

MINUTES

LAKE PLACID TOWN COUNCIL Regular Meeting 1/8/2018 5:31 PM Town of Lake Placid Town Hall

Mayor Holbrook called this regular meeting of the Lake Placid Town Council to order on Monday, January 8, 2018, at 5:31 pm at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Pastor Tim Taylor Nazarene Church gave the invocation, a remember for Richard (Dick) Taylor and led the Pledge of Allegiance. A quorum was present.

Roll Call

Present

Mayor John Holbrook
Council Member Ray Royce
Council Member Debra Worley
Council Member Arlene Tuck
Council Member Donald Boyd

Others Present

Town Administrator Phil Williams
Attorney Bert Harris
Utility Director Joe Barber
Finance Director Rachel Osborne
Chief James Fansler
Susan BuChans, Highlands County Planning
Melony Culpepper, Highlands County Planning
Bill Brantley, Keep Lake Placid Beautiful and Chamber of Commerce

Others Absent

Town Clerk Eva Cooper Hapeman

1. CONSENT AGENDA 1

- A. Approval of Agenda
- B. Approval of Minutes Town Council Regular Meeting December 11, 2017
- C. Approval of Department Head Reports
- D. Approval of Departmental Financial Reports for the month of December 2017
- E. Approval of all duly authorized monthly bills December 2017 less Royce Supply
- F. Monthly Budget Report - December 2017

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

2. CONSENT AGENDA 2

- A. Approval of Monthly billing Royce Supply December 2017

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

3. PRESENTATIONS (NO AGENDA ITEMS)

4. Public Hearing

A. First Hearing Ordinance 2017-758 Annual Capital Improvement Element (CIE) Public Hearing – LPTC.17.005LS.

- Mayor Holbrook read by title Ordinance 2017-758.
- Ms. Culpepper presented Ordinance 2017-758 Annual Capital Improvement Element (CIE) Public Hearing and reviewed the changes. In addition, informed council that once approved

on the Ordinance will be forwarded to the state as required and will be brought back to council for final adoption.

- Council approved the changes to the CIP's 10-year policy 1.1 to require an annual adoption and amending the school board CIP (for Lake Placid) to be adopted by reference; providing for severability; providing for conflict, and providing an effective date.
- Council Member Royce inquired on the purpose of the adopting by reference the school board CIP. Ms. Culpeper stated it is required by Florida statute, is a level of services, and ensures the County meets the level of comp plan standards.

Motion - Moved by Council Member Tuck, seconded by Council Member Royce to approve on first reading to adopt by ordinance 2017-758 proving modifications to the 5-year Capital Improvement Schedule and amendments to the text of the capital improvements element of the Town of Lake Placid 2030 Comprehensive Plan and forward the adopting ordinance to the Florida Department of Economic Opportunity for expedited state review with stated changes. **Roll Call Vote:** Unanimous approval.

5. Resolutions

A. Resolution 2017-63 Annual Capital Financial Strategy (CFS) Public Hearing

– LPTC.17.005LS

- A resolution of the Town of Lake Placid, Florida, adopting the 10-year Capital Financial Strategy for the FY 2017/2018 of the Town of Lake Placid; providing for severability; providing for conflict; and providing for an effective date. This will be an annual resolution for adopting the 10-year Capital Financial Strategy.

Motion - Moved by Council Member Worley, seconded by Council Member Tuck, to adopt Resolution 2017-63, updates to the 10-year capital financial strategy of the Town of Lake Placid, which shall be located within the technical support document of the Town of Lake Placid 2030 comprehensive plan with changes as stated. **Roll Call Vote:** Unanimous approval.

B. Resolution 2018-64 Election Canvassing Board

- Member of the canvassing board includes Council Member Royce, Council Member Boyd, and Town Clerk Eva Cooper-Hapeman that are required to be present during the testing of the Election Voting and Tabulation Equipment.
- The purpose of the resolution to appoint an alternate in the event one of the designated canvassing board is unable to attend.

Motion - Moved by Council Member Royce, seconded by Council Member Tuck, to approve Resolution 2018-64: Appointing Town Administrator Phil Williams as a canvassing board alternate with changes to the final paragraph as discussed. **Roll Call Vote:** Unanimous approval.

