Administrator

1. Corbet Alday - 1st PH on Agenda, authorize staff to develop application and engineers to develop plans and specifications (plans and specs must be done by February 2015)

Corbet Alday, Guardian Community Resources Management, Inc., stated this was the first public hearing for a new CDBG grant as required by the Citizen Participation Plan. The current grant will be closed by year end which allows the Town to apply for a new grant next year. Mr. Alday explained funding sources and categories of uses for the grant. The Town's Citizen Advisory Task Force recommended the grant be used for Neighborhood Revitalization and Economic Development for businesses. A second public hearing will be held. Town Administrator Williams reviewed the list of projects including: 1-SerenityVillage Drainage Improvements, 2-Paving Roadways, 3-Hibiscus Storm Drainage, and 4-Generators for Lift Stations.

Council and Staff discussed all projects, but agreed that the drainage improvements for Serenity Village and Hibiscus were the top priority, followed by road paving, and then the generators.

There was no public input.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to move forward with the CDBG grant process using the ranking as provided. **Roll Call Vote:** Unanimous approval.

Council and Mr. Alday discussed engineering costs related to the storm water design and road projects and which departments would be responsible for budgeting and paying those costs.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to authorize funding for Engineering in support of the CDBG grant of up to \$50,000 to include survey, design, permitting, etc. And that staff would prepare the appropriate budget amendments once the costs are known. **Roll Call Vote:** Unanimous approval.

2. Fire Department Year End Presentation (Chief Hess postponed since agenda was so full)

3. Boy Scout Building and Bicentennial Park – Taken After Agenda Item 2. Consent Agenda 2

Pam Carlson, local attorney, working on the sale of the Boy Scout property addressed the Council. She provided background on the ownership and trustees for the Boy Scout properties. She stated a new trustee, Friends of Lake Placid Scouting and Youth, may be appointed and they are asking whether the Town would consider entering into a similar lease agreement for use and maintenance of Bicentennial Park with the new trustee.

Council and Attorney Harris discussed ownership and sale of property, maintenance, lease payments, and insurance for the Park and the Scout House. All agreed that the land should be preserved for the Boys Scouts and as a public park.

Motion – Moved by Council Member Bastardi, seconded by Council Member Royce, to direct the Town Administrator to enter into discussion with Ms. Carlson and the Boy Scouts to formulate a mutually agreeable contract to lease the land should the title issues be resolved. **Roll Call Vote:** Unanimous approval.

4. Keep Lake Placid Beautiful Discussion of Responsibilities – Taken after Agenda Item 5.b.14 CDBG Grant Road Resurfacing

Bill Brantley presented the 4th Quarter Report and briefly described recent activities. He said they are working with the Town to create a list of responsibilities for the organization so it is clear what jobs Town staff will do and what KLPB will do. Mr. Brantley asked the Town to pressure clean the sidewalks and curbs on Interlake Blvd.

from US 27 to Main Street prior to the Christmas Parade. Quotes had been received from two businesses for \$2,000 and \$2,500. Mr. Brantley stated this expense was not in the KLPB budget.

Council and staff discussed that the Town probably had the money in the budget for this project, but the issue is where to get the water. Director Komasa confirmed the Public Works budget had the funds to pay for the project and that the issue was a source of water.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to direct the Town Administrator to hire an outside contractor to complete this project. **Roll Call Vote:** Unanimous approval.

5. Interlocal Agreement Town of Lake Placid and Highlands County for the provision of Planning Services – Taken after Agenda Item 4.i) Ordinance 2014-686

Susan Buchans, Town Planner, stated this Interlocal is for the County to continue providing planning services to the Town for the current fiscal year. The only change from last year's agreement is that the fee will be \$35,000. The agreement has been reviewed by both parties' attorneys.

Mayor Holbrook said the Deputy Clerk will attest the agreement for the Town.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve the Interlocal Agreement between the Town of Lake Placid and Highlands County for Planning Services as presented. **Roll Call Vote:** Unanimous approval.

6. Henscratch Farms Request Permit to Sell Alcohol at 2014-15 Events – Taken after Agenda Item 5.b.10 Leadership Highlands

Administrator Williams stated this is a standard request that should have been on the consent agenda, but was a late addition to the agenda. They are requesting a temporary permit, like other organizations which use the parks and the state has no issue with this request.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to approve Henscratch Farms request to sell alcohol at location dates and times as shown in the agenda packet. **Roll Call Vote:** Yes: Tuck, Worley, Royce; No: Bastardi. Motion passed.

7. Paradise Village Mobile Home Park (Owner request to consider alternative agreement) – Taken after Agenda Item 6 Citizens Not On Agenda

Administrator Williams reported the master meter had been installed and the deadline for Paradise Village to be responsible for water utilities in the park was the next day. He said the owner asked to address Council on a proposed agreement for annexation and water services.

Lamont Garber, Managing Member of Paradise Village, reviewed his proposed agreement. He stated: the biggest issue is the capital needed for any infrastructure issues, agreements under consideration are very close, Paradise Village wants to make this work, and annexation will benefit both parties. Mr. Garber stated Paradise Village would pay \$70,000 to the Town to pay for any infrastructure issues.

Attorney Harris reviewed several paragraphs in the proposed document and gave his legal opinion to Council. Council, Attorney Harris, Town Staff and Mr. Garber discussed:

- When the \$70,000 would be paid and which party would have responsibility for maintaining the infrastructure and for how many years.
- The cost to upgrade the infrastructure to Town standards and if \$70,000 is the correct amount. The Town has not analyzed costs in any detail.
- Paradise Village has a survey showing all easements which they would provide to the Town. These easements would have to be considered when developing costs. There are no easements for the water lines; these would have to be created. Also, the Town may need an easement for the garbage trucks and that dumpsters may be used.
- Town needs to analyze current design, evaluate needed upgrades, then do a design and cost estimate.
- Paradise Village would retain the wastewater system and the irrigation system.
- The Town's reuse system may be able to be used, if not now, maybe in the future. All reuse water that is produced is being used by the Town.
- Agreeing to conditions in perpetuity is not a good idea. It commits the Town and future Councils forever. Setting a time limit, even if many years, would be better.
- There are a lot of complex issues to be discussed and analysis that needs to be done.
- Impact Fees are not being imposed now, but they may apply in the future when new mobile homes are brought into Paradise Village. The Town's comp plan will not need to be updated per Town Planners.
- This issue is taking a lot of attorney time and staff time and costs are adding up.
- There is a lot of risk for the Town if this property is annexed and the Town takes over the water system inside Paradise Village. The risk outweighs the gains to the Town.
- Paradise Village has the option to upgrade their water system and then turn it over to the Town.

- Annexation has been discussed for over a year and it is still not resolved. The issue should move forward to resolution or stop discussion and make use of the master meter.
- Need lots more information about what has to be done, how it will be done, and costs before this annexation can go forward.
- Cost to provide service to Paradise Village may exceed revenues received by the Town.
- Both parties have been negotiating in good faith, but there are a lot of issues and they are complex.
- Timing of the annexation, either at the time the agreement is signed or at a point in the future, or after all repairs have been made. Annexation should be at Council discretion, not based on some other event.

