

REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
JANUARY 14, 2008 5:30 P.M.

The regular meeting of the Town of Lake Placid Town Council was called to order by Mayor Tom Katsanis on Monday, January 14, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The invocation was given by Doug Pareti of the Memorial United Methodist Church in Lake Placid, Florida. The Pledge of Allegiance was led by students of Lake Placid Christian School.

ROLL CALL:

Mayor Tom Katsanis
Council Member Jim Waller
Council Member Bill Brantley
Council Member Charles Wilson
Council Member Debra Worley

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

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval to Allow Henscratch Farms to participate in the Country Fair
- D. Letter to Joe Campbell, Supervisor of Elections, Opting out of Early Voting for the Town Election.

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

PUBLIC HEARING:

- A. Ordinance No. 07-572 – Changing Recreation Commission Ordinance (1st hearing) Council Member Brantley made a motion Ordinance 07-572 be approved on first hearing by reading of title only; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS' COMMENTS AND REPORTS:

A. Town Attorney –

1. Keep Lake Placid Beautiful – Atty. Harris stated he, Mike Eisenhart of Keep Lake Placid Beautiful and the Town Clerk had met with FDOT concerning the redoing of the U.S. Highway 27 median, which the Town has received a grant to redo, from across Heartland National Bank to the Lake Blue turn off. Atty. Harris stated FDOT had agreed to basically the same concept as before. He further stated he just wanted Council's approval of the concept. Council Member Waller made a motion to approve the concept as presented, with the change to the north end (planting of a cluster of palms), using crepe myrtles on the south end to allow visual and to bring back an as built plan; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
2. Atty. Harris stated Keep Lake Placid Beautiful would be moving some of the palms now located on the entrance to Interlake Boulevard. Atty. Harris stated permission has already been received from several businesses in Town to have the palms placed in front of their property. Atty. Harris asked if Council would approve the relocation. Council Member Worley made a motion to relocation the palms as stated; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

B. Town Planner –

1. Glades Electric – asked for permission to place a truck that you will be giving away at their annual meeting at Winn Dixie for one week. They also asked for permission to place a banner on the truck advising of the annual meeting. After discussion concerning the banner, Council Member Waller made a motion Atty. Harris reviews the Ordinance concerning signs and if it is allowable he shall have the latitude to advise Glades Electric the Town will grant their request; motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Waller and Council Member Brantley voted yes; Council Member Worley voted no. Motion carried 3 to 1.

Council did state they would like to revisit the sign ordinance concerning non-profit organizations being allowed to place banners up advising of coming activities. Atty. Harris stated he would try to come back with some ideas on this matter.

C. Police Chief:

1. Red Light Cameras – Chief Williams stated he had been contacted by another vendor who also installs Red Light Cameras. He asked if the Council would be interested in reviewing another vendor's product. Council Member Worley made a motion Chief Williams produce a request for proposals on the red light cameras; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
2. Fee for signs on public property – Chief Williams stated he had discussed with Atty. Harris the possibility of placing a fee on any signs the Code Enforcement Officer collects that has been placed on public property and is requested by the person placing the sign. Council Member Wilson made a motion Atty. Harris work on revising the sign ordinance to include a fee to be charged when signs have to be picked up and returned; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

D. Town Utility Director:

1. Resolution of the Town of Lake Placid County regarding Water and Sewer Rates, Accounts, and Policies. – Council discussed this Resolution and suggested changes be made in Number 1. Low Pressure Line Hook-Up Credit. B. Council wanted this section to ask the Highlands County Health Department to let the Town know when a septic tank has gone bad. It is at this time that the homeowner will have to hookup to our sewer system. They also suggested that Number 3. Water Fee Increase (Residential Only) reflects a change from \$1.45 to \$2.25 for the first 1,000 gallons, with corresponding increases for the additional gallon age. Number 5. Public Hearing and Notice was changed to state "The Town Council will consider an effective date of 1 April 2008 or as soon as the Council approves. Atty. Harris was asked to include a Number 8 referencing refunds to customers.

Council Member Worley made a motion Atty. Harris redo the Resolution with the suggestions made and present it at the next meeting; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

E. Town Clerk: Mrs. Tuck reminded the Council and audience that the next Town Council election will be held on April 8, 2008, qualification is 12:00 P.M. February 18, 2008 until 12:00 P.M. February 22, 2008. She stated two seats on the Council were up for reelection: Council Member Worley and Council Member Waller's seats. Council Member Worley and Council Member Waller stated they would not be seeking reelection.

F. Mayor/Town Council Members:

1. Council Member Worley stated she was still working on the storm water treatment system on Lake Clay. She stated she would like permission to proceed with ready to secure a grant through the Tourist Development Association. Council Member Worley made the motion for the Council Member to proceed with the request; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

Council Member Worley also stated she has been serving as the representative from the Town to the Tourist Development Association. She stated the position has to be filled by an elected officer. She suggested Mayor Katsanis serve the position. He stated he would.

Council Member Brantley made a motion the meeting adjourn; motion seconded by Council Member Waller. Mayor Katsanis hearing no objections declared the meeting adjourned at 6:55 P.M.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
FEBRUARY 11, 2008 5:30 P.M.**

Mayor Thomas Katsanis called the meeting to order on Monday February 11, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Jerry McCauley of the Memorial United Methodist Church led in the invocation and pledge of allegiance to the flag.

ROLL CALL:

Mayor Thomas Katsanis
Council Member Bill Brantley
Council Member Debra Worley
Council Member Charles Wilson

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

ABSENT

Council Member Jim Waller (arrived at the end of the meeting)
Town Public Works Director Jim Fulton

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

1. Approval of Monthly Meetings Minutes and Special Meeting Minutes
2. Approval of Monthly Reports and Payment of Monthly Bills
3. Approval of Resolution 07-1 – Green Local Government (FLC)
4. Approval of Resolution 07-2 – FLC Resolution urging support of issues
5. Approve Kathleen Mills Montgomery to Highlands Co. Library Advisory Board

Council Member Wilson made a motion the consent agenda be approved as presented subject to #2 only being approval of payment of monthly bills (Clerk advised computers were down and reports were not able to be produced; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

PRESENTATION:

1. Relay for Life – Sharion Hudson – representative of the American Cancer Relay for Life asked for permission to place large purple bows on the street lights in observance of the American Cancer Association’s “Paint your Town Purple” week. She also asked that the Mayor read a Proclamation declaring the week of March 7, 2008 as “Paint your Town Purple” Week. Council approved the bows being placed on the street lights and the Mayor read the proclamation. Mrs. Hudson was thanked for all the work that is put into Relay for Life.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Public Works Director – No comments (Absent)

B. Recreation Director:

1. Mr. Komosa informed the Council that Glades Electric had presented the Town with a check for \$50,000.00 to help build the field for the Miracle League. Mr. Komosa stated he is hoping to secure other funds as well.
2. Mr. Komosa stated when the plans were done for the new section of the Sports Complex it listed a certain kind of grass to be laid. He stated that is what he used. He stated recently a member of the Recreation Committee informed him about a new type of grass that is more durable, takes less water and care. Mr. Komosa asked for permission to burn off the recently laid grass and replace it with Celebration Grass. He further stated it would not be a cost to the Town; it would come out of the grant. Council Member Worley made a motion Mr. Komosa proceed with his request; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

C. Town Planning Department:

1. Lighting Ordinance – Mrs. BuChans stated the LPA was recommending a proposed lighting ordinance. Mrs. BuChans stated she would like permission to proceed to work on the ordinance. Council Member Brantley made a motion Mrs. BuChans draft an Ordinance pertaining to lighting in commercial area; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
2. Walgreens – Trees along West side – After much discussion concerning safety problems at the Walgreens Store, Chief Williams was asked to contact the County Engineer and see if he had some suggestions on how to improve the traffic problems on the west side of the Walgreens store.
3. Church of Christ Sign on U.S. 27 – Mrs. BuChans stated the LPA was asking the Town Council to recommend to the Highlands County P&Z that the request for a variance from the Church of Christ on U.S. Highway 27 (north of the overpass) be denied. The request is for a variance to allow a sign 345 sq. ft., the Town allows 32 sq. ft. and the Growth

Management Vision Plan (which the Church of Christ falls into) allows 64 sq. ft. Council member Brantley made a motion that the Highlands County P&Z be notified that the Town Council was requesting that no variance be allowed that is not consistent with the Town of Lake Placid Growth Management Plan; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

4. Amend Sign Ordinance – Council Member Worley made a motion to amend the Town’s Sign Ordinance to be consistent with the Town of Lake Placid Growth Management Plan – not to exceed 64 sq. ft and 8 feet tall; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.
5. Special Meeting – Mrs. BuChans stated the first large scale comp. plan and rezoning for the Town of Lake Placid Growth Management Plan will be coming before the County’s P&Z on March 11, 2008. She stated the LPA and Town Council are to make comments and she felt this would be better done at a special meeting. The plans are from the North Side and South Side Areas. The LPA stated they would prefer separate meetings. The LPA meeting will be on February 26, 2008 at 5:00 P.M. and the Town Council will meet on March 3, 2008 at 5:30 P.M.