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

A. Planning (No Agenda Items)

B. Town Attorney (No Agenda Items)

C. Town Administrator

1. Town of Lake Placid Election (General election - April 3rd)

- Council agreed to proceed with the election as stated and opt out of early voting. Mayor Holbrook stated that the reelection was for Tuck, Worley, and Holbrook.

Motion - Moved by Council Member Royce, seconded by Council Member Boyd to move forward with the election and opt out of early voting. **Roll Call Vote:** Unanimous approval.

2. Chamber of Commerce dues

- Mr. Williams stated that the item has been settled

Motion - Moved by Council Member Royce, seconded by Council Member Worley to strike 6.C.2 from the agenda. **Roll Call Vote:** Unanimous approval.

3. Request to speak via email James Randy Reinhardt – 1764 Washington Blvd NW, Lake Placid, FL 33852.

Mr. Reinhardt discussed wheelchair accessibility (entrance barriers) around town. Mr. Reinhardt stated he is a disabled veteran and is not alone. Many entrance barriers restrict wheelchair access to local businesses. Existing mom and pop businesses cannot afford a lawsuit to be ADA compliant but expects to see enforcement action taken requiring a business to comply with ADA, FMLA, and other Disability ACTS. Some businesses have been providing alternative entrances. Mr. Reinhardt pointed out the lack of curb cuts in the roads allowing accessibility. The Mayor stated the Town Administrator has been working on this issue and is included on Mr. Williams's project list.

- Town Administrator stated the ADA code is very complex. At times, it is hard to track down what all needs to be done.
- Mr. Brantley requested to speak on behalf of the Chamber of Commerce stating businesses must be ADA compliant (per code). Mayor Holbrook and Council Member Tuck joined in with discussing options (such as enforcing new businesses to make the business entrance accessible by wheelchair).
- Mr. Brantley stated that a wheelchair access recessing into a build is not a cheap fix. A portable access is also an option.
- Mr. Brantley also stated that the Chamber of Commerce will be looking into options, but the county must correct the problem with permits.

4. Town Administrator request for budget amendment to adjust pay for Public Work's Employees who hold CDL license.

- Discussed the dilemmas of hiring CDL drivers and request to increase the rate of pay by \$1.00 per hour in the Public Works department.
- Recruitment efforts at the Town's current pay rate, \$11.40 per hours, since June 2017, has failed to attract CDL licensed applicants but has attracted applicants at the starting Public Works general employee rate of pay.
- Additional efforts have been made to encourage current public works employees to pursue CDL licenses. So far, no results were obtained.
- Establish four CDL positions in the Public Works department utilizing current employees (first).
- Two CDL driver pay was increased. Two-driver position existing at a starting pay of \$12.40 per hour.
- Fiscal impact of \$6,259.88

Motion - Moved by Council Member Royce, seconded by Council Member Worley to approve pay differential for up to four CDL drivers employed only within the Public Works Department. **Roll Call Vote:** Unanimous approval.

5. New Town Hall design discussion (building plans from 2010 was displayed on the overhead)

- Royce stated if the right building at the right price comes available (that can act as a community center) he would be more willing to be on board. Council chamber should be bigger than the current size and he would like to see an old building being repurposed to new life.
- Mayor Holbrook stated it is probable that the health department building may no longer be available.
- Council and Brantley discussed renovation costs that can easily exceed 1.5 to 2 million dollars.
- Council Member Worley discussed several reasons why she is for the Town purchasing the church. Brantley stated to purchase any building outside of downtown Lake Placid would be a desertion to the businesses and would be the worst scenario.
- Council Member Royce recommended, Mr. Williams, Town Administrator to continue exploration, at a deliberate pace (no hurry and no hindrance), on a wide range of options for the location and design of a new Town hall building. Hopefully to select and restore a not used building.

D. Project updates

7. MAYOR/COUNCILMEMBERS

- Council Member Tuck expressed her sadness about the passing of Dick Taylor and Mayor Holbrook informed staff to send flowers.

Motion - Moved by Council Member Royce, seconded by Council Member Worley to send a floral arrangement at a cost to not exceed \$250.00. **Roll Call Vote:** Unanimous approval.