Administrator Williams stated that as long as there is progress, he would lift the restrictions and allow new customers to apply for water service. The current system will stay in place. Council may ask that staff spend another month working on this and come back with an update.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to implement the master meter and backflow preventer.

Discussion continued:

- There is great risk to the Town if the property is annexed now and there is liability to operate in the Town's name. If the water system is brought up to code, the issue can be revisited.
- Timing of making the change to the master meter was discussed.
- Mr. Garber reiterated the benefits for the Town: \$70,000, additional tax base, additional garbage revenue, more taxes; and the Paradise Village residents benefit; and the risks have been overblown.
- Discussion could continue for another month between staff and Paradise Village; not to include attorneys due to cost.
- If the master meter is implemented the cost to the residents of Paradise Village could increase up to \$8 per month. Many are on fixed incomes. They want to be treated fairly, like everyone else and would like continued water service
- Possible transition strategies were discussed, such as the Town continues to operate the system, but Paradise Village maintains. As new residents move in, Paradise Village provides the water services.
- These people are part of our Town, spend money here, etc and we should serve them.
- Town may need an exit strategy to end this.

Attorney Harris asked that this item be tabled until he had time to do more research.

Council Member Bastardi expressed disappointment that a new legal issue has surfaced after a year of discussion. This issue may need to be aired.

Attorney Harris withdrew his request, but stated he did not agree with Council Member Bastardi. He requested a 10 minute recess to confer with Mr. Bastardi.

Mayor Holbrook called a 10 minute recess at 10:00 pm.

The meeting reconvened at 10:10 pm.

Council Member Bastardi withdrew his motion and Council Member Tuck withdrew her second to the motion.

Motion – Moved by Council Member Bastardi to move forward with the implementation of the master meter if the property owner opens a new account for water service, the Town agrees to accept the system back and provide water to the residents when the system is constructed consistent with Town standards. The transition to the master meter and discontinuation of service to individual residents will be effective by year end. Motion died for lack of a second.

Attorney Harris stated the Town can terminate water service which will force the owner to apply for water services.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to instruct the Town Administration and Utilities Director, without the Town Attorney, to continue discussion and analysis and return to Town Council at the next regularly scheduled meeting with a proposed plan of action for Council consideration. **Roll Call Vote:** Yes: Royce, Worley, Holbrook; No: Bastardi, Tuck. Motion passed.

Nu-Hope representative Luis Fresquez thanked the Town Council and staff for approving their request. He showed a banner showing the improvements they plan to make along Main Street.

8. Interlocal Agreement with Florida Department of Transportation re Placement of GNSS Station at Town Barn – Taken after Agenda Item 5.b.12 Budget Amendment

Administrator Williams stated that FDOT wants to put a GPS system at the Town Barn in order to have a more accurate system to locate roads, etc.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to approve the Interlocal Agreement with Florida Department of Transportation for placement of the GNSS. **Roll Call Vote:** Unanimous approval.

9. Utilities consultation agreement with Gary Freeman

Administrator Williams stated this was a simple consultation agreement. If we don't consult Mr. Freeman, the agreement is not needed.

Council complimented Mr. Barber's performance to date and acknowledged that he has worked with Mr. Freeman for several months, plus there are other organizations like Florida Rural Water and City of Sebring that would be happy to help.

Motion – Moved by Council Member Tuck, seconded by Council Member Royce, to not enter into the agreement with Mr. Freeman. **Roll Call Vote:** Yes: Tuck, Royce, Holbrook; No: Bastardi, Worley. Motion passed.

10. Leadership Highlands Donation Request

Administrator Williams said that Leadership Highlands called and asked for a donation.

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to take no action on this request. **Roll Call Vote:** Unanimous approval

11. Enforcement of Business Tax ordinance – Taken after Agenda Item 5.b.7 Paradise Village

Administrator Williams stated some businesses have not paid their taxes since last year, including Attorney Kevin De'Espies who serves as a Special Magistrate for the Town in Code Enforcement issues. He recommended terminating his services as Special Magistrate. Mr. Williams said the Code authorizes civil action against businesses that do not pay the business tax and recommends the Council take such action. Cases have been brought before the Special Magistrate who has assessed fines and penalties for these businesses. Another business that has not paid is Don's TV, owner John Chaput who was in attendance. Mr. Williams stated that Mr. Chaput has been very helpful to the Town at both Town Hall and the Police Department over the last few years. He has provided his services multiple times without charge. He said police officers are now actively tracking and enforcing the business tax ordinance.

Sgt. Heather Mulligan explained the fines and fees that are outstanding for several businesses. Council and Sgt. Mulligan discussed the individual cases.

Administrator Williams stated that he believes the Council has the authority to waive fees, that some businesses may have closed rather than pay the fines and fees, and that taxes are required only for businesses with a physical presence in Town.

There was discussion of whether Council can waive fees and Attorney Harris reviewed several provisions in the ordinances relating to satisfaction of code issues. Council expressed concern that they would undermine the Special Magistrate by changing fines and penalties. However, it was reported the Special Magistrate has told people they may address Town Council regarding his orders and findings. It was suggested that Mr. Chaput pay the \$35 annual fee to stop the mounting fines and penalties being assessed. Council suggested ways to mitigate Mr. Chaput's fines since he had been helpful to the Town, including having him submit a bill to the Town for the work performed.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to table this matter until the next meeting to allow the attorney time to research the issue. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to terminate Attorney Kevin De'Espies employment with the Town of Lake Placid as the Alternate Special Magistrate due to his failure to comply with Town Code. **Roll Call Vote:** Unanimous approval.

12. Budget Amendment for 2014-15 budget (Employee pay adjustments)

Administrator Williams stated that he recommends giving pay increases to those employees who did not get a raise. It will cost the Town \$672 to give the remaining employees a 1% raise.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to approve the budget amendment. **Roll Call Vote:** Yes: Worley, Tuck, Royce; No: Bastardi. Motion passed.

13. Sanitation options for purchases of 64 gallon 2 wheel Recycle Carts / Trash cans – Taken after Agenda Item 5.b.6 Henscratch Farms

Mayor Holbrook stated he was asked to purchase two cans to see how well they fit the new garbage truck. Since those were purchased, the price has been reduced and provides an opportunity to get started on this program by purchasing 100 cans.

Council and Public Works Director Komasa discussed:

- There is no program in place on how to handle the distribution, deposits needed, purchase of cans, size of cans, where the cans would be stored, possible ordinance changes.
- Additional staff will probably not be needed because the cans are on wheels and the truck does the lifting.
- Suggestions of a pilot program with citizen volunteers to test and determine costs and any issues.

Council agreed to take no action at this time.

14. CDBG Grant Road Resurfacing – Taken after Agenda Item 5.b.1 Corbet Alday - CDBG

Administrator Williams stated that the current roads were in worse shape than thought. In low traffic areas, the current plan is fine, but at Plumosa and US 27 that is high traffic and more work needs to be done.

Public Works Director John Komasa stated once they milled the road, they found more problems. There are two options to fixing the area. One is to fix a smaller area of the roadway, but it may not last due to high traffic. The second is to fix a larger area by pulling up the sub-base and rebuilding the entire section.