D. Town Clerk:

1. Bank Bids – Mrs. Tuck stated she received a letter asking the Town to put out for bids for bank services. The letter stated it had been over 10 years since the Town put out for bids for bank services and there are new banks in Town. Council Member Worley made a motion the Clerk place an invitation to bid in the newspaper for banking services; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

E. Town Utility Director:

1. Painting Magnolia Water Tower – Mr. Freeman stated he had been approached by Council Member Worley about painting the Magnolia Water Tower as a hot air balloon. Council Member Worley stated it had been suggested to her. Mr. Freeman stated he had budgeted \$7,000.00 for painting which was figured in the Contract for the maintenance of the water tower. He contacted the company who we are contracted with for the maintenance of the tower and they estimated it would cost an additional \$40,000.00 plus to paint the tower as a hot air balloon, plus the cost of maintenance would have to be increased. Other suggestions of caladium leaves, citrus, etc. were discussed. Council Member Brantley stated he would not agree to use public funds to paint the tower. He stated if an organization wants to pay for the painting of their product on the

tower, he would agree to that. Council Member Brantley made a motion that Mr. Freeman instruct the contractors to proceed with the maintenance and painting of the tower as contracted; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

2. Plant Operator Certification – Mr. Freeman stated he had an employee (Elliott Garay) who will be sitting for the Plant Operator Certification in a couple of weeks. At this time Mr. Garay is making \$11.11 per hour as a meter reader. When he passes his certification program Mr. Freeman stated he would like to increase his pay to \$12.73. Council Member Brantley made a motion when Mr. Garay passes his test he is to be increased to \$12.78 an hour; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
3. Resolution for Acquisition of Land for Town Well Field – Council Member Worley made motion the Resolution be adopted and the Town move forward; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
4. Reuse Bid Openings – Mr. Freeman stated he needed to ask for an extension on the reuse project. He stated he was allowed one more extension of 45-days. Council Member Brantley made a motion to ask for a 45-day extension on the reuse project; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

F. Police Chief:

1. Red Light Cameras – Chief Williams stated he had gotten two other proposals on red light cameras. He stated all proposals were alike. Council Member Worley made a motion Chief Williams bring back to the Town Council meeting in March a contract to be reviewed and negotiated with the company who presented the program to the Town; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Ordinance No. 07-572 – Changing Recreation Commission Ordinance – Council Member Worley made a motion to approve Ordinance No. 07-572 by reading of title only and adopt; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.
- B. Ordinance No. 07-573 – Small Scale Comp. Plan – Heartland Realty (Property on Hibiscus – Walgreen Parking Lot) – Council Member Worley made a motion this matter be tabled; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

- C. Ordinance No. 07-574 – Rezoning – Heartland Realty (Property on Hibiscus – Walgreen Parking Lot) – Council Member Wilson made a motion this matter be tabled; motion seconded by Council Member Brantley. On roll call, Council Member Wilson and Council Member Brantley voted yes; Council Member Worley voted no. Motion carried 2 to 1.
- D. Ordinance No. 07-575 – Small Scale Comp. Plan – Heartland Realty (Property on Washingtonia – Heartland Pharmacy) – Council Member Brantley made a motion this matter be tabled; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- E. Ordinance No. 07-576 – Rezoning – Heartland Realty (Property on Washingtonia – Heartland Pharmacy) – Council Member Wilson made a motion this matter be tabled; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

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

SPECIAL MEETING
TOWN OF LAKE PLACID LOCAL PLANNING AGENCY/
BOARD OF ADJUSTMENT
FEBRUARY 26, 2008 5:00 P.M.

Chairman Hoz Compton called the special meeting of the Town of Lake Placid Local Planning Agency/Board of Adjustment to order on Tuesday February 26, 2008 at 5:00 P.M. This meeting was called to review and recommend to the Town Council on the North Area and South Area of the Greater Lake Placid Growth Management Vision.

ROLL CALL:

Chairman Hoz Compton
Commissioner Steve Bastardi
Commissioner Carol Smart
Commissioner Jack Edgeman
Commissioner Ray Royce

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

Mrs. BuChans informed the LPA the Planning Department did not have the staff report complete for review by the LPA on the North Side and South Side. The LPA decided to hear from both projects but not make any recommendation until they had the staff reports. The LPA decided to continue this meeting until Monday March 3, 2008 at 5:30 P.M. and join the Town Council at their special meeting of these two projects, at which time they will make a recommendation.

After the presentation by both projects and discussion by the members and audience, Commissioner Edgeman made a motion to continue this meeting to March 3, 2008 at 5:30 P.M.; motion seconded by Commissioner Bastardi. On roll call, motion carried unanimously.

Members adjourned at 8:30 P.M.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
MARCH 10, 2008 5:30 P.M.**

Mayor Tom Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday March 10, 2008 at 5:30 P.M. at Town Hall. A quorum was present. Verlon Carroll, of the Lake Placid Church of Christ led in the invocation and pledge of allegiance to the Florida.

ROLL CALL:

Mayor Tom Katsanis
Council Member Jim Waller
Council Member Charles Wilson
Council Member Debra Worley
Council Member Bill Brantley

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

APPROVAL OF AGENDA

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

CONSENT AGENDA

1. Approval of Monthly Meeting Minutes and Special Meeting Minutes
2. Approval of Monthly Reports and Payment of Monthly Bills
3. Lake Placid High School Athletic Association – Use DeVane Park for Carnival
4. Approval of Safety Committee’s recommendation on Safety Shoes for Employees
5. Renew Comcast Cable Television Franchise
6. Resolution – Police Department Resolution (Trust Fund)

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

PUBLIC HEARING:

- A. Ordinance No. 07-573 – Small Scale Comp. Plan – Heartland Realty
- B. Ordinance No. 07-574 – Rezoning – Heartland Realty (Hibiscus)
- C. Ordinance No. 07-575 – Small Scale Comp. Plan – Heartland Realty
- D. Ordinance No. 07-576 – Rezoning – Heartland Realty (Washingtonia)

Council Member Waller made a motion Ordinance No. 07-573, Ordinance No. 07-574, Ordinance No. 07-575 and Ordinance No. 07-576 be tabled for one month and return to Council only because applicant stated they were not made aware of the public hearing before the Local Planning Agency on February 25, 2008; motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Waller and Council Member Brantley voted yes; Council Member Worley voted no. Motion carried 3 to 1.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS REPORTS

1. Town Planner:

a. Church of Christ – Sign on Highway – Mrs. BuChans informed the Council that the Church of Christ wants to put up a sign, 345.96 square feet, north of the Town limits, however within the Lake Placid Growth Management Area and the Town of Lake Placid and Highlands County Board of County Commissioners Interlocal Agreement Notification Area. Mrs. BuChans stated the church has roadway frontage on Highway U.S. 27 in Highlands.

She stated at the January 28th LPA Meeting a motion was made by Commissioner Steve Bastardi of the Town of Lake Placid Local Planning Agency/Board of Adjustment and a second by Commissioner Carol Smart, the Board unanimously voted to recommend to Town Council to forward to the Highlands County Zoning Board of Adjustment to not approve the variance request, to honor the Interlocal Agreement and Growth Management Vision.

She further stated at the February 11, 2008 meeting of the Town Council a motion was made by Council Member Brantley and a second by Council Member Worley, the Board unanimously vote to recommend to the Highlands County Zoning Board of Adjustment to not approve the variance request, any sign should be consistent with the Growth Management Vision signs, a ground monument sign with a sign face no more than sixty-four square feet.

After discussion on the variance, each Council Member stated they had visited the site and found it first class. Council Member Wilson made a motion the Council has no objections to the Highlands County Planning and Zoning Board approving the variance subject to: 1) the sign only change once a day and there be no flashing or blinking on the

sign; and 2) the sign be set back an additional 5 feet, from the original 15' to 20' from the property line; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

- b. Jay Chase – request concerning Wheeler Office – Mrs. BuChans stated the residents behind the new building being built by David Wheeler on Dal Hall Boulevard do not want a concrete wall or privacy fence placed between them and the commercial buildings. Mrs. BuChans stated our Code requires a hedge or wall be built whenever commercial and residential are connected. Mrs. BuChans stated all the property backing up to the Wheeler complex is owned by the First Presbyterian Church and Mr. Jay Chase. All have signed and requested the property be left as is with no fence or wall. However, they wanted a resolution from the Town Council so that Mr. Wheeler is not shown in non-compliance. Council Member Waller made a motion the Town approve amending Mr. Wheeler's site plan to eliminate the wall and leave the shrubs and trees as are now there; motion seconded by Council Member Worley. On roll call, motion carried unanimously.
- c. Mrs. BuChans stated the Highlands County Planning & Zoning Department would be receiving two County Initiated Large Scale Plan amendment from High Density Residential to Medium Density Residential and a County initiated zoning change from R-3 (Multiple Family Dwelling District) to R-1 (Residential District). Mrs. BuChans stated the area this matter lies in is within the Town's Interlocal Agreement Notification Area with Highlands County and within the Town of Lake Placid's Growth Management Area. Council Member Worley made a motion recommending approval to the Highlands County Planning & Zoning Board; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

2. Public Works Director

a. Mr. Fulton informed the Council he had issued a purchase order for a new brush truck, after checking with Mrs. Tuck to make sure the Town had the money. Mr. Fulton reminded the Council the truck was in the budget.

b. Mr. Fulton also stated Mr. Freeman and he were working with Chief Williams to have a security camera placed at the Town's Operations and Maintenance Facility.