- Council Member Worley mentioned the article on peanut grass and would like the approval to pursue and follow the events without any action.
- Council Member Royce informed Council that March 12th, 2018 he will not be attending the regular council meeting. He will on a trip to Jamacia.

8. CITIZENS NOT ON AGENDA (Comments are to be limited to 3 minutes unless a longer period of time is permitted by the presiding officer or by a majority of the Town Council)

1. Lake Placid, Sylvan Shores resident, Dana Revel came to inquire about Council considering to change the code to allow a service station on the same block and ask why Council made a comment they intend to make the code more stringent due to the 1000 linear feet. Stated WaWa would bring revenue to the Town. Two of her main concerns were: (1) The Town should not have a free market to single out particular businesses (2) Limiting gas stations on the same block creates a monopoly for the Gate Station and blocks out WaWa. Revel asked the council to reconsider and amend the code. She asked, what was the value of limiting service stations? WaWa started out as a Convenience Store and not a Gas Station. Council Member Tuck stated she has been approached and asked why Council will not reconsider. Council Member Tuck asked Council to do more thinking on this topic.
 - Council Member Worley stated the traffic issue is the main concern. Council Member Tuck thanked Worley for reminding her about the traffic concern. People pulling into the location and the backup of US 27 are a great concern.
 - Council Member Royce explained the prior ordinance restriction and stated that WaWa is welcome to join the community. The Ordinance is being changed but is unsure of the final language. Royce also discussed the process to change the code and stated the process could take several months to make changes.
 - Boyd stated, for later discussions, he would like to see exemptions to expedite changes.
 - Jack Thompson approached the podium to further discuss the WaWa. Thompson said he is familiar with WaWa and is in favor of having one in Lake Placid, due to the tax benefits to the Town. In addition, stated that WaWa is known for its charitable contributions and is a good citizen and that WaWa is extremely popular comparable to how people like Publix.

9. ADJOURNMENT

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 7:12 pm.

Respectfully submitted by:

Rachel Osborne, Finance Director, on behalf of Eva Cooper-Hapeman, Town Clerk

LAKE PLACID TOWN COUNCIL
Regular Meeting
2/12/2018 5:30 PM
Town of Lake Placid
Town Hall

Mayor Holbrook called this regular meeting of the Lake Placid Town Council to order on Monday, February 12, 2018, at 5:31 pm at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Rev. Drew Severance First Presbyterian Church gave the invocation and led the Pledge of Allegiance. A quorum was present.

Roll Call

Present

Mayor John Holbrook
Council Member Ray Royce
Council Member Debra Worley
Council Member Arlene Tuck
Council Member Donald Boyd

Others Present

Town Administrator Phil Williams
Attorney Bert Harris
Town Clerk Eva Cooper Hapeman
Utility Director Joe Barber
Finance Director Rachel Osborne
Chief James Fansler
Town Planner Susan BuChans
Highlands County Commissioner Jack Richie
Bill Brantley, Keep Lake Placid Beautiful and Chamber of Commerce

1. CONSENT AGENDA 1

- A. Approval of Agenda
- B. Approval of Minutes Town Council Regular Meeting January 8, 2018
- C. Approval of Department Head Reports
- D. Approval of Departmental Financial Reports for the month of January 2018
- E. Approval of all duly authorized monthly bills January 2018
- F. Monthly Budget Report – January 2018
- G. Approval of Personnel Policy Section P46 Employee Licenses and Certifications