There is \$50,000 budgeted for roads and this cost would come from that account. Mr. Komasa recommends fixing the larger area (300 square feet) at a cost of \$22,859. This would leave money to make some of the other repairs as planned in the budget.

Council discussed the intersection and options for repair. Mr. Alday, Guardian, stated all CDBG funds will be used before any additional Town funds are used.

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to authorize staff to use budgeted Road Funds to repair and repave 300 square feet at the corner of US 27 and Plumosa. **Roll Call Vote:** Unanimous approval.

15. Annexation of “North Triangle” properties – Taken after Agenda Item 5.b.13 Sanitation Options

Council Member Royce made a motion to annex the properties that was not seconded and was withdrawn when Attorney Harris suggested different language for the motion.

Attorney Harris advised that the Council needs to determine that the Town has consents executed by all owners, and that it wants to go forward with the annexation, and give the county notice of the annexation.

In response to a question, it was stated there is no downside to this annexation for the Town. There are a total of 6 properties with 3 owners.

Motion – Moved by Council Member Worley, seconded by Council Member Royce, that consents are properly executed by owners, to direct that annexation proceed, and to give notice to the county of the annexation for owners Kratzer and Radack. **Roll Call Vote:** Unanimous approval.

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to move forward with the project as described by the Town Attorney for the McKay, Fuss, Alderman, Inc. properties. **Roll Call Vote:** Yes: Royce, Tuck Bastardi; Abstain: Worley.

16. Annexation Lake Saddlebags Project (Property owners: PERRY STANLEY JR, ARAVILLA GROVES LTD, MATTHEWS ROBERT A + JESSIE W)

Administrator Williams stated there are three properties contiguous with the Town by Lake Saddlebags owned by Robert Matthews, Stanley Perry Jr. and Aravilla Groves. Attorney Harris stated the Council needs to determine that the Town has consents executed by all owners and that it wants to go forward with the annexation and give county notice of the annexation. The county must be given notice 10 days before anything else can happen.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, that consents are properly executed by owners, to direct that annexation proceed, and to give notice to county of the annexation for owners Perry, Matthews, and Aravilla Groves, Ltd.

It was clarified that some properties owned by Aravilla Groves had been annexed in the past. This is a separate parcel. This is the last date that the Town can begin the annexation process to have the properties included in the Town for the tax year.

Vote on the Motion: Roll Call Vote: Unanimous approval.

6. CITIZENS NOT ON THE AGENDA – *Taken after Agenda Item 5.b.4 Keep Lake Placid Beautiful*
Ms. Lois Crebbs, Tomoka Heights resident, encouraged the Council to find land for a Town arboretum similar to one in Venice, Florida. She suggested the Town could work with the Garden Club and the Chamber of Commerce to develop a plan and design. She volunteered to serve on the committee to help make this happen. She complimented the Town on the improvements along US 27, but encouraged the creation of an arboretum with educational plaques. She said there would be little maintenance and would support the bluebird sanctuary. Mr. Crebbs thanked the Council for listening and hoped they would seriously consider creating an arboretum.

7. ADJOURNMENT (11:15 pm)

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 11:15pm.



LAKE PLACID TOWN COUNCIL

Regular Meeting

11/10/2014 5:30 PM

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, November 10, 2014 at 5:30 pm at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Bert Harris Town Attorney, Invocation, and Pledge of Allegiance. A quorum was present.

**5:30 P.M. INVOCATION
PLEDGE OF ALLEGIANCE**

5:30 P.M. Call to Order - Mayor John Holbrook

Roll Call

Present

Mayor John Holbrook
Council Member Ray Royce
Council Member Debra Worley
Council Member Arlene Tuck
Council Member Steve Bastardi – Arrived at 5:37pm

Others Present

Town Administrator Phil Williams
Town Attorney Bert Harris
Clerk Eva Cooper Hapeman
Finance Manager Rachel Osborne
Utilities Director Joe Barber
Public Works Director John Komasa
Chief James Fansler
Utilities Director Gary Freeman

1. CONSENT AGENDA 1

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council October 13, 2014
- C. Approval of Department Head Reports
- D. Approval of Departmental Financial Reports for the month of October 2014
- E. Approval of all duly authorized monthly bills, less Royce Supplies and Hometown Network

Motion - Moved by Council Member Tuck, seconded by Council Member Worley, to approve Consent Agenda 1 Items A-E. **Roll Call Vote:** Yes - Worley, Tuck, Royce

CONSENT AGENDA 2

- A. Approval of all bills for Royce Supply

Motion - Moved by Council Member Worley, seconded by Council Member Tuck, to approve Consent Agenda 2. **Roll Call Vote:** Yes - Worley, Tuck, Abstain - Royce The proper paperwork has been filed with the Town Clerk.

2. PRESENTATIONS

A. Chief Fansler recognition of Citizen John Hill

- Chief Fansler presented to John "Big John" Hill with a Citizen Commendation Award in recognition of his unselfish consideration of others and going above and beyond as good Samaritan.

B. Recognition of Chief Fansler for Lake Placid Child Safety for organizing the Halloween Down Town Event

- Mr. Williams recognized Chief Fansler for the Down Town Halloween event, which was a success. Chief Fansler thanked Mr. Williams but also recognized the committee for their hard work. There were approximately 3000 to 4000 people who attended the Halloween Event. The event was very successful.

C. Keep Lake Placid Beautiful modification of landscape along Interlake Boulevard

- Mr. Brantley a member of Keep Lake Placid Beautiful stated that a joint meeting was held between the Chamber of Commerce and the merchants along Interlake to receive input about landscaping options. There was a good turnout.
- KLPB decided to use the Bismarck as signature tree. In addition, Mr. Brantley reported that the trees are being donated and will be installed at a reduced rate. Approximately 12 locations have been selected, of the locations most will be planted at the Islands at the intersections.
- Mr. Brantley commented some of the Bismarck trees have died. University of Florida explained there is a virus/beetles that infect the trees. Following their advice when the trees are planted KLPB put a drench around the base of the tree, this will immunize it from the beetles. This will need to be done approximately every eight months.
- Council Member Worley suggested native plants be used, and added there are too many of the trees in town dying.
In addition, would like more time to see what some business owners want in front of their businesses.

Motion - Moved by Council Member Royce, seconded by Council Member Bastardi, to approve the Keep Lake Placid Beautiful's plan to plant Bismarck Palms Trees in the twelve Island Areas as designated by the landscape engineer. **Roll Call Vote:** Yes – Royce, Bastardi, Tuck No – Worley

- Mr. Brantley brought to the attention of council that the Bahia grass in Devane Park on the circle is dead, and is now mostly weeds.
- Bahia grass should be reseeded, this is not the time of year to seed Bahia, and suggested seeding with Rye for a temporary fix for the next three months. The cost of the Rye seed would cost approximately \$633.00. The park is due to be reseeded. This is usually done in March or April, and the cost of the Bahia would be approximately \$1800.00. This should be done either once or twice a year.
- Council discussed putting a an reseeding program in place, which should be included in the budget in the future.
- Council was in consensus that the Bahia can be addressed later, but should address approving seeding with the Rye Grass to keep the park looking nice.