3. Recreation Director – no reports

4. Utility Director

a. Reuse Bid – Council Member Worley made a motion to approve the Town continuing with the reuse project and move ahead; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

5. Police Chief

a. Walgreens – trees on west side of property – Chief Williams stated he had met with the County Engineer, Ramon Gavarette, and he suggested the removal of four trees along Eucalyptus Street to improve visualization for vehicles traveling north. Mrs. BuChans was asked to contact Walgreens and see if they would agree to the removal of the trees.

b. Red Light Cameras – Contract – Chief Williams stated he wanted to find out from the Council if they were still interested in the red light cameras. The Council felt this should be considered next month.

c. Chief Williams stated Hoz Compton had put up \$1,000.00 reward for information leading to the arrest of whoever wrote the graffiti on his warehouses. Chief Williams stated he would like to know if he had Council's permission to add \$500.00 from his donation fund to the \$1,000.00. He felt \$1,500.00 would work better. Council stated they had no problem with adding the \$500.00.

d. Chief Williams stated the Mayor had declared a hiring freeze and he wanted to know if that involved the police department also. He stated he has recently lost an officer and will not be replacing him at this time. However, he would like the option to replace him if the need arises. The Council felt the hiring freeze should not involve the police department. The Mayor stated he was lifting the hiring freeze.

6. Town Attorney

a. Recreation Facility Safety Ordinance – Atty. Harris stated he had been contacted by several members of the Recreation Department concerning a sexual offender who attends games at Lake June Park. Atty. Harris asked the Council if they wanted him to pursue drafting an Ordinance forbidding a sexual predator or sexual offender from attending any activity at the Town's parks. Council asked Atty. Harris to contact the Sheriff's Department, State Attorney and County and see if they have looked into this type of Ordinance.

7. Town Clerk

a. Bank Bids – Mrs. Tuck stated she had advertised for bids for banking services as requested by the Town Council at the last meeting. She stated her staff and she had reviewed the four bids they received. She further stated all four bids were very close. However, she stated the staff was recommending staying with Seacoast National Bank because they money market accounts were paying a little more and that equipment that could be used by the Town for proofing checks was free service. She stated we received bids from Heartland National Bank, Riverside Bank, Highlands Independent Bank and Seacoast National Bank. Council Member Worley made a motion Mrs. Tuck advise Seacoast National Bank that we were approving their bid; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

8. Mayor/Council Members

a. Special Meeting – Council Member Waller made a motion the public hearings (Heartland Realty) be scheduled for a special meeting on April 7, 2008 at 5:30 P.M. at Town Hall; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

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

SPECIAL MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
APRIL 7, 2008 5:30 P.M.

Mayor Thomas Katsanis called the special meeting of the Town of Lake Placid Town Council to order at 5:30 P.M. on Monday April 7, 2008 at Town Hall.

ROLL CALL:

Mayor Tom Katsanis
Council Member Charles Wilson
Council Member Debra Worley
Council Member Jim Waller
Council Member Bill Brantley

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

APPROVAL OF AGENDA:

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

PUBLIC HEARING:

- A. Ordinance No. 08-576 – Rezoning – Heartland Realty (Washingtonia) Mrs. BuChans stated this rezoning request was re-advertised and re-noticed by the Town Clerk. It was heard by the Local Planning Agency on February 25, 2008, as advertised.

Heartland Real Estate & Development, Inc.'s application requests Lots 7 & 8, Block 2, J.M. Andrews Subdivision, according to the plat thereof recorded in Plat Book 1, Page 106A, of the Public Records of Highlands County, Florida be rezoned from R-1A to C-2 to allow for a paved parking area. The applicant would like to construct a paved parking area as an accessory use to support the Heartland Pharmacy building adjacent to its north boundary line.

Mrs. BuChans stated this matter had been before the LPA and the LPA's motion was to recommend to Town Council to deny the request to amend the Town Zoning Map from Single-Family Dwelling (R-1A) Zoning District to Professional Commercial (C-2A) Zoning District.

Council Member Waller made a motion the request for Ordinance 08-576 be denied; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

- B. Ordinance 08-575 – Small Scale Comp. Plan – Heartland Realty (Washingtonia)
Council Member Waller made a motion the request for Ordinance 08-575 be denied; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

Council Member Brantley made a motion the meeting adjourn; motion seconded by Council Member Waller. Mayor Katsanis hearing no objections declared the meeting adjourned at 6:30 P.M.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
APRIL 14, 2008 5:30 P.M.**

Mayor Tom Katsanis called the regular Town Council meeting to order on Monday April 14, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The invocation was given by Rev. Ray Cameron of the First Presbyterian Church. The pledge of allegiance to the flag was done by Deta Waller and Taylor Clark of the Lake Placid Christian School.

ROLL CALL:

Mayor Tom Katsanis
Council Member Charles Wilson
Council Member Debra Worley
Council Member Jim Waller
Council Member Bill Brantley

Council Member Ray Royce
Council Member Steve Bastardi

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

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approval of letter concerning Enterprise Zone
- D. Approval of resignation from LPA of Steve Bastardi
- E. Approval of resignation from LPA of Ray Royce
- F. Urban and Community Forestry Grant Resolutions

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

ELECTION REPORT:

Clerk Tuck read the election report stating the Canvassing Board had met on April 8, 2008 at 7:45 P.M. at the office of Joe Campbell, Supervisor of Elections for Highlands County, and declared the winners of the election – Ray Royce and Steve Bastardi. Clerk Tuck asked the Council to approve the report. Council Member Waller made a motion the election report presented by Clerk Tuck be approved; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

SWEARING IN OF NEW COUNCIL MEMBERS:

Clerk Tuck sworn in Ray Royce and Steve Bastardi as new members of the Lake Placid Town Council. Both gentlemen thanked everyone for voting for them and assumed their positions.

PRESENTATION:

- A. Former Council Member Jim Waller was asked to come to the front at which time Atty. Harris read a very appropriate Resolution thanking Dr. Waller for 10 years of service to the Town. Mayor Katsanis presented the Resolution to Dr. Waller. Dr. Waller was given a standing ovation.
- B. Former Council Member Debra Worley was asked to come to the front at which time Atty. Harris read a Resolution thanking Mrs. Worley for her six years on the Council and all she accomplished. Mayor Katsanis presented the Resolution to Mrs. Worley and she was given a standing ovation.
- C. Chief Williams presented Former Council Member Jim Waller and Former Council Member Debra Worley with a plaque from the Lake Placid Police Department depicting a patch from the Lake Placid Police Department.
- D. Mayor Katsanis asked Clerk Tuck to join him at the podium at which time Atty. Harris read a Resolution acknowledging her 20 years of service as Town Clerk to the Town of Lake Placid. Clerk Tuck was thanked and also received a standing ovation.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner:
 1. Tom Ross – Final Plan on CAMP project – Mr. Ross presented the final plan for the Corridor Access Management Plan and asked for a recommendation from the Town Council. He stated he would be presenting this plan to the County Commissioners tomorrow.

Council Member Royce made a motion to recommend approval of the plan with the following changes: that median openings #23 and #24 be left open until such time as the Florida Department of Transportation does a comprehensive study of the intersection of U.S. 27, C.R. 29, Old State Road #8 and Harris Drive; further move that median opening #28 be left open to accommodate that neighborhood and that the Council would like to note that the Department should continue to check the warranting of signalizing opening #39; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

2. Interlocal Agreement between Local Government and the School Board – Council Member Brantley made a motion this matter be tabled; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

Prior to the Public Hearing, the Council asked to bring the Interlocal Agreement between Local Government and the School Board off the table. Council Member Brantley made a motion to bring it off the table; Council Member Bastardi seconded the motion. On roll call, Council Member Brantley, Council Member Bastardi and Council Member Royce voted yes; Council Member Wilson was not present. Motion carried 3 to 0.

Council Member Brantley made a motion the Town Council transmit the Interlocal Agreement between local governments and the Highlands County School Board, subject to the LPA's recommendations [(1) Paragraph 11.3(b) new paragraph #10 be added requiring the School Board to be given the same time limit to respond as municipalities are given; and (2) that paragraph 13.4(a) number 4. be deleted in its entirety]; motion seconded by Council Member Bastardi. On roll call, Council Member Bastardi, Council Member Royce and Council Member Brantley voted yes; Council Member Wilson was not present. Motion carried 3 to 0.