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

2. CONSENT AGENDA 2 (NO AGENDA ITEMS)

3. PRESENTATIONS (NO AGENDA ITEMS)

4. Public Hearing (NO AGENDA ITEMS)

5. Resolutions (NO AGENDA ITEMS)

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

A. Planning (NO AGENDA ITEMS)

B. Town Attorney (NO AGENDA ITEMS)

C. Town Administrator

1. CDBG Grant for East 1/2 of Phase I-B Gravity Sewer (Heard after 6.C.2)

- Mr. Barber informed Council that the CDBG grant has been awarded in the amount of \$700,000 for the proposed sewer project. The Florida Department of Economic Opportunity (DEO) has requested that the grant be placed on the agenda for approval or denial of the award.
- Mayor Holbrook, Council, Mr. Harris, Mr. Barber, and Mr. Alday discussed the details of the grant for the east ½ of Phase I-B Gravity Sewer, reviewing the details of the grant parameters, the breakdown of costs, and the portion of the costs to the Town Utilities.
 - Funding discussed \$700,000 total grant award, \$50,000 pledge match-used to pay grant compliance services (Guardian). \$50,000 pledged local funds as availability for Low to Moderate Income (LMI) homeowners, have 33 easements from homeowners.
 - Grant would need at least 40 units to hook up. The agreement with the apartment's owner has been renewed and would make up the 40 units needed. The number of units in the area is 103 occupied units and 12 vacant lots and 91 LMI qualified.
 - Mr. Barber and Mr. Alday confirmed, if the town accepts the grant, the town could withdraw from the grant in the event the BID process costs to the town exceed the estimated costs. Mr. Alday stated in the event the town withdraws from the grant, Guardian's grant services fee would only be paid the progress of the grant to the point of the town's withdrawal from the grant.
 - Availability charges will go into effect if property owners decline sewer hookup.

Motion - Moved by Council Member Tuck, seconded by Council Member Boyd to accept the award for the grant. **Roll Call Vote:** Yes- Royce, Boyd, Tuck, No- Worley

2. 2018-02-12 JB Proposed Agenda Lake Blue WM Replacement (Heard after 6.C.3)

- Mr. Barber informed Council the county has completed the BID process and the the lowest bidder was "GO Underground." The bidding has left a deficit in the amount of \$190,486, which is the difference from the award funds of \$750,000 for construction. Mr. Barber requested Council approve a budget amendment for the \$190,486 difference utilizing the capital improvement funds.
- Mayor Holbrook, Council, Mr. Harris, Mr. Barber, and Mr. Alday discussed the grant.
 - Mr. Barber plans on conducting the construction engineering services in-house estimated in the amount of \$40,000 that is included in total shortage of \$190,486.
 - The utility has been budgeting for water capital improvements projects every year, but has not used much of the money in the last several years in anticipation of projects.

- Mr. Barber stated the Lake Blue has ongoing breaks, problems and there is a need for this grant to move forward.
- Mr. Alday responded to questions that any costs that were not included in the grant would be the responsibility of the town according to the Interlocal Agreement between the Town and Highlands County.

Motion - Moved by Council Member Worley, seconded by Council Member Tuck to authorize a budget amendment and expenditure of capital improvement funds for the difference between the grant funding, bid amount and authorizing the transfer of funds to the county. **Roll Call Vote:** Unanimous approval.

3. Utilities – Proposed Other Projects Discussion (Heard before 6.C.1 and 6.C.2)

- Mr. Barber requested that the agenda items for utilities be heard in order of importance, starting with agenda item 6.C.3. Mr. Barber presented proposed capital improvements projects and funds. Mayor Holbrook, Council, and Mr. Barber reviewed each proposed project.
 - Generator for the Magnolia Water Treatment Plant: The generator failed while running during the hurricane, it is not repairable. A 250kw generator is approximately \$90,000 using the FL Sherriff's department bid contract. This would not qualify for a mitigation grant for storm-damaged facilities since it was not damaged because of the storm. Applying for a normal FEMA mitigation grant to replace this generator, could take a year or more to receive funding, if funded. The town water system currently has another water plant online with its own generator, but the Magnolia plant houses the computers, which control this plant. Mr. Barber addressed suggestion to use portable generators for the lift stations, using portable generators would mean that anytime there was a power outage it would save time to have two permanent and there portable generators.
 - Water Systems Interconnect: Polston Engineering is currently designing and permitting an interconnect so that the town water system will be connected to the Tomoka and Highway Park systems. The anticipated construction cost for this project is \$175,000. The intention would be to utilize the funds (\$400,000) that were provided by the county for this project.
 - Stationary Lift Station Generators: These could be purchased from the FL Sherriff's bid award contract or applied for under a FEMA Hazard Mitigation Grant. During the storms, two critical lift stations were identified at Balmoral and one in Tomoka Heights. These lift stations need stationary generators installed to not cause any sewer backups during a power outage. Approximate cost \$80,000.