Motion - Moved by Council Member Bastardi, seconded by Council Member Worley, to approve the purchase of Rye grass Seed for Davane Park. **Roll Call Vote:** Unanimous approval.

D. Mayor Holbrook to Declare November 11th as Poppy Day

- Judy Hanson the Poppy Chairman for the American Legion Auxiliary Unit 25 located in Lake Placid, introduced Larissa Meager, a Middle School Student, who was appointed Ms. Poppy.
- Mayor Holbrook Declared November 11th as Poppy Day. The Mayor was presented with the 1st Poppy in Memoriam to our veterans.

E. National Honors Society and Student Government

- The National Honors Society and Student Government were not present. Chief Fansler stated that they were going to request to put banners up to sell Christmas trees. The Chief stated they are working with the group to assist them.

F. Presentation of appreciation to Retiring Utility Director Gary Freeman

- Mayor Holbrook recognized Mr. Freeman's tenure with the Town of 12 years. Mr. Freeman is retiring as the Utilities Director for the Town
- Mayor Holbrook presented a plaque in appreciation of Mr. Freeman's service to the Town.

3. PUBLIC HEARING ORDINANCES AND RESOLUTIONS

A. 1st Reading – Ordinance 2014-687 Amending Section 154-21 of Town Code

DISCUSSION:

- Ms. Thayer, Town Planner presented the proposed ordinance and discussed the history for the requested change for the ordinance amending 154-21.
- Ms. Thayer reviewed the following, which was in the agenda materials explaining the reasons for the Ordinance. This ordinance came about due to a subdivision located in representative of the Lake June Pointe Property Owners' Association (Association) approached the Town Planners to determine whether the Town Land Development Code (LDC) could be revised so as to provide for private parks in the R-IA Single-family Dwelling District (R-IA District). Currently, the R-1A District only permits public parks. This situation came about when the Association wanted to expand the size of the existing pavilion that was located in this park site. The pavilion was built in 2004. According to the Lake June Pointe plat, the park is located between Lot 16 and Lot 17 on the west side of Sunset Pointe Drive. Lake June Pointe

subdivision was platted and approved by the Town under the previous planning consultant in the following sequence: Phase I in 1999, Phase II in 2001 and Phase III in 2003 and includes the following note on Phase I & II: "Plat Note I. The Park and Tract D will be owned by the Lake June Pointe Owners' Association." Adding to this situation, there are other subdivisions that have been platted and approved by the Town which contain a private park that only serves its residents, such as Watersedge Subdivision.

- This information and draft ordinance were presented to the Local Planning Agency (LPA) in its October 20, 2014 meeting, at which the LPA recommended that the ordinance be approved by the Town Council.
- Ms. Thayer in response to concerns on protecting property owners stated that if a property is platted and approved by the Town Council and the property was not approved as a park, then the property would have to be brought to Council requesting a rezone. The Council has the authority to approve or deny the rezone request.
- Council voiced concerns in the change as it pertained to the current issues in Lake June Pointe Subdivision and other developments that already have parks that can be affected. Additional concerns for property owners who purchase property, and then find out a neighboring property is allowed to have a park built next to their property.
- Ms. Thayer responded to questions in regards to the affect of the Ordinance on the current park located in Lake June Point, the current park was platted as a park but was done incorrectly under R1-A. In the future new subdivisions would identify the parks through the Planned Development process.

Motion – Moved by Council Member Royce, seconded by Council Member Tuck, to approve on first reading Ordinance No. 2014-687 amending the Town of Lake's Land Development Code for the following Section: Paragraph 3 of Subsection B of Section 154-21, R-1A Single-family Dwelling District, to allow parks identified as parks on a plat in a platted subdivision as a permitted use.

Motion Withdrawn

- Council Member Royce recommended staff and legal do further review and bring back the ordinance with different language.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to Table Ordinance No. 2014-687 until the next council meeting. **Roll Call Vote:** Unanimous approval

B. 1st Reading – Ordinance 2014-689 Annexation – Aravilla Groves LTD, Robert A and Jessie W Matthews and Perry Stanley Jr. Properties- First Reading

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for first reading.
- Attorney Harris to clarify Perry Stanley Jr.'s name is correctly stated in the ordinance.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve upon first reading Annexation Ordinance 2014-689. **Roll Call Vote:** Unanimous approval

C. 2nd Reading – Ordinance 2014-665 Annexation

Motion – Moved by Council Member Bastardi, seconded by Council Member Worley, to approve the adoption of Annexation Ordinance 2014-665 to include the Map. **Roll Call Vote:** Unanimous approval

D. 1st Reading Ordinance 2014-684 Planned Development Rezone – West Interlake– TaylorProperty.
DISCUSSION:

- Mayor Holbrook read Ordinance by Title for first reading.
- Joedie Thayer, Town Planner, stated the applicant Mr. Charles Reynolds is requesting a rezone, Mr. Reynolds has consented to annex into the Town. Ms. Thayer stated that Mr. Reynolds is requesting a zoning change from Agricultural District and Mobile Home Parks District, Highlands County to Planned Development for the Town of Lake Placid a 9.55-acre parcel located on Catfish Creek Road. Notice of hearings and proof of publication are on file with the Town Clerk. No correspondence has been received. This is the first reading of the rezoning ordinance and there will be a companion small scale comp plan amendment from Agriculture District to Downtown Mixed Use to be considered at the time of the 2nd reading at the Town Council meeting December 8, 2014 for the rezoning issue.
- Ms. Thayer said the property is being used for agricultural purposes and will continue to be used as such until the owners are ready to develop the property. Before any changes in use can be made, the owners must come back to Council with development and site plans.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve upon first reading Ordinance 2014-684. **Roll Call Vote:** Unanimous approval.

E. Ordinance 2014-677 Small Scale West Interlake – Shives Property

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 2nd reading.
- Joedie Thayer, Town Planner, stated that Agenda Items E thru L are related to comprehensive plan amendments for the rezoning requests for the properties along West Interlake Blvd. All properties either have been annexed into the Town or are planning to be annexed.
- These parcels are considered commercial and are linked to the Down Town area.
- Notice of hearings and proof of publication are on file with the Town Clerk. No correspondence has been received.
- Ms. Thayer confirmed that each Small Scale and Rezone ordinance is to be voted on separately.
- Ordinance 2014-677 is for applicants Mark and Shawn Shives, requesting property use change from Commercial, Highlands County to Downtown Mixed Use, Town of Lake Placid. Transportation corridors for development will be addressed through the Planned Development process.
- Council comments noting that property owners are working with the town and working together for future development.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve and adopt the Small Scale Land Use Map Ordinance No. 2014-677 from Highlands County Commercial to Town of Lake Placid Commercial-General. **Roll Call Vote:** Unanimous approval

F. 2nd Reading – Ordinance 2014-678 Planned Development Rezone -West Interlake – Shives Property

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 2nd reading.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve and adopt Ordinance No. 2014-678 amending the Town Zoning Map from Highlands County Business District to Town of Lake Placid Planned development with the following Conditions:

1. Phase II shall require a conceptual site development plan and a final site development plan through an amended ordinance as reviewed and approved by the Town Council.