- B. Public Works Director – Mr. Fulton informed the Council the Town was installing cameras at the Town Maintenance Facility due to problems at the facility. Mr. Fulton also stated he was installing security lights in the back part of the Town's cemetery property due to vandalism at the cemetery.
- C. Recreation Director – Not present.
- D. Utility Director:
 1. Reuse System Upgrades – Council Member Brantley made a motion the bid be awarded to the lowest bidder, KDL, Inc. (\$1,125,000.00) contingent

upon farther legal review of the contract; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

2. Reuse System Mains – Council Member Bastardi made a motion the bid be awarded to the lowest bidder, Flow-Line, Inc. contingent upon the Reuse System Upgrade contract being awarded; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

E. Town Attorney:

1. Atty. Harris presented a permit from Florida Department of Transportation to be approved by the Council, allowing the work to continue on U.S. 27 North of Heartland Boulevard. Council Member Bastardi made a motion the permit be approved, signed by the appropriate person and forwarded to FDOT; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

F. Mayor/Town Council Members:

1. Mayor Katsanis stated we had placed an advertisement in the newspaper requesting resumes for individuals wanting to serve on the Local Planning Agency/Board of Adjustment. Mayor Katsanis state Hoz Compton and Jack Edgemon's terms expired the first of April and there were two open seats being as Council Member Bastardi and Council Member Royce (who served on the LPA) were now on the Council. Mayor Katsanis stated we had received four applications: 1) Hoz Compton; 2) Jack Edgemon; 3) John Holbrook; and 4) Philip Moore. He stated all four were very well qualified to serve on the Board. Council Member Brantley made a motion Hoz Compton, Jack Edgemon, John Holbrook and Philip Moore be appointed to serve on the Town of Lake Placid Local Planning Agency/Board of Adjustment; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Ordinance 08-581 – Amend Town's Utility Rates – After much discussion concerning whether or not to increase commercial rates, Council Member Bastardi made a motion to add in commercial rate increase, clean up the language concerning backflows and whether for commercial only or to include residential and what serve the Town will provide by putting it out for bids, correct scrivener's errors as discussed, and to re-notice the public hearings; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

Council Member Wilson stated before the discussion on Ordinance 08-579 and 08-580 he had a conflict of interest and would be abstaining from the discussion and voting and asked to be excused.

Council Member Bastardi, Council Member Brantley and Council Member Royce stated they wanted to put into the record that they had a conversation with Gary Blackwell the proposed developer of the subject property.

- B. Ordinance 08-579 – Comp. Plan Amendment – Lake June Properties – The Town Council had a lengthy discussion on this matter. The Council was advised of the Local Planning Agency’s time spent deliberating the recommendation to the Town Council. The Town Council felt all recommendations should be included in the Comprehensive Plan and the Developers Attorney felt it was not necessary.

After much deliberation by the Town Council, Council Member Brantley made a motion to approve Ordinance 08-579 and transmit, with the following changes:

Section 2. Adoption. The Comprehensive Plan Amendment Case No. LPCP.08.001LS Future Land Use Map of the Town of Lake Placid Comprehensive Plan is amended as follows:

Amending the Future Land Use Map from Agricultural/Residential (AR) and Low Density Residential (LDR) to Medium Density Residential (MDR) for 333 +/- acres,

Conditions Pursuant to FLU Policy **Objective L: Site Specific Developments.**
Site Specific Developments: Developments possessing specific attributes raising specific issues requiring specific solutions are individually provided for by this Plan:

1. The property shall have a maximum density of 999 residential units and up to 170,000 square feet of commercial development maximum and the floor ratio not to exceed 0.13.
2. The property shall be development only through a Planned Development.
3. The property will not be age-stricted.

and refer this matter back to the LPA for consideration of a developer’s agreement with the balance of the terminology to be discussed; motion seconded by Council Member Bastardi. On roll call, Council Member Brantley and Council Member Bastardi voted yes; Council Member Royce voted no; Council Member Wilson was not present but had stated he had a conflict on this matter and asked to be excused. Motion carried 2 to 1.

- C. Ordinance 08-580 – Comp. Plan Text Amendment – Mrs. BuChans introduced Ordinance 08-580 and stated she needed a motion to transmit. Council Member Royce made a motion to transmit; motion seconded by Council Member Brantley. On roll call, Council Member Brantley, Council Member Royce and Council Member Bastardi voted yes; Council Member Wilson was not present. Motion carried 3 to 0.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Brantley. Mayor Katsanis hearing no objections declared the meeting adjourned at 10:30 P.M.

ORGANIZATIONAL MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
MAY 12, 2008 5:30 P.M.

Mayor Tom Katsanis called the organizational meeting of the Town of Lake Placid Town Council to order on Monday May 12, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Rev. Richard Norris, of the Trinity Lutheran Church of Lake Placid gave the invocation and a representative from the Lake Placid Christian School led in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

Town Clerk Arlene Tuck
Town Attorney Bert Harris
Town Utility Director Gary Freeman
Town Recreation Director John Komosa
Town Planner Sue BuChans
Town Police Chief Phil Williams

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Approve request from Henscratch Farms to conduct wine tasting and sales at Caladium Festival.

Attorney Harris asked for the Council to consider pulling C from the Consent Agenda because he needed to revise a portion of the documentation that has been sent for this issue.

Council Member Wilson made a motion to approve A and B and to pull C; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Attorney Harris stated the application listed the address of the function as Interlake Boulevard, Lake Placid, Florida. Atty. Harris stated by law it has to have a physical address. Council Member Royce moved to grant a permit to Henscratch Farms to conduct wine tasting and sales at the Caladium Festival in Stuart Park, Lake Placid, Florida on August 22, 23 and 24, 2008; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

PRESENTATIONS:

- A. Water Department – Jackie Haynes – Poster Contest – Ms. Haynes stated this year was the Town’s third year of sponsoring a Poster Contest for grades kindergarten through the eighth grade concerning water conservation. She stated this year she had several sponsors and the winners would be given savings bonds, tickets to Lowry Park in Tampa, free meal at Golden Corral and Wendy’s, pencils, and a backpack. As she called the names of the winners, each child was presented at the front of the Council Chamber and given their awards. Ms. Haynes was thanked for another great job which she took on by herself.
- B. Lake Placid Chamber of Commerce – Pam Karlson, past President of the Lake Placid Chamber of Commerce gave an update on the progress of the Lake Ridge Community Center and Hurricane Shelter. Mrs. Karlson showed plans of the proposed building. She stated the committee would be turning the building over to the Town once it is completed and would venture it could be used for administrative buildings for the Town. Council Member Royce asked about the road to the Center and Council Member Brantley asked about the upkeep. The Committee stated they would check on the price of the road and see if they could come up with an amount for the upkeep of the building. The Committee also stated they had hired Corbett Alday to do grants for them. The Committee also stated they have been ranked #1 project by the County for funds from the State and Federal appropriations. Mrs. Karlson also informed the Council the Committee had been granted matching funds from the County for funds that had previously been earmarked for the School Board to upgrade the Lake Placid High to hurricane specs. which the School Board had returned to the County.

Mrs. Tuck stated the Town had started back in 2005 putting funds in an account to build a new Town Office, because the present building has been outgrown. She stated there is approximately \$285,000.00 in the account. She stated she would like to see these funds designated for the building of the Community Center.

The Committee stated they would keep the Council updated on their progress.

- C. Lynn Connolly – Downtown Activities – Mrs. Connolly presented the Council with a map and notes concerning alleyways south of Interlake Boulevard. She

stated she had walked many of the alleyways and they are in dire need of cleaning up. She stated children walk through the alleys and people ride bikes. She further stated she would like permission to have a group clean up the alleys. She would also like to see the Town start a program of cleaning up the alleys. Council asked the Clerk to call our insurance company to see if there is any liability involved in a group going around cleaning up the alleys. The Mayor will talk to Mr. Fulton about his crew cleaning the alleys.

Mrs. Connolly then stated she would like to see the Town draft a renter's ordinance. Council Member Bastardi made a motion the Council hold a special meeting on June 23, 2008 at 5:30 P.M. at Town Hall, to consider the development of an renters ordinance and that all appropriate officials be asked to attend; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner – Mr. Polatty, Highlands County Development Director, informed the Council he had just been advised by the Florida Department of Community Affairs that until the School element of the Comprehensive Plan is adopted by the city, no comprehensive plans can be submitted to DCA. He stated the Lake June Properties large scale comprehensive plan which was recently adopted and voted on to be transmitted to Tallahassee, will have to wait until the school element is adopted.
- B. Police Chief:
 1. Red Light Cameras – Chief Williams stated he was ready to proceed or withdraw the issue of red light cameras. Council Member Brantley made a motion Chief Williams proceed with presenting a proposed Ordinance and contract to the Council for their review; motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Royce and Council Member Brantley voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.
 2. Grant for Shutters on Police Building – Chief Williams informed the Council the State had contacted him and informed him they were approving a grant he applied for two years ago. The grant involved placing shutters on the police building. It is a 75%/25% match, meaning the Town would pay \$12,000. and the state would put in the balance. Chief Williams stated he ready felt with the economy the way it is, he could use a new care rather than shutters. Council Member Royce made a motion Chief Williams cease pursuing the grant for shutters; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

3. Walgreens – Site Plan – Mrs. BuChans stated she had received a letter from Walgreens in response to her letter concerning the removal of four trees along Eucalyptus Street (as suggested by the County Engineer to ease the safety issue of not being able to see around the trees). Mrs. BuChans stated Walgreens advised her they wanted to abide by all safety rules and would be willing to remove the four trees. However, they did want something in writing so that future Code Enforcement Officers or Town Council would not require they replace the trees.