Motion - Moved by Council Member Royce, seconded by Council Member Worley to approve Utilities Directors recommendation to purchase the Magnolia Water Treatment Plant Generator **Roll Call Vote:** Unanimous approval.

Motion - Moved by Council Member Royce, seconded by Council Member Worley to instruct the Utilities Director to move forward with the bidding process for the Tomoka Interconnect project and to reassure that the money utilized from the counties transfer fund would be an appropriate revenue source and to bring back to council for consideration a bid proposal. **Roll Call Vote:** Unanimous approval.

4. Chow down Food Truck, LLC request to hold event Devane Park 03/26/18.

- Mr. Williams presented a request to hold a food truck event at Devane Park, the event was for one-time that could maybe become a monthly event. The proposal from the company was to bring in approximately a dozen trucks with different foods,

music, and a local bounce house. In addition, the Town Administrator researched Chow Down Food Trucks, LLC events, and owner, found no derogatory information, and received feedback from Moore Haven, which gave rave reviews of the company, which has been holding the same event proposed. Mr. Williams stated that Mr. King of Chow Down Food Trucks, LLC agreed to pay the \$50 park rental fee and the \$35 business tax.

- Mayor Holbrook, Council, Mr. Williams, Mr. Harris, and Ms. Buchan Town Planner discussed the request for the event.
 - Council Member Tuck expressed concerns that this event is for a commercial business, and concern for the business owners in town. Tuck had problems with this event, noting that town businesses and restaurants utilize this time of year to make money. This is letting a company use the town's parks to make a profit.
 - Council Member Royce stated that at the local festivals each vendor is a small business and saw no difference from those vendors participating to make money and the request for the food trucks.
 - Council Member Tuck inquired about the company having insurance to cover food poisoning. Mayor Holbrook commented that the town allows vendors to sell food at the Main Street fairs and other events.
 - Mayor Holbrook noted there have not been any negative responses.
 - Adequate bathrooms were suggested and Stewart Park may be a better location for this type of event to increase visibility for businesses to prompt possible shoppers to shop in the town.
 - Ms. BuChans Highlands County Planning Supervisor and Town Planner brought to Councils attention to the Town Code Chapter 117 addresses selling of prepared food and drink, pointing out that food cannot be sold within 500 feet of schools, and other restrictions. In addition, that chapter 117 states that "Foods or drinks shall not be sold on town property, except as authorized by resolution of the Town Council.

Motion - Moved by Council Member Royce, seconded by Council Member Boyd to allow the Chow down LLC's request to hold an event in Lake Placid at the at the discretion of the Town Administrator in the terms that he sees as appropriate in the permit process including the location.

Amended Motion - Moved by Council Member Royce, seconded by Council Member Boyd to allow the Chow down LLC's request to hold an event in Lake Placid at the at the discretion of the Town Administrator in the terms that he sees as appropriate in the permit process including the location by Resolution. **Roll Call Vote:** Yes- Royce, Boyd, Worley No-Tuck

5. La Iglesia de Dios, Inc. Citizen (Gretza Alejandro) requested to speak about using a grill in Devane Park to dispense free burgers/hot dogs on March 24, 2018.

- Mr. Williams stated that church would like to serve free hamburgers, hotdogs and stated that gas grills are allowed but not charcoal grills.
- Ms. Aljardo representing the church informed that the church has been around for 40 years, there are 15 churches throughout Florida and does have insurance.

Motion - Moved by Council Member Royce, seconded by Council Member Worley allow Town Administrator to explore all such requests and adjust permit conditions as safely appropriately and determine the need for Council decision as with agenda item 6.C.3 Chow down Truck event. **Roll Call Vote:** Yes- Royce, Boyd, Worley No-Tuck

6. Approval FY 2017-2018 Recreation Interlocal Agreement

Motion - Moved by Council Member Royce, seconded by Council Member Worley to adopt the annual recreation agreement with Highlands County with both changes in sections 8 and 9 as suggested by Town Attorney. **Roll Call Vote:** Unanimous approval.