2. The adoption of the rezoning ordinance, Ordinance No. 2014-678, shall be contingent upon the State's approval of the companion Small Scale Comprehensive Plan Amendment ordinance, Ordinance No. 2014-677.

Roll Call Vote: Unanimous approval

G. Ordinance 2014-679 Small Scale West Interlake – Happiness Farms Property

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 2nd reading.
- Joedie Thayer, Town Planner reviewed the Small Scale amendment for Happiness Farms, information included in the Staff Report provided in the Agenda Materials.
- Happiness Farms is requesting property use from Agriculture, Highlands County to Downtown Mixed Use, Town of Lake Placid.
- The Local Planning Agency unanimously recommended approval of the amendment.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve and adopt Ordinance No. 2014-679. **Roll Call Vote:** Unanimous approval

H. 2nd Reading – Ordinance 2014-680 Planned Development Rezone West Interlake – Happiness Farms Property

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 2nd reading.
- Joedie Thayer, Town Planner reviewed the Planned Development Rezone Request, which was provided in the in the Staff Report.
- Happiness Farms is requesting a change from Agricultural District, Highlands County to Planned Development, Town of Lake Placid, and planned development concept.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve and adopt Ordinance No. 2014-680. **Roll Call Vote:** Unanimous approval

I. Ordinance 2014-681 Small Scale West Interlake – Bury Property

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 2nd reading.
- Joedie Thayer, Town Planner reviewed the Small Scale Amendment, information included in the Staff Report provided in the Agenda Materials.
- Dale and Susan Bury are requesting an amendment from Highlands County Agricultural District to Downtown Mixed Use, Town of Lake Placid.

Motion – Moved by Council Member Royce seconded by Council Member Worley, to approve and adopt the small-scale future land use map amendment Ordinance No. 2014-681 from Highlands County Agriculture to Town of Lake Placid Downtown Mixed Use. **Roll Call Vote:** Unanimous approval

J. 2nd Reading – Ordinance 2014-682 Planned Development Rezone West Interlake – Bury Property

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 2nd reading.
- Joedie Thayer, Town Planner reviewed the Planned Development Rezone, information included in the Staff Report provided in the Agenda Materials.
- The Bury's are currently utilizing the property for Agricultural purposes and intend to continue use as agricultural.
- This is rezone to a development concept, planned development.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve and adopt Ordinance No. 2014-682, amending the Town Zoning Map from Highlands County Agricultural District to Town of Lake Placid Planned Development, with the two conditions:

1. A conceptual site development plan and a final site development plan will be required through an amended ordinance as reviewed and approved by the Town Council.
2. The adoption of the rezoning ordinance, Ordinance No. 2014-682, shall be contingent upon the State's approval of the companion Small Scale Comprehensive Plan Amendment ordinance, Ordinance No. 2014-681.

Roll Call Vote: Unanimous approval

K. Ordinance 2014-685 Small Scale – West Interlake – Phypers Property (Happiness Farms)

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 2nd reading.
- Joedie Thayer, Town Planner reviewed the Small Scale Amendment, information included in the Staff Report provided in the Agenda Materials.
- Happiness Farms is requesting an amendment from Highlands County Agricultural District to Downtown Mixed Use, Town of Lake Placid.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to approve and adopt the small-scale future land use map amendment Ordinance No. 2014-685 from Highlands County Agriculture to Town of Lake Placid Downtown Mixed Use. **Roll Call Vote:** Unanimous approval

L. 2nd Reading – Ordinance 2014-686 Planned Development Rezone West Interlake – Phypers Property(Happiness Farms)

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 2nd reading.
- Joedie Thayer, Town Planner reviewed the Planned Development Rezone, information included in the Staff Report provided in the Agenda Materials.
- Happiness Farms is requesting a zoning change from Agricultural District Highlands County to Planned Development, Town of Lake Placid.
- Happiness Farms is currently utilizing the property for Agricultural purposes and intend to continue to use as agricultural. This is rezone to a development concept, planned development.

Motion – Moved by Council Member Royce, seconded by Council Member Worley, to approve and adopt Ordinance No. 2014-686, amending the Town Zoning Map from Highlands County Agricultural District to Town of Lake Placid Planned Development, with the following conditions:

1. A conceptual site development plan and a final site development plan will be required through an amended ordinance as reviewed and approved by the Town Council.
2. The adoption of the rezoning ordinance, Ordinance No. 2014-686, shall be

contingent upon the State's approval of the companion Small Scale Comprehensive Plan Amendment ordinance, Ordinance No. 2014-685.

Roll Call Vote: Unanimous approval.

M. Ordinance 2014-688 Annexation North Triangle Properties (Mckay-Fuss, Kratzer, Radack) First Reading

DISCUSSION:

- Mayor Holbrook read Ordinance by Title for 1st reading.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve upon first reading Ordinance 2014-688. **Roll Call Vote:** Yes – Bastardi, Tuck, Royce. Abstain – Worley – due to family affiliation and doing business with Mona Radack.

5. TOWN ATTORNEY/DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS

A. Town Attorney(No Items)

B. Town Administrator

1. Proposal to build a “tennis hitting wall”

DISCUSSION:

- Mr. Williams stated that the Lake Placid Recreation Commission has recommended approaching Town Council for the proposal to construct a Hitting Wall at the Tennis court.
- Ms. Kukous a member of the Lake Placid Recreation Commission presented a proposal to construct a Tennis Hitting Wall at the Lake Placid High School Tennis Courts. The proposal was provided in the Agenda Materials. In addition, letters of support were provided.
- Ms. Kukous is requesting approval of the concept of the hitting wall and to approve a funding request from the town of \$3,125.00, 25% of the estimated cost of \$12,406. The estimated cost was supplied by Ken LeBlanc of the Cottage Company.
- The proposed funding breakdown would be 25% private fundraising/donations, 25% Town of Lake Placid, and approaching the remainder of 50% from Highlands county RPAC.
- The Highlands County School Board would be the applicant for the RPAC funding, and if funded it would go through the School Board, as the Tennis Courts are part of the Highlands County Schools. The Town would be only pledging funds.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to approve 25% of the project up to \$3,125.00 and that all bidding processes and liability are accounted for. **Roll Call Vote:** Council Member Worley withdrew the motion

Motion – Moved by Council Member Royce, seconded by Council Member Bastardi, to approve support for the recommendation from the Lake Placid Recreation Commission as they approach RPAC and the Highlands county School Board to potentially building a hitting wall at the Tennis Courts, and pledge 25% of the project cost up to \$3,125, if the project is approved by RPAC and the Highlands County School Board. **Roll Call Vote:** Unanimous approval

2. Randy Harris advisement of discontinuance of recreation volunteer work. (Heard After 5.b.3)

Council Discussion:

DISCUSSION:

- Council Member Royce commented on Mr. Harris services as a volunteer to the Town for a number of years that assisted the Town and allowing the Town to save tens of thousands of dollars over the years.
- Randy Harris, President of the Youth Baseball requested the council to help find help for the Lake June Park Ball fields as he will be resigning as President and volunteering. Mr. Harris has been looking for others to volunteer without success. He requested council to hire a person to work at the ball fields on a five-day basis, so the Town can continue to have one of the nicest complexes in Highlands County.
- Mr. Harris added that he is not stepping away completely from youth baseball, he will continue working towards obtaining two new fields, and to have a purple pipe to use reclaimed water for irrigation of the fields.
- Mr. Harris stated that the fields do need more care and again requested council to hire a person to work at the fields.
- Mr. Harris commented that the complex has the potential to generate revenue for the Town, if the Town was able to hire more of a parks and recreation person. The town is ideally located in the middle of the state which puts in an ideal position to bring in baseball, softball, and soccer tournaments that take place every weekend. The opportunity is here with the right person handling it.
- Council expressed appreciation and thanked Mr. Harris for his volunteer time.