The Council asked that Mrs. BuChans contact Walgreens and request they submit an application to amend their site plan to show the removal of the northern four trees on the west side of the building and insertion of a ground cover or shrub (not to exceed three feet in height) replacing the trees. The Council stated that staff should prepare the application, that Walgreens would not have to appear at the meeting and that all expenses would be paid by the Town.

C. Town Attorney:

1. Atty. Harris informed the Council the Growth Management Committee had met on Monday May 5, 2008. He stated Mr. Polatty stated the meeting was called for the Growth Management Committee and Local Planning Agency to make recommendations to the Town Council concerning the Objections, Recommendations and Comments from the Department of Community Affairs in reference to the Highlands County Comprehensive Plan for the Town of Lake Placid Vision Plan. Atty. Harris stated the Growth Management Committee and the Local Planning Agency were recommending to the Town Council that they approve the following:
 - a. Delete the Urban Service Boundary and the Administrative relief from the plan and request additional time to consider related and other changes.

Council Member Brantley made a motion to delete the Urban Service Boundary and the Administrative relief from the plan and request additional time to consider related and other changes; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

D. Town Clerk:

1. Mrs. Tuck informed the Council we had bid out the Town Hall's internet service because we have always used The Home Town Network and that is owned by our new Council Member Steve Bastardi. She stated she

advertised the bid in the Lake Placid Journal and the Highlands Today. She further stated there was only one bid received and that was from The Home Town Network. She also stated Council Member Bastardi had filed a Form 3A Interest in Competitive Bid for Public Business which is required by the Commission on Ethics.

Council Member Brantley made a motion The Home Town Network bid for internet service and onsite technical support be approved; motion seconded by Council Member Wilson. On roll call Council Member Brantley, Council Member Wilson and Council Member Royce voted yes; Council Member Bastardi abstained from voting. Motion carried 3 to 0.

2. Mayor/Town Council Members:
 - a. Election of Vice Mayor – Council Member Royce made a motion Council Member Brantley be appointed Vice Mayor; Council Member Wilson seconded the motion. On roll call, motion carried unanimously.
 - b. Council Member Royce – Utility Advisory Committee – Council Member Royce stated because of the issues confronting the County and Town concerning utilities, he would like to revisit the Utility Advisory Committee Ordinance. Atty. Harris stated the Council had been given a draft of an Ordinance several months back. Council Member Brantley made a motion to give Atty. Harris authority to redraft the Utility Advisory Board ordinance and resubmit it to the Council; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Heartland Realty – Amend Site Plan and Development Order – Mrs. BuChans stated the applicant is requesting a site plan amendment and their development order be amended for the Heartland Pharmacy building in an area zoned C2-A, located at the southeast corner of Royal Palm and Spruce Avenue. This site plan and development order was approved by Town Council in their January 9, 2007 meeting and in LPA's December 11, 2006 meeting.

The applicant wants to amend the site plan as follows:

1. The depiction of the connectivity between pharmacy/office buildings with office next door (to the east) cannot be met due to the neighboring office's storm water retention pond location. The retention pond is in the area that

the parking connectivity would occur resulting in the office losing its storm water retention pond.

2. The applicant proposes two parking spaces “in substitution” to the area for connectivity between pharmacy/office buildings with office next door.

The applicant wants to amend the Development Order as follows:

1. Request reference to pharmacy in paragraph one be removed. There are no current plans to use this property as a pharmacy.
2. Request that the connectivity requirement in paragraph three be deleted in its entirety. There is a problem with connectivity between the subject property and the property next door (to the east).
3. Request that the deed restriction in paragraph five be deleted. This deed restriction has affected the client’s final financing with the bank.
4. Request the business closure time of 6:00 p.m. be deleted. The client fees this closure time is burdensome, especially in operating a small neighborhood business.

Mrs. BuChans stated the LPA’s recommended motion was: Move to recommend to Town Council to deny the request for amending the Development Order dated January 31, 2007 and recorded February 5, 2007 in Book 2043, Page 1745-1746, Public Records of Highlands County, Florida and that they deny the request amending the site plan dated December 27, 2006.

Mrs. BuChans stated staff was recommending the following:

Pursuant to the LPA’s recommended motion the Town Council, move to deny the request for amending a Development Order dated January 31, 2007 and recorded February 5, 2007 in Book 2043, Page 1745-1746, Public Records of Highlands County, Florida and that they deny the request amending the site plan dated December 27, 2006.

OR

The Council could consider tabling this Application for three months and request the Applicant submit a revised site plan and revised development order to Staff and Mr. Harris for an August LPA meeting to address the following issues:

Staff Recommended Town Council Motion: The Town Council, move to table for three months and Applicant resubmits a revised site plan and Development Order to Staff and Mr. Harris in July for an August LPA meeting that addresses the following:

Site Plan

1. Provide parking connectivity between the pharmacy and the office next door, with or without disturbing the adjacent property owner's retention pond. The adjacent property owner is to be made aware of this request.
2. Redesign or relocation of other facilities may be required to the site plan.
3. Close drive through apron to Spruce Avenue and install curbing to County Roadway standards, hedges, and landscaping.

Development Order

1. Delete Special Condition 1.
2. Special Condition 5. add 'medical supply' and clarify the permitted uses allowed under 'professional office'.

After extended discussion on all these matters, Council Member Royce made a motion to amend and restate the Development Order dated January 31, 2007 and recorded February 5, 2007 in Book 2043, Page 1745-1746, Public Records of Highlands County, Florida to delete special condition #1 (drive through pharmacy exit to be a single-lane drive onto Spruce Street) and replace with: Spruce Street exit to be closed in a good workman like manner with curbing, gutter, hedging and landscaping to standards and consistent with the balance of the street; delete special condition #3 (Connectivity between pharmacy/office buildings with office next door (to east); modify special condition #5 to read: Place in "deed restriction" and in "final development order" that this building will be used only as either:

1. Pharmacy, medical equipment sales and rentals
2. Accounting, auditing and bookkeeping services
3. Architect and design studios
4. Artist's studio
5. Brokerage houses, investment counseling and financial services
6. Data processing and information services
7. Engineering and survey offices
8. Insurance agencies
9. Law firm and other legal services
10. Marketing and advertising services
11. Photographic studios
12. Private investigation and security office
13. Real estate agencies
14. Secretarial, stenographic, telephone and similar business services
15. Travel and touring agencies;

modify special condition #6 to read "All business with the public can commence no earlier than 6:00 A.M and must close at 6:00 P.M.; also an additional special condition

shall be added as: No parking on any rights-of-ways; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- B. Ordinance 08-581 – Amend Town’s Utility Rates – (1st hearing) Atty. Harris read the title of the Ordinance 08-581. Atty. Harris stated he had added two new paragraphs 135-20. Residential and commercial water use charges and 135-21 Leaks, Breaks and Errors. Council asked that 135-51 be modified at the end of the paragraph to include “except by authority of the Town Council. The Town Council also asked that (r) under 135-51 be deleted in it entirety. Council Member Wilson made a motion to approve Ordinance 08-581 on first hearing by reading of title only and with the noted changes; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Brantley made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Katsanis hearing no objections declared the meeting adjourned at 10:05 P.M.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
JUNE 9, 2008 5:30 P.M.**

Vice Mayor Bill Brantley called the regular monthly meeting of the Town of Lake Placid Town Council to order on Monday June 9, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The invocation was given and the Pledge of Allegiance to the Flag.

ROLL CALL:

Vice Mayor Bill Brantley
Council Member Steve Bastardi
Council Member Ray Royce
Council Member Charles Wilson

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

ABSENT:

Mayor Thomas Katsanis
Town Recreation Director John Komosa
Town Public Works Director Jim Fulton

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of monthly meeting minutes and special meeting minutes
- B. Approval of monthly reports and payment of monthly bills

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

PRESENTATION:

- A. Highlands County Supervisor of Elections – Early Voting - Supervisor of Elections Joe Campbell stated the County was requesting to use the Council

Room for early voting. He stated the early voting would be August 11, 2008- August 22, 2008 and October 20, 2008 – November 1, 2008, 8:30 A.M. until 4:30 P.M. Monday thru Saturday. Mr. Campbell stated he would be in charge of opening and closing the Council Room on Saturday. Council Member Wilson made a motion to allow the Highlands County Elections Office to use the Council Room as requested; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- B. Lake Placid Recreation Committee – Horace Durrance, Chairman – Chairman Durrance presented the Council with a needs chart showing what the Committee and members of the different sports felt was necessary for to bring the Lake Placid area up to date with recreation.