7. Public Works Pay Adjustments

- Mr. Williams presented recommended Items in regards to Public Works Pay and Adjustments.
 - Harvey Waldron the new public works director will begin work on February 19. Mr. Williams requested the Town Council consider the following: ITEM #1 the position for the Public Works Director was advertised at \$51,000 per year. Mr. Waldron requested \$55,000 per year, which the Town Administrator offered \$52,000 per year. Mr. Waldron's current job is \$52,094 per year. The request to Council is to approve \$52,000 per year salary - a \$1,000 increase in the current budgeted salary.
 - ITEM #2 Mr. Waldron requested an option of driving home a town vehicle. The town received on 01/31/18 a new vehicle that was ordered last September pursuant to the 2017-18 budgets for it. The normal means of calculating distance from the town is as a straight line, which places Mr. Waldron's residence in Venus at 15 miles.
 - ITEM #3 No motion necessary to reduce the Town Administrator's salary by \$4000, which had been previously agreed upon until a new Public Works Director was hired. In addition that the pay for the Public Work's Forman Mr. Keefer pay be adjusted to at least #18.50.
- Mayor Holbrook, Council, and Mr. Williams discussed whether to allow the Public Works Director to have a take-home car.
 - Previous Police Officers were allowed a take-home care and after 10 miles paid towards the additional miles. Mr. Williams stated that the take-home car is for a Director.

Motion - Moved by Council Member Royce, seconded by Council Member Worley to approve ITEM #1 Public Works Director pay scale to \$52,000 per year, ITEM #2 allowing a take-home mileage for incoming Public Works Director to 15 miles with take-home vehicle not guaranteed as a benefit of the position but allowed as a vehicle is available as determined by Public Works Director and Town Administrator ITEM #4 adjustment of Public Work's Foreman Alan Keefer salary at the Town Administrators discretions capping at \$20.00 per hour. **Roll Call Vote:** Unanimous approval.

8. Lake June Park Renovation Phase I Restroom and Pavilions Interlocal Agreement with RPAC and Contract with TDC

- Mr. Williams presented the Interlocal Agreement for the RPAC funding for the Lake June project, in addition, the agreement with the Tourist Development Council in regards to the planned restroom for Lake June. Both agreements will be presented to the Highlands County Board of Commissioners for final approval.

Motion - Moved by Council Member Worley, seconded by Council Member Tuck to approve Interlocal Agreement between the Town of Lake Placid for funding of \$217,700.00 conditional upon the HCBCC approval of the \$60,000 contract between the Town of Lake Placid and the Highlands County Tourism Development Committee. In the event the TDC funding is not approved by the HCBCC, recommend a change in agreement for RPAC funding of \$277,700. **Roll Call Vote:** Unanimous approval

Motion - Moved by Council Member Worley, seconded by Council Member Tuck to approve a contract between the Town of Lake Placid and the Highlands County TDC.

Roll Call Vote: Unanimous approval

9. Citizen request to speak (Randy Reinhardt)

- Mr. Reinhardt stated the reason for the request to speak was to obtain attention to the issue. In addition, commented that he had a very fruitful meeting with the Town Attorney and would not need the five minutes to speak on the issue.
 - Mayor Holbrook, Council, Mr. Williams, Mr. Harris, Mr. Brantley President of the Chamber of Commerce and Mr. Reinhardt discussed ADA compliance. Council Member Tuck requested Mr. Brantley of the Chamber of Commerce address what had been discussed at the Chamber of Commerce Board meeting.
 - Mr. Brantley reported that at the monthly chamber meeting the board decided to reach out to the citizens and business owners to inform them of the availability of portable ramps, but were waiting for additional information after Mr. Harris's meeting with Mr. Reinhardt to officially reach out. In addition, Mr. Brantley pointed out that there are areas in the Town that a ramp would not be feasible. Mr. Reinhardt commented that some of the Town businesses predate the ADA, and added that there are provisions in the ADA that address how to handle those issues.
 - Council Member Tuck stated that the Chamber secretary is working on a list of portable ramp information to assist the businesses.
 - Mr. Harris reviewed the letter he sent to Mr. Williams (included in the agenda packet) that outlined the discussion with Mr. Reinhardt in regards to his concerns.
 - Council Member Worley mentioned the town had established an ADA playground that is shared with the Lake Placid Elementary School, in addition, that at the town ball field's area there is a field that the town built for the Miracle League.