- Mayor Holbrook and Council discussed the need to have the right person to put into that position. The person could have some marketing skills, but still be responsible for the upkeep of the fields and complex.
- Council Member Bastardi commented that the parks support the Greater Lake Placid Area, but is not in support of the entire cost to hire someone be at the expense of the Town.
- Mr. Harris concurred that most county residents do use the parks, but added that most of the county residents while in town eat at the restaurants, get gas, and spend money in the Town.
- Mr. Komasa expressed his appreciation and thanked Mr. Harris.
- Consensus of the Council is to further discuss and come up with a resolution.

3. **Acceptance of DEO Grant Agreement for Finding of Necessity Study (Heard After 5.b.6)**

Motion – Moved by Council Member Worley, seconded by Council Member Royce, to approve the acceptance of the DEO Grant Agreement Terms for the Findings of Necessity Study. **Roll Call Vote:** Unanimous approval

4. **Budget Amendment - Account 533.651 and approve purchase of two new utility vehicles.**

Council Discussion:

DISCUSSION:

- Council Member Tuck commented that the funding should have been allowed for during the budget process.
- Mr. Barber stated that originally budgeted was for two Nissan trucks, which are less money. The trucks will be used for the Meter Readers, which should have four-wheel drive.
- Mr. Barber responded to council that he was only briefed on the budget but had no input of this budget cycle.
- Mayor Holbrook and Mr. Williams stated that Mr. Barber in fact was not involved as he should have been.
- Mr. Barber responded to council that his truck is bigger than what is needed and more expensive than what is needed.
- These trucks are used, as on call vehicles and a four wheel drive is needed.
- Council recommended Mr. Barber review the utility budget line by line for any other adjustments that may be needed.

Motion – Moved by Council Member Royce, seconded by Council Worley, to approve increasing the budget account 533.651 by \$6000 and approve the purchase of two new utility vehicles for the Utility Department. **Roll Call Vote:** Unanimous approval

5. **Interlocal Agreement Highlands County and Lake Placid re: Tangerine Avenue Construction**

DISCUSSION:

- The County requested an agreement for the North Tangerine Construction. The agreement was included in the Agenda material.
- Mr. Harris stated that the grant to rebuild Tangerine is enough to rebuild the road but not to build the roundabout council has discussed. In discussions with the County Engineer Galvertate, the road will be designed with and without the circle and then see where that leads and if there would be enough grant funding left and what the short fall may be.
- The agreement was sent to the County Attorney Macbeth and Mr. Galverate. Mr. Macbeth added some changes to the agreement which Mr. Harris reported no objections to the changes.
- Council Discussed leaving section 6A flexible to allow for further discussion and partnership with the County as relates to the broad and the county maintaining in the future.
- Mr. Harris stated the possible change to section 6A, The Town shall request the County to accept alternate number two and propose a reasonable allocation of the cost in excess of those funded by the agreement. After future discussion, remove the right turn lane.

Motion – Moved by Council Member Worley, seconded by Council Bastardi, to approve to accept and authorizing the Mayor to sign the agreement with the staff recommended changes to section 6A of the Interlocal Agreement.

Roll Call Vote: Unanimous approval

6. **Approval of Envisors Consultant Services Task Order 14-02 Design and Permitting of 2015**

CDBG Improvements

DISCUSSION:

- Request for approval from council for changes to the cost of the engineering services for the CDBG application which council previously approved \$50,000, an additional cost of \$11,000 for the Surveying will bring the cost up to \$61,000.

- The Grant requirements for the area of the proposed projects require a minimum of 100 homes. Mr. Alday stated that he would pull the survey data to check on the number of homes.
- Mr. Alday said that the engineers have said that the entire grant could be spent on Serenity Village plus additional funds would be needed. The Town would also look for additional funding through SWFWMD.
- Mr. Alday responded to Council's concerns in reference to the change in cost, and that the survey of \$11,000 is to survey not only the roads but also the entire Serenity Village storm water project, which is very detailed project.
- Mr. Homann of Envisors also responded to Council concerns in reference to the change in cost as it pertains to the Survey, the reason that Survey was not included in the original proposal was that CDBG gives a guideline to what engineering should cost. The surveying should be outside that cost estimate and is classified as additional engineering services. Serenity Village will require a lot of technical surveying. Most of the cost is for Serenity Village the streets are only approximately \$2500 of the total \$11,000.
- Mr. Alday Clarified that the \$61,000 is the Town's portion as part of the grant match and is not reimbursable to the Town. These funds indicate in the grant application that the project is in ready to proceed status. The grant is \$650,000 total.
- Mr. Homann responded that the surveys for the streets are good for quite some time.
- Mr. Alday commented that the Town's investment works towards being prepared and having a ready to proceed project. Having a ready to proceed project puts the town in a very competitive position in obtaining grants.
- Council discussed expanding the number of consultants the Town uses.
- Mr. Alday recommended moving forward to expand the pool of consultants the town uses.
- Mr. Homann stated that Envisors cost is around \$6000 less than what CDBG allows and has been working with the Town on these types of projects in the past.
- Council discussed where in the budget the expense allocation would come from and discussed the cost be taken from Utilities. Some of the funding was already allocated for the roads out of the road fund.
- Mr. Alday commented that part of the project might include Storm water and Sewer pipe under the easement.
- Mr. Barber commented that the town currently does not have a separate Storm Water utility and the Town does not have many storm water facilities. Mr. Barber commented that the entire expense should not come out of utilities as some of the work could be done to protect the lift stations differently.
- The grant would focus on Storm Water control in the Serenity village area and the improvement of roads.
- Council Member Royce recommended that the expense allocation be done on the total cost of \$61,000.
- Mr. Williams inquired does council approve for Envisors to proceed.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to approve the \$11,000 and to have staff report to council a breakdown of the where the expense for the total cost of \$61,000 will be allocated from budget, and for Envisors to proceed. **Roll Call Vote:** Unanimous approval

6. CITIZENS NOT ON AGENDA (None)

7. AJOURNMENT – (8:27 pm)

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 8:27pm



LAKE PLACID TOWN COUNCIL
Regular Meeting
Minutes
12/08/2014 5:30 PM

Mayor John Holbrook called the regular meeting of the Lake Placid Town Council to order on Monday, December 8, 2014 at 5:30 pm at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Pastor Ray Camron, First Presbyterian Church, Invocation, and Pledge of Allegiance. A quorum was present.