Chairman Durrance also stated the company that was hired to level the soccer fields at Lake June Sports Complex, did not accomplish what they were hired to do. Chairman Durrance stated the fields are off in some places as much as two feet. Atty. Harris stated he has talked to the company several times and the company, Optimums, feels it was due to the Town going in and planting grass, laying irrigation and mowing.

Chairman Durrance stated he had obtained a price from Excavation Point, Inc. and Hathaway's Diversified Material to mix the grass prior to balancing and balancing to proposed elevation of \$7,700.00. This does not include the additional grass that will need to be purchased and new irrigation laid. Chairman Durrance stated this project would probably run an additional \$3,000 to \$4,000 on top of the \$7,700.00. It would be a total of approximately \$10,000.00. Mrs. Tuck stated she thought there was approximately \$18,000.00 felt in the Recreation repair and maintenance budget. Council Member Bastardi was concerned we were moving too fast on this matter. Chairman Durrance stated the County is free at this time to come in and push the marl and they would like the fields try to play on by September when the league will start.

Because the price is over our bid limit of \$5,000., Chairman Durrance was asked if he felt he could get the bill broken down between Excavation Point, Inc. and Hathaway's Diversified Material. Council Member Wilson made a motion to request the breakdown of the bids (under \$5,000.), and together not to exceed \$7,700 also make sure County can come in and do the work and make sure it is to grade; motion seconded by Council Member Royce. On roll call, Council Member Bastardi and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 2 to 1.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner:

1. Riley Tucker – Lots 1 & 2, Block 20, 2nd Sub Hoffman’s Grove – Mrs. BuChans stated Mr. Tucker is purchasing the two lots. Our Code lists the lots as “*nonconforming lots of record*” because of their size. However, our Code does state when two or more lots, or combination of lots, or portions of lots with continuous frontage and single ownership are of record at the time of the passage of this code and if all or part of the lots do not meet the requirements established for lot areas, width or depth, the lands involved shall be considered to be an undivided parcel and no portion of such parcel shall be used or sold in a manner which diminishes the degree of compliance with established lot width, area and depth requirements, unless approved by Town Council to be separate, buildable lots for single-family dwellings. Mrs. BuChans stated Mr. Tucker was requesting Council’s consideration on this matter.

Council Member Royce made a motion that Mr. Tucker’s property (Lots 1 and 2, Block 20, 2nd Sub Hoffman’s Grove, Plat Book 1, Page 96, of Highlands County, Florida) shall be separate, buildable lots for single-family dwellings; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Carports in C-1 Zoning District – Mrs. BuChans stated she has received a request for a carport in the rear of Lake Placid Eye Clinic, located at 211 U.S. 27 South. The carport is proposed to be placed behind the building in the rear of the parking lot. The carport would be 16’ in length, 10’ in width and 10’ at its peak. She further stated in reviewing the C-1 zoning district, accessory uses are permitted. However, she stated she drove around Lake Placid’s commercial area and could not find any other such accessory use of a carport. She asked if Council’s past vision was to not allow free standing carports in commercial areas. Council Member Royce made a motion for this matter to be presented to the Town of Lake Placid Local Planning Agency for their recommendations and for Atty. Harris and Mrs. BuChans to present it back to the Council in a legal form after the LPA have made their recommendations; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
3. Highlands County Impact Fee Ordinance – Mr. Polatty asked Council to approve an Ordinance amending Ordinance 05-06-44, the Highlands

County Impact Fee Ordinance. Mr. Polatty state it appears that the provisions adopted in Ordinance 05-06-44 for assuring that properties receiving an exemption as Affordable Housing are unworkable due to current lending requirements. Mr. Polatty stated the City of Sebring had requested some changes to the proposed Ordinance. Mr. Polatty stated the recommended changes for the Council. Council Member Royce made a motion to waive the 60-day period to obtain comments so that the County can move forward with the amended Ordinance and further state the Council has no comments; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

B. Town Attorney:

1. Atty. Harris presented a First Amendment to FDOT Landscape Maintenance Agreement – He stated this amendment is for the landscaping being done through an FDOT grant and ranges from Heartland National Bank to the railroad overpass. Council Member Royce made a motion to approve the First Amendment to FDOT Landscape Maintenance Agreement; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
2. Lake Partners, LLC (Ted Schiafione) – Atty. Harris stated the Town Council entered into a Water and Wastewater Service and Supply Agreement with Lake Partners, LLC regarding 12.8497 acres of land immediately behind Publix on December 21, 2006. Atty. Harris stated Mr. Schiafione’s attorney, Mike Gallaher, had contacted him and asked if the Town Council would consider entering into an amended and restated water and wastewater service and supply agreement. Mr. Gallaher stated the development does not appear to be going forward as quickly as anticipated and the agreement is a bit more aggressive than some of the Town’s later water and wastewater service and supply agreements. Atty. Harris stated the first issue in this matter would be to determine whether the Town will extend the payment time for the developer (now due June 10, 2008), also to consider: 1) System Development Charge Payment Schedule and 2) Security (Letter of Credit). Atty. Harris stated he had discussed these matters prior to this meeting with Mr. Freeman.

The Council stated they wanted to review this matter further and wanted Atty. Harris and Mr. Freeman to come back to the next meeting with a revised Agreement. Council Member Bastardi made a

motion to table until July 14, 2008; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

C. Public Works Director:

1. Susan Compton – stated she would like some help on her service road with semi trucks parking on the right-of-way in front of her business. She stated the trucks are tearing up the pavement and destroying the beautification. She felt if more parking tickets were given maybe this would alleviate some of the problems. Chief Williams stated this is private property and unless the owner calls to advise them the trucks are on private property there is nothing they can do. After a lengthy discussion, Chief Williams and Atty. Harris were asked to look into methods of more enforcement. One suggestion was to place a weight limit on the road, another was to increase the price of the tickets. Chief Williams and Atty. Harris will report back at the next meeting.
2. Lynn Connolly – stated she would like to see the Council adopt the City of Sebring’s Immigrant Labor Camp Ordinance. She stated there are many labor camps in the Town of Lake Placid and the owners are not keeping up with maintenance. Atty. Harris stated staff had met and will be bringing back an Ordinance concerning landlords responsibilities to renters on maintenance of the facilities.

D. Town Clerk:

1. Mrs. Tuck stated she had attended the Board of Directors Meeting for Public Risk Management of Florida (our insurance carrier) and the Town had been awarded an award for no vehicle accidents for the year 2006-2008. Mrs. Tuck stated this is the 7th year the Town has received the award and she felt the employees should be congratulated for this accomplishment.

PUBLIC HEARING:

- A. Ordinance 08-581 – Amend Town’s Utility Rates (2nd hearing) – Atty. Harris stated the changes he had made which were requested by the Council at the May 12, 2008 (1st hearing) meeting. He asked if there were any other changes. Mrs. Tuck asked that on page 16 of 34, the *Monthly base facility charge* fees be changed to delete penny values and increase it up to the next nickel. Council Member Bastardi made a motion Ordinance 08-581 be approved on second hearing by reading of title only and adopted with the changes requested by Mrs. Tuck; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

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

**SPECIAL MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
JUNE 23, 2008 5:30 P.M.**

Mayor Tom Katsanis called the special meeting of the Town of Lake Placid Town Council to order on Monday June 23, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Mayor Katsanis opened the meeting with a moment of prayer for Mason Smoak (one of our former alternates for the Local Planning Agency) and the Smoak family.

ROLL CALL:

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

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

PRESENTATION:

- A. Wicks, Brown, Williams & Co. – 2006/2007 Town Audit – John Davis, of Wicks, Brown, Williams & Co. gave a report of the Town's 2006/2007 audit. Mr. Davis showed a power point depicting the revenues received and the expenditures expended for the year. Council Member Royce asked Mr. Davis what he thought the Town should be working up to insure the audit will be a positive document. Mr. Davis stated the sewer department was in need of more lines and definitely more hookups. He stated the water department is having to supplement the sewer department. Other than the sewer department Mr. Davis stated all departments look good.

Council Member Brantley made a motion the report be approved; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

DISCUSSION ON LANDLORD'S ORDINANCE:

- A. Mrs. BuChans handed out several examples of Ordinances from other cities concerning landlord ordinances and minimum maintenance standards. She also handed out the 2006 International Property Maintenance Code. She informed the Council that the Highlands County Building Official, Sy Mosley, (who is also the Town of Lake Placid Building Official) will be recommending approval of the

International Property Maintenance Code, plus any 2007 amendments. Council asked Mrs. BuChans and Chief Williams to bring back to the Council a document incorporating the International Property Maintenance Code and a renters Ordinance for the Town, which allows for inspections. Council asked that the Clerk advertise for a special meeting Tuesday July 15, 2008 at 5:30 P.M. to review what Mrs. BuChans and Chief Williams have come up with.

Council Member Brantley made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Katsanis hearing no objections declared the meeting adjourned at 7:30 P.M.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
JULY 14, 2008 5:30 P.M.**

Mayor Tom Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday July 14, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Ray Cameron of the First Presbyterian Church gave the invocation and led in the Pledge of Allegiance to the American Flag.