Motion - Moved by Council Member Royce, seconded by Council Member Worley to authorize and instructs the Town Administrator and Town Attorney to move forward with the appropriate plan of action to address the issues in the letter submitted by the Town Attorney. **Roll Call Vote:** Unanimous approval

10. Florida Small Community Energy Efficient Lighting Grant Program

- Mr. Williams introduced a grant program to retrofit the town lighting to energy efficient lighting and requested direction from Council whether to move forward applying.

Motion - Moved by Council Member Royce, seconded by Council Member Worley Town Council instruct the Town Administrator to move forward applying for the grant and if awarded agree to the 10% match. **Roll Call Vote:** Unanimous approval

11. Multiple Projects Ranking

- Mr. William presented a list of project priorities for 2018 and the estimated cost for the projects for Council consideration. Mr. Williams recommended the sidewalk project#17 and
- Mayor Holbrook, Council, Mr. Williams, and Mr. Harris discussed the projects as presented.

Motion - Moved by Council Member Royce, seconded by Council Member Worley to authorize the Town Administrator to move forward with the sidewalk improvements he deems appropriate and the Stuart Park pavilion project. **Roll Call Vote:** Unanimous approval

D. Project updates

1. New Town Hall – Notice to Town Council of property for sale at 102 Tower Street, Lake Placid, Fl.

Motion - Moved by Council Member Royce, seconded by Council Member Tuck to instruct the Town Administrator to notify the real estate agent council is not interested in that property. **Roll Call Vote:** Unanimous approval

Hibiscus Parking Lot

- Mr. Williams stated that it was communicated to him that the party that owns the property would sell it to the Town for \$15,000 with the reserved right to name any parking lot after the family. An Excavation Point pre-quote estimate to pave the lot for parking was just under \$20,000.

Motion - Moved by Council Member Royce, seconded by Council Member Worley to authorize town staff to enter into a contract negotiation to purchase the Hibiscus property presented up to \$15,000. **Roll Call Vote:** Unanimous approval

7. MAYOR/COUNCILMEMBERS

- Council Member Boyd stated that it was brought to his attention that the street sign on US Hwy 27 and Royal Palm is hard to see.
- Council Member Royce will be out of town and reminded council that he would not be attendance at the March 12, 2018, council meeting

8. CITIZENS NOT ON AGENDA (None)

9. ADJOURNMENT

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

Respectfully submitted by:
Eva Cooper-Hapeman, Town Clerk

LAKE PLACID TOWN COUNCIL
Regular Meeting
3/12/2018 5:30 PM
Town of Lake Placid
Town Hall

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Roll Call

Present

Mayor John Holbrook
Council Member Debra Worley
Council Member Arlene Tuck
Council Member Donald Boyd

Absent

Council Member Ray Royce

Others Present

Town Administrator Phil Williams
Attorney Bert Harris
Town Clerk Eva Cooper Hapeman
Chief James Fansler
Public Works Director Harvey Waldron

1. CONSENT AGENDA 1

- A. Approval of Agenda
- B. Approval of Minutes Town Council Regular Meeting February 12, 2018
- C. Approval of Department Head Reports
- D. Approval of Departmental Financial Reports for the month of February 2018
- E. Approval of all duly authorized monthly bills February 2018 Less Royce Supply
- F. Monthly Budget Report – February 2018
- G. O'Reilly Auto Parts approval of allowing a variance to construct sidewalks in return for funding of sidewalk construction at the more suitable location.

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

2. CONSENT AGENDA 2

- A. **Approval of dully-authorized month bills Royce Supply**

Motion - Moved by Council Member Tuck, seconded by Council Member Worley, to approve Consent Agenda 2.A. **Roll Call Vote:** Unanimous approval.

3. SPECIAL AGENDA ITEM

- A. **Councilman Donald Boyd Arrest**

- Mayor Holbrook addressed council and the public as follows:
 - I was very disappointed to hear of charges brought against Councilman Boyd. Because of the seriousness of these charges, I placed the matter on tonight's agenda.
- I have been advised that the Florida Department of Law enforcement arrested Mr. Boyd Thursday, March 8, and charged him with five counts of violating section 893.13, Florida Statutes-possession with intent to sell, manufacture, or

deliver scheduled narcotics. Specifically, the charges are two counts regarding the sale of schedule 1 narcotics; four counts regarding the sale of schedule II narcotics; three counts regarding the sale of schedule III narcotics; two counts regarding the sale of Schedule IV narcotics; and one count of violating Section 184.03(1)(a)(1), Florida Statutes, battery touch, or strike. At this stage, these are only charges.