5:30 P.M. INVOCATION
PLEDGE OF ALLEGIANCE

5:32 P.M. Call to Order - Mayor John Holbrook

Roll Call
Present

Mayor John Holbrook
Council Member Ray Royce
Council Member Debra Worley
Council Member Arlene Tuck
Council Member Steve Bastardi – Arrived at 5:37pm

Others Present

Town Administrator Phil Williams
Town Attorney Bert Harris
Clerk Eva Cooper Hapeman
Finance Manager Rachel Osborne
Utilities Director Joe Barber
Public Works Director John Komasa
Police Chief James Fansler
Town Planner Mark Hill
Town Planner Sue Buchans
TownPlanner Joedine Thayer

1. CONSENT AGENDA 1

- A. Approval of Agenda
- B. Approval of Minutes of the regular meeting of the Lake Placid Town Council November 10, 2014
- C. Approval of Department Head Reports
- D. Approval of Departmental Financial Reports for the month of November 2014
- E. Approval of all duly authorized monthly bills, less Royce Supplies, and Hometown Network
- F. Budget Amendment 2013-14 Budget Resolution 2014-12

Motion - Moved by Council Member Tuck, seconded by Council Member Worley, to approve Consent Agenda 1 Items A-F. **Roll Call Vote:** Unanimous approval.

2. CONSENT AGENDA 2

- A. Approval of all bills for Royce Supply
- B. Approval of all bills for Hometown Network

Motion - Moved by Council Member Worley, seconded by Council Member Tuck, to approve Consent Agenda 2 item A. **Roll Call Vote:** Yes - Worley, Tuck, Bastardi, Abstain – Royce. The proper paperwork has been filed with the Town Clerk. Motion Carried.

Motion - Moved by Council Member Royce, seconded by Council Member Worley, to approve Consent Agenda 2 Item B. **Roll Call Vote:** Yes - Worley, Tuck, Royce, Abstain – Bastardi. The proper paperwork has been filed with the Town Clerk. Motion Carried.

3. PRESENTATIONS (There were no presentations)

4. PUBLIC HEARING ORDINANCES AND RESOLUTIONS

A. 2nd Reading – Ordinance 2014-689 Annexation – Aravilla Groves LTD, Robert A and Jessie W Matthews and Stanley Perry Jr. Properties.

Discussion:

- Mayor Holbrook read by Title Ordinance 2014-689.

Motion – Moved by Council Member Worley, seconded by Council Member Tuck, to adopt Annexation Ordinance 2014-689 on second hearing as read by the title of the Ordinance. **Roll Call Vote:** Unanimous approval

B. 2nd Reading Ordinance 2014-684 Planned Development Rezone – West Interlake– Taylor Property (Adopted After 4.C)

Council, Mayor, Town Attorney, Town Planners Discussion:

- Mayor Holbrook read by Title Ordinance 2014-684.
- Town Planners Ms. Thayer, Mr. Hill, and Ms. BuChans were in attendance.
- Ms. Thayer presented both the Ordinances for the West Interlake Taylor Property. Proper Public Notice was given as required by regulation, and no letters were received concerning the Small Scale Comp Plan Amendment or the Planned Development/Rezone for the Taylor property.
- The LPA has recommended the Town Council approve the request for Planned Development Rezone and Small Scale Comprehensive Plan Amendment.
- Ms. Thayer informed council that Items 4.B and 4.C of the agenda are out of order, the Small Scale Comp Plan Amendment and the Planned Development Rezoning request will need to be addressed separately, starting with 4.C the Small Scale Comp Plan Amendment.
- Ms. Thayer read the recommend motion for Council.

Motion - Moved by Council Member Worley, seconded by Council Member Tuck, to approve and adopted Ordinance No. 2014-684, as read by title amending the Town Zoning Map from Highlands County Agricultural District and Mobile Homes Park District to Town of Lake Placid Planned Development with a Development Concept subject to the following conditions:

1. A conceptual site development plan will be required through an amended ordinance as reviewed and approved by the Town Council.
2. A final site development plan will be required through a resolution as reviewed and approved by the Town Council.
3. The adoption of the rezoning ordinance, Ordinance No. 2014-684, shall be contingent upon the State's approval of the companion Small Scale Comprehensive Plan Amendment ordinance, Ordinance No. 2014-683.

Roll Call Vote: Unanimous approval.

C. Ordinance 2014-683 Small Scale West Interlake – West Interlake– Taylor Property. (Adopted prior to 4.B)

Council, Mayor, Town Attorney, Town Planners Discussion:

- Ms. Thayer read the recommended motion.
- Council Member Royce requested clarification on whether Small Scale Comprehensive Plan amendments are required to be approved By DEO.
- Ms. Thayer responded that Small Scale Comprehensive Plan amendments go to DEO for review.
- Mayor Holbrook read by Title Ordinance 2014-683.

Motion - Moved by Council Member Worley, seconded by Council Member Tuck, the approval and adoption of the Small Scale Future Land Use Map Amendment Ordinance No. 2014-683 from Highlands County Agriculture to Town of Lake Placid Downtown Mixed Use. **Roll Call Vote:** Unanimous approval.

Amended Motion - Moved by Council Member Worley, seconded by Council Member Tuck, the approval and adoption of The Small Scale Future Land Use Map Amendment Ordinance No. 2014-683 from Highlands County Agriculture to Town of Lake Placid Downtown Mixed Use as read by the title of the Ordinance. **Roll Call Vote:** Unanimous approval.

5. TOWN ATTORNEY/DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS

A. Town Attorney

1. Planning – Parks Memorandum

Mayor, Council, Town Attorney, Town Planner Mark Hill and Homeowners of Lake June Pointe, Mr. Ayers, Laws Martin, Diana Clancy, and Don Ingram Discussion:

- The homeowners of the Lake June Pointe subdivision informed council that two years ago the homeowners were asked by the Homeowners Association about building a clubhouse at that time the homeowners voted against it.
- Mr. Hill commented the current park is a private park and in the Lake June Pointe subdivision it is not an allowable use of the land under R1A zoning within the Town limits according to the Town Code. The park is considered an illegal park under the Town zoning, which was approved by the previous Town Planners. In addition, the current Planners cannot issue a building permit for an illegal land use.
- Mr. Hill noted that there is no petition currently to change the zoning. There has not been a change in the Town Code or Planned Development Rezone application.
- Mr. Hill responded no notification is given to surrounding property owners in regards to the changing of the Town code, but he would have planning staff meet with the homeowners to discuss the issue.
- Mayor Holbrook commented the Town should be notified of what the Homeowners vote is on building a clubhouse.
- Mr. Martin stated that the park in the subdivision is owned by the property owners and suggested leaving everything as is.
- Council Member Royce suggested the Town Planners and Attorney consider amending the code and to check into any legal issues.
- Council recommended to the homeowners to contact the Town Clerk with their email addresses, and that in the future if there is any discussion or actions pertaining to the issue or changes to the code as it pertains to private parks the Town Clerk could contact them.
- Council instructed staff to research the zoning status of all other private parks located in the Town.
- Council Member Tuck suggested leaving it as is.