ROLL CALL:

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

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

CITIZENS NOT ON THE AGENDA:

- A. Debra Worley – stated that Rebuilding America (a group of young people who travel around repairing homes for the elderly and disabled) had repaired a porch for a gentleman in Lake Placid. They have removed the old wood and placed it by the curb. The sanitation department picked up the scrap wood and stated there would be a charge for removing the wood. Mrs. Worley asked if the Town would waive the fee due to a hardship. Council Member Bastardi made a motion the fee be waived; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- B. Mayor Katsanis stated he would like to introduce the Town of Lake Placid's Safety Committee. There were several members at the meeting. Mayor Katsanis then read a Resolution thanking Rachel Osborne for all her work in being instrumental in setting up the Safety Committee.

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of Monthly Meeting minutes and special meeting minutes
- B. Approval of monthly reports and payment of monthly bills
- C.

Council Member Bastardi made a motion the Consent agenda be approved as corrected; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner:

1. Robert Barger – Site Plan – Mrs. BuChans stated the applicant, Robert Barger, had requested a final inspection of the Barger Office development at 308 Dal Hall Boulevard. She stated the final inspection involved a review of the site plan, landscaping and parking only. The County Engineering Department (being as the building face a County road) performs final inspection on drainage, storm water and driveways. In reviewing the Town file on this development, Mrs. BuChans stated she noticed the Town approved a site plan depicting parking spaces must be 10' x 20' which does not conform to the current parking spaces at the development. She further stated the landscaping required is not what is in place. Mrs. BuChans stated she and Mr. Barger have not come to terms and she would like directions from the Council.

After much discussion the Council determined Mr. Barger needs to submit an “as built” drawing of his current facility showing his compliance and detailing his non-compliance with his previously approved site plan (to be submitted to the Town’s engineer), however prior to submitting to the engineer, Mr. Barger must ask the Local Planning Agency to give him a modification of the previously approved site plan by: (1) flipping the landscape; (2) flipping the parking spaces; and (3) A variance for a 3” reduction in the isle size; and extending the ramp length. Mr. Polatty also asked that Mr. Barger submit a recordable site plan.

B. Public Works Director:

1. Ben Tucciarone – Water Damage & Drainage – North Main Street – Mr. Tucciarone stated he owns the building on the corner of North Main Street and West Park Avenue, known as the “Second Time Around” Shop. He stated he is having a drainage problem with water going into his shop. He asked if there was anything the Council could do. Council asked Mr.

Fulton to look into the problem and see if he could help Mr. Tucciarone with drainage.

2. Maurice Wilson – also stated he was having drainage problems at his home in Serenity Subdivision. He stated the water is causing deep holes in his back yard. Mrs. Worley, who had been working with the storm water committee, stated Mr. Wilson’s problem is that when the subdivision was built there was a utility easement/retention area placed in back of the homes. Over time some of the residents have paved their backyards and placed their carpets in the easement. Therefore, not allowing the water to seep into the ground but run down the pavement and ending at Mr. Wilson’s property causing the erosion. Mayor Katsanis and Mr. Fulton stated a couple of years ago the Town went in and closed up the holes and laid sod in Mr. Wilson’s property. However, it was never taken care of and is back to the same situation. Mayor Katsanis stated he would meet Mr. Wilson at his property and see if there was any solution.
3. Mr. Fulton stated he had received a letter from Sun’N Lakes North asking if we would be interested in joining into an Interlocal Agreement with them for emergency management assistance. Council asked Mr. Fulton to research this matter and bring it back to Council.

C. Recreation Director:

1. Recreation Committee Members – Council Member Royce made a motion Linda Veley be appointed to a two year term, Andy Russell to a four year term, Todd Moore to a four year term and Cheryl Davis to a four year term on the Town of Lake Placid Recreation Committee; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
2. Miracle League – Mr. Komasa stated he would be appearing before the RPAC Committee on Thursday to again request funds to place the rubberized material on the surface of the Miracle League field. Mr. Komasa reminded the Council last year the Council approved him requesting \$160,000.00 over a five year period to fund the project. However, Mr. Komasa stated we were expecting a large donation and decided not to pursue requesting RPAC last year. Only ½ of the donation was received. So he decided to pursue last year’s request again.

Atty. Harris asked if he had gotten permission from the Recreation Committee to proceed with the request. Mr. Komasa stated it is the same request as last year. Atty. Harris stated he was concerned if we requested

this amount over a five year period, would we be entitled to other requests during the five year period. Mr. Komasa reminded the Council this request is not just for the Miracle League. The field will also serve for T-Ball and girls softball.

Atty. Harris and Council Member Royce felt being as the Miracle League serves all of Highlands County, DeSoto County, Okeechobee County and other Counties; it should be funded with funds from the County. Council Member Bastardi made a motion a resolution be prepared by Atty. Harris strongly supporting the project but asking the Highlands County Board of County Commissioners to use there portion of the monies being as the project supports the County and other counties; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

D. Utility Director:

1. Cross-Connection Control Program – Mr. Freeman presented an up to date program for the Council’s review. He also presented a proposed bid sheet requesting bids for the assembly kit. Council Member Royce made a motion to proceed with requesting the bids and notifying the appropriate departments we have done the Cross Connection Control Program and are in the process of requesting bids for the assembly kits and that we further intend to implement the project and modify our Ordinances by December 2008; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

Council Member Royce also suggested Mr. Freeman contact Ramon Gavarrete and determine that we are all on the same page so that in the future if the Town and County commingle out systems, they will be compatible.

E. Police Chief:

1. Surplus Police Cars – Chief Williams asked that he be allowed to surplus the 2001 Crown Victoria (2FAFP71W31X101850) and the 2001 Crown Victoria (2FAFP71W31X101852). Council Member Brantley made a motion the request be granted; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
2. Red Light Ordinance – Chief Williams stated all he needed to know is what the Council would like to charge as a fee in the Ordinance and he would bring the Ordinance back to the Council in September 2008. Council Member Brantley made a motion the fee be set at \$100.00 and a

late fee for not paying on time to set at \$30.00; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

D. Town Clerk:

1. Millage Rate 4.1166 mills per \$1,000. – Mrs. Tuck stated she needed the Council to approve a millage rate to be sent to the Property Appraisers office prior to August 1, 2008. She was suggesting 4.1166, which means the Council can go up to 4.1166, but no higher. Council Member Brantley made a motion the Council set the proposed millage rate at 4.1166 mills; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

E. Mayor/Town Council Members:

1. Council Member Royce – Town Alleys – Council Member Royce stated he had asked the Town Clerk to place this matter on the agenda because he wanted to clarify what the Council allowed concerning the clean up of alleys in the Town limits. He stated his recollection was that the Alley Committee was going to, with the homeowners' permission, clean up alleys that ran behind homes. He stated he received an email asking that some of the alleys be named. He stated he presented this idea to the Highlands County 911 Office and they highly opposed the idea. They said they do not would alleys named due to safety issues.

Council Member Brantley made a motion the Council encourages the cleaning up of alleys, but have no intention of naming the alleys or placing signs on the alleys; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Preliminary Plat Review – RaceTrac – Mrs. BuChans stated the applicant was presenting a preliminary plat for Council's review. The plat is required because it falls under the Town's Bullard Ordinance requiring that the plat be reviewed by the Town Engineer or County Engineer Department. Racetrac submitted their plat to the County Engineer. However, according to Town Code, an Applicant is required to submit their plan or plat to the Local Planning Agency and Town Council and each body is to hold a public hearing for review and recommendation.

Mrs. BuChans' stated the preliminary plat had already been before the Local Planning Agency and they recommended Town Council approve the preliminary

plat and that any recommendations from Council be forwarded on to the County Engineering Department.

Atty. Harris stated he wanted to advise the Council he represented Scott Honkala (former owner of the RaceTrac property) when the property was conveyed. Atty. Harris stated there was an easement on the east side of the property that is shared with the Holiday Inn and will be used as a backage road.

Council Member Royce made a motion pursuant to the LPA's recommended motion the Town Council move to recommend approval of the preliminary plat to the County Engineering Department and not approve the extraneous information that is not required on an official preliminary plat, also that the applicant be required to show on the preliminary plat a 24' ingress and egress on the eastern boundary of the plat be subject to an easement in favor of the owners on the south provided equivalent access be given to RaceTrac and Holiday Inn out to Highway 27 over the owners to the south; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

- B. Highlands Cove – Amend Utility Agreement – Atty. Mike Gallaher, representing Ted Schiafone of Highlands Cove, stated on December 21, 2006 the Town of Lake Placid entered into a Water and Wastewater Service and Supply Agreement with Lake Partners, LLC regarding the 12.8497 acres of land immediately behind Publix. Mr. Gallaher stated he contacted Atty. Harris to see amount amending the agreement. The amended agreement was requested for two reasons: (1) The development does not appear to be going forward as anticipated; and(2) the agreement is a bit more aggressive than some of the Town's later water and wastewater service and supply agreements. When Mr. Schiafone entered into this Agreement, the Agreement along with a mortgage and note securing payment of the system development amount was recorded. The payment was due on June 10, 2008 in the amount of approximately \$204,800.00.