We also have the sworn statement by the Florida Department of Law Enforcement officer attesting to the facts supporting these charges.

Mayor Holbrook stated he was advised that the council has three options 1- commence a recall election; 2- call upon the Governor to address the matter; or 3- that under our Town Charter we can address the matter.

Specifically, Section 402 of the Town Charter says that the Town Council shall be the judge of the grounds for forfeiture a Town Councilman's office. Additionally, Section 409 of the Town Charter says that a Councilman shall forfeit his office if he: Violates any standard of conduct or Code of Ethics Established for Florida public officials, such violation to be determined by the Mayor and/or remaining members of Council.

The Governor's office is also authorized by the Constitution and Laws of Florida to suspend or remove Councilman Boyd. I have been advised that the Governor will defer to us to address the matter.

I would prefer that we take some action tonight to move the matter towards resolution. I do not want this matter hanging over our Town for meetings to come. I also stand ready to call a special meeting of the Town Council for one week from tonight- Monday 19th of March at 5:30 here in the Town chambers to take up the matter.

- Mayor Holbrook asked Council Boyd in view of these very serious charges would you care to resign.
- Council Member Boyd responded no.
- Since Mr. Boyd has elected not to resign, I suggest that we address the matter. First, I direct the Town Clerk to file the FDLE affidavit with the Minutes of this meeting. The affidavit is available to the public. Next, I will open the matter to the Town Council asking if Council would like to set a special meeting to take up the matter or take up the matter tonight.

Motion - Moved by Council Member Worley, seconded by Council Member Tuck, approve to take up the matter at tonight's meeting. **Roll Call Vote:** Yes-Worley, Tuck No-Boyd Motion **Carried.**

Mayor Holbrook asked Mr. Boyd if he had any comments, Mr. Boyd response that under the advisement of his attorney he had no comments.

- Mayor Holbrook asked for there were any comments.
- Council Member Tucks Comments:
 - I am sure that this is the hardest matter that the Lake Placid Council has ever been asked to be deliberate. I, as I am sure all of you have read all the articles on this issue. As Council Members, we are elected by the citizens to protect them and their children; we work hard to accomplish just that. We do everything we can to control and rid our citizens and their children from drugs. As councilmembers, we cannot tolerate to not uphold our oath or promise to our citizens by allowing persons, whoever they may be to sell, distribute, or give away drugs. We have signed proclamations to this fact and have declared our workplace a drug free workplace. I would like to state I am very strongly against drugs having seen what they can do to individuals and families because of this I

take a very hard stance on getting all drug users, dealers off the streets and incarcerate all individuals that deal in drugs. I know that a person is innocent until proven guilty, however, I have 100 percent faith in our Lake Placid Police Department, and FDLE therefore, I make the following motion:

Motion - Moved by Council Member Tuck, seconded by Council Member Worley, that Council Member Boyd because of his issues placed on the board, the employees of the town and the citizens of Lake Placid Florida be permanently removed as a Council Member of the Lake Placid Town Council, all benefits that are given to him by holding this office be immediately stopped and that Chief Fansler remove him from the dais. **Roll Call Vote:** Yes-Worley, Tuck No-Boyd Motion **Carried.**

- Council Member Worley comments included that she is aware that people are innocent until proven guilty but this issue is not good for the Town to try wait for the council to wait on this matter. We have to maintain order, continuity, peace, and no contention in order to carry on with the business of the town; it is hard enough as it is with all the Town issues that come before Council.
- Mayor Holbrook asked Mr. Boyd to leave the Dais and Town Hall.
- Mayor Holbrook noted that at this point of the meeting, there is no longer a quorum; no other council decisions can be made at this time.

Mr. Moore announced the softball tournament has been awarded to Lake Placid.

Adjournment

Mayor Holbrook, hearing no objections, declared the meeting adjourned at 5:45 pm.

Respectfully submitted by:

Eva Cooper-Hapeman, Town Clerk