Motion – Moved by Council Member Worley, seconded by Council Member Bastardi, to instruct Staff to research the zoning status of all other private parks in the Town, and the clerk to notify any homeowners who have supplied email addresses of any further information or action before council as it pertains to the Lake June Pointe Park.

Roll Call Vote: Unanimous approval.

B. Town Administrator

1. Budget amendment proposal to hire new employee for recreation and park management

Mayor, Council, Town Administrator discussion:

- Mr. Williams informed the council, that a meeting was held with Randy Harris who will no longer be a volunteer at the Lake June Ball fields. Mr. Williams also reminded council that a year prior the topic to hire a person to take care of the area was brought up, whereas at the time council was not considering the hiring of a new employee.
- Council discussed hiring a person for the recreation area since Mr. Harris has stepped down from volunteering.
- Council Member Bastardi stated his position the Town should decide how to use the county funds and supply service to the parks for the Greater Lake Placid area, recommending a high-level maintenance approach be taken.
- Council Member Bastardi stated he is not in favor of spending money for recreation that supports the Greater Lake Placid Area by utilizing Town funds.
- Mayor Holbrook stated that the facility could be self sustaining. In the past council had accepted a grant to build the park and was in favor of the recreation. In addition, the new position could oversee all the parks, the position would not be a director's position and would work under Mr. Komasa.
- Council discussed the following various possibilities for the proposed recreation position: The position would report to Mr. Williams, by putting in a new employee to oversee discontinue utilizing volunteers as well as discontinuing the Recreation Commission, the position created would be an all around position which would include the mowing, organizing and scheduling of tournaments.
- Mr. Williams suggested changing the requirement currently in place that the user fees be strictly for capital improvements.
- Council Member Royce commented that the requirement was put in place to ensure funds for renovation and upkeep of the area are available.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to have the Mayor and Town Administrator Williams develop a Job Description, Plan of Action, and Salary Range for the Recreation Position.

Roll Call Vote: Yes- Tuck, Worley, Royce. No- Bastardi. Motion Carried.

2. 2014-12-08 JB Proposed Agenda Item Line Stops

Town Council, Utilities Director Barber Discussion:

- Mr. Barber requested approval to purchase (2) Line Stops for Tomoka Water Plant. The reason for the request is due to a recent inspection of the Hydro-pneumatic tanks at the Tomoka Water Treatment Plant, it was discovered that, there are two valves that need replacing. It was noted that without the line stops, the system would have to be shut down for at least half a day.
- Council inquired if the funds would come out of the \$400,000 that was set aside when the Town took over the plant from the County. The funds were set aside were to expand the storage capacity at the plant.
- Ms. Osborne responded that according to FDEP the current reserve funds are inadequate for the size of the Town, that Town should have over two million dollars in reserves.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve the purchase of the Line Stops for Tomoka Water Plant and utilize the set aside \$400,000 funding if it conforms within the definition in the agreement with the County. **Roll Call Vote:** Unanimous approval.

3. 2014-12-08 JB Proposed Agenda Item Cla-Val Valves

Town Council, Utilities Director Barber Discussion:

- Mr. Barber requested approval to go out for bid to purchase pump control valves for the Serena Well, the cost is approximately \$90,000 installed.
- The request is due to recent inspections of the chlorine contact tank, in which corrosion was found in the top of the tank. In addition, if the hatches become too corroded the hatches will not be able to be closed and the tank will then need significant repairs.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to approve to go out for bid and purchase control Valves for the Sirena Well. **Roll Call Vote:** Unanimous approval

4. 2014-12-08 JB Proposed Agenda Item Consent Order

Town Council, Mayor Holbrook, Utilities Director Barber Discussion:

- Mr. Barber presented to the council a request for approval of a Consent Order for the South Waste Water Treatment Plant, which is required by FDEP to be completed by October 1, 2015. Requesting for Bid Solicitation Advertisement for Splitter Box/Grit Chamber.
- Council commented on the history of the plant, noting the plant was in poor shape when the Town took over, since then the Town has made significant investments including grant funds to the improvement of the plant. There has been a reduction of flow from 60,000 to 30,000gal.
- Council requested Mr. Barber check with DEP to inquire in the possibility of expanding to 40,000gal or if FDEP would grant an extension to the deadline.
- Mr. Barber stated he will contact FDEP, but added that he would like to move forward to ensure meeting the current deadline.

Motion – Moved by Council Member Tuck, seconded by Council Member Worley, to approve the consent order to go out for bid for a Splitter Box/grit chamber. **Roll Call Vote:** Unanimous approval.

5. 2014-12-08 JB Proposed Agenda Item GPS-GIS

Town Council, Mayor Holbrook, Utilities Director Barber Discussion:

- Utilities Director Barber presented to the council a request for approval to go out for bid and purchase a hand-held GPS unit and GIS Software. The cost approximately \$14,500 with Optional Training of \$5000.
- Mr. Barber commented on the reasons for the request is to help the town in the future for example: employees will have the ability to quickly find the location of town infrastructure (sewer lines, waterlines), currently an employee spends approximately half a day just to locate where the utility lines are utilizing manual probing. The Town cost to have employees do the locates is approximately \$17,000 and the Town relies on institutional know- ledge from employees that have been with the Town for a long time. Having, the Town infrastructure mapped out utilizing the GPS/GIS system would save the Town in the long term.
- Mr. Barber responded to council, he did not believe the training portion was needed although he noted it had been a while since he utilized the software.
- Mr. Barber also stated that in the future the Town should look into the RFID system, as additional equipment. He explained that a ball is dropped in where the utility line is then a laser is utilized to locate the line.

- Comments from council were if the cost of training is not included, purchasing the Laser product could be done.

Motion – Moved by Council Member Bastardi, seconded by Council Member Tuck, to approve to go out for bid and purchase of Mapping Grade Hand-held GPS, GIS software and RFID. **Roll Call Vote:** Unanimous approval

6. Funding Program Agreement between the Department of Economic Opportunity and the Town of Lake Placid to provide Finding of Necessity Study for CRA

Discussion:

- Mr. Williams reported the agreement is for the Finding of Necessity Study for a CRA, from the Grant applied for by the Central Florida Regional Planning Council.

Motion – Moved by Council Member Worley, seconded by Council Member Royce, to approve the Funding Program Agreement between DEO and the Town of Lake Placid. **Roll Call Vote:** Unanimous approval

--Mayor, Council and Town Administrator Additional Reports and Comments

- The Town was awarded the grant to repave Green Dragon Drive in the amount of \$100,000.
- The Town Council Minutes from 1994 to current have been scanned.
- The Tangerine documents are ready for the closing on the Buddy Rogers property.
- Tal Rancort has dug out the old trees, stumps and removed road matter preparing for the planting of the new trees along Interlake Blvd.

C. CITIZENS NOT ON AGENDA (None)

7. AJOURNMENT – (7:47 pm)

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 7:47pm