Atty. Gallaher asked the Council to consider the amendment for an extension of time for the payment. After considerable discussion, Council Member Bastardi made a motion to reject the request; motion seconded by Council Member Brantley. On roll call, Council Member Brantley, Council Member Royce and Council Member Bastardi voted yes; Council Member Wilson voted no. Motion carried 3 to 1.

Council Member Wilson presented the Town Clerk with a Form 8B, Memorandum of Voting Conflict for County, Municipal and other Local Public

Officers, properly executed and advised the Council due to a Conflict of Interest, he would not be participating in the discussion concerning Alan Grigsby's matter.

- C. Ordinance 07-546 – Grigsby Properties Planned Development (2nd hearing) – Mrs. BuChans stated Mr. Alan Grigsby's Council, Mike Gallaher has requested the completion of the PD Ordinance 07-546 that accompanied Mr. Grigsby's Comprehensive Plan Amendment LPTC.07.001 (Ordinance 07-545). The Grigsby PD Ordinance was recommended for approval to Town Council (Council) by the Local Planning Agency (LPA) on April 17, 2007. Council approved the PD Ordinance at its first hearing that was held on June 11, 2007.

Council felt due to the hour (9:50 P.M.) and several changes they want made, tabling this matter was the best approach. Council Member Bastardi made a motion to table Ordinance 07-545, to readvertise the Ordinance at Town's expense and to not send the Ordinance back to the Local Planning Agency; motion seconded by Council Member Royce. On roll call, Council Member Royce, Council Member Brantley and Council Member Bastardi voted yes; Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 3 to 0.

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

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
AUGUST 11, 2008 5:30 P.M.**

Mayor Thomas Katsanis called the regular meeting of the Lake Placid Town Council to order on Monday August 11, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. Rev. Wayne Goodwin of the Sunshine Christian Fellowship Church gave the invocation and led in the Pledge of Allegiance. A quorum was present.

ROLL CALL:

Mayor Thomas Katsanis
Council Member Charles Wilson
Council Member Ray Royce
Council Member Steve Bastardi
Council Member Bill Brantley

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

APPROVAL OF AGENDA: Council Member Wilson made a motion to approve the agenda as presented; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

CONSENT AGENDA:

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

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

PRESENTATION:

- A. Corbett Alday – Guardian, Inc. – CDBG Grant – Mr. Alday was present to inform the Council they are eligible to apply for a CDBG Grant (\$650,000) and an Economic Development Grant (\$650,000). He stated this meeting was a public hearing to determine if the Council wanted to proceed with applying for the grant.

Council Member Brantley made a motion the Council proceed with applying for the grant; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

Mr. Alday then held a workshop on the Fair Housing. He explained to the Council and the audience their rights concerning Fair Housing.

Mr. Alday stated he would be back at the next meeting to present the application and see what avenues the Council might be interested in.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Planner:

1. Walgreens – Mrs. BuChans stated she had furnished Walgreens with an amended Site Plan as requested by the Town Council. She stated we had also informed them the site plan would be presented to the Town Council and that the Town Council would be informed that Walgreens would have their project of removing the trees completed by August 31, 2008.
2. RaceTrac – Mrs. BuChans stated she, Mr. Polatty, Mr. Gavarrete (County Engineer) and Mrs. Tuck had a conference call last week concerning the 24' ingress and egress easement on the eastern boundary of the plat. Mrs. BuChans stated the Council's motion read as follows: "Council Member Royce made a motion pursuant to the LPA's recommended motion the Town Council move to recommend approval of the preliminary plat to the County Engineering Department and no approve the extraneous information that is not required on an official preliminary plat, also that the applicant be required to show on the preliminary plat a 24' ingress and egress on the eastern boundary of the plat be subject to an easement in favor of the owners on the south provided equivalent access be given to RaceTrac and Holiday Inn out to Highway 27 over the owners to the south; motion seconded by Council Member Wilson." Mrs. BuChans stated Mr. Gavarrete was suggesting the motion be changed to a public easement across the property. Council informed Mrs. BuChans they wanted the motion left "as is".
3. Nu Hope – Site Plan – Mrs. BuChans stated she would go back and talk the NuHope's engineer and the County engineer and see what could be done about the parking situation. Also to see if there is anything that could be done to help out NuHope.

Council Member Brantley made a motion to request the LPA to look into some type of ordinance that would require businesses to put up funds that would allow

the Town to have a fund to purchase land for parking; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

4. Council Member Brantley stated he had discussed with Mrs. BuChans that in our R-1 and R-1A zoning we allow residential homes to rent up to three bedrooms and he feels this conflicts with boarding house. Council Member Brantley stated he would like this ordinance to be looked at to disallow room rentals. Council Member Brantley made a motion to ask the LPA to look into this matter and see if they can come up with an ordinance disallowing room rentals in R-1 and R-1A; motion seconded by Council Member Royce. On roll call, motion carried unanimously

B. Public Works Director:

1. Lynn Connolly – Mrs. Connolly stated her project to clean several alleys in Lake Placid had been accomplished. She showed pictures of her committee’s project and thanked several persons for they help. She also stated she was donating some street signs to the Town. Mayor Katsanis and the Council thanked Mrs. Connolly for her outstanding job.

C. Recreation Director:

1. Mr. Komasa stated we now had two grants completed and could apply for two new grants. He stated the funds have been reduced from the former \$200,000.00 to approximately \$138,000.00. He stated he would like Council permission to proceed with the preparation of the applications for the grant. Council Member Wilson made a motion Mr. Komasa proceed with the applications for two new FRDAP grants; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.
2. Mr. Komasa stated the Recreation Committee had asked him to look into obtaining grass for the fields at Lake June Ball Park. He stated he had contacted a company, who was willing to sell us the grass (sprigs), but we would have to hire another person to sprig it, another person to fertilize it and it would run about \$18,000.00. He stated Andy Russell, a member of the Recreation Committee, had checked around and gotten a price of \$24,000.00 that included everything; purchasing the sprigs, laying the sprigs, fertilize, etc.

Council Member Brantley made a motion \$25,000.00 be taken from General Fund Capital Improvement and placed into Recreation Repair and Maintenance; motion seconded by Council Member Wilson. On roll call, Council Member Brantley, Council Member Royce and Council Member Wilson voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

After much discuss and debate concerning the grass, Council Member Brantley made a motion the Town accepts the price submitted by Indian River Turf for grass for field #1; motion seconded by Council Member Royce. On roll call, Council Member Brantley, Council Member Wilson and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

Council Member Brantley made a motion the Town accept the price submitted by Indian River Turf for grass for field #2; motion seconded by Council Member Royce. On roll call, Council Member Brantley, Council Member Wilson and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

Council Member Brantley made a motion the Town accept the price submitted by Indian River Turf for grass for field #3; motion seconded by Council Member Royce. On roll call, Council Member Brantley, Council Member Wilson and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

Council Member Brantley made a motion the Town accept the price submitted by Indian River Turf for grass for the common areas; motion seconded by Council Member Royce. On roll call, Council Member Royce, Council Member Wilson and Council Member Brantley voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

Council Member Brantley made a motion the Town accept the price submitted by Indian River Turf for herbiciding of the fields; motion seconded by Council Member Royce. On roll call, Council Member Wilson, Council Member Brantley and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

Council Member Brantley made a motion the Town accept the price submitted by Indian River Turf for the two treatments of the fields; motion seconded by Council Member Royce. On roll call, Council Member Brantley, Council Member Royce and Council Member Wilson voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

D. Utility Director:

1. Backflow Bids and response letter to DEP – Council asked Mr. Freeman to bring this matter back next month to give them a chance to review his documents. In the meantime, Mr. Freeman and Atty. Harris will get together to discuss the backflow systems further.

2. Enforcement of Gravity Sewer Connections – Alternatives - Council asked that this matter be placed on next month's agenda.

3. Ted Schiafone – Invoice from Town Attorney to pay their System Development Charge. Mr. Freeman reminded the Council Mr. Schiafone had negotiated

a Developer's Agreement with the Town concerning the payment of system development charges. The time to pay the charges expired June 2008. Mr. Freeman asked the Council if they wanted to proceed with the demand of payment. Council Member Royce made a motion a demand for payment be sent to Mr. Schiafone allowing him 120 days to respond; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

E. Police Chief:

1. Chief Williams stated Atty. Harris would be bringing the Red Light Ordinance to the Council for the first public hearing in September.

F. Town Clerk:

1. Mrs. Tuck presented a Preliminary Assessment for Nuisance Abatement and asked Council for their permission to hold a public hearing at the next meeting. Council Member Royce made a motion the public hearing be noticed; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

A. Sign Variance – Lonnie Wells – Mr. Lonnie Wells, representing Ministry Center, Inc., was requesting Council's recommendation to the County Commissioners to approve a variance request to allow a 208 square foot sign instead of the maximum 32 square feet allowed to replace an existing smaller sign. Mr. Wells' church is not located within either the Town's joint notification area with Highlands County or the Greater Lake Placid Growth Management Vision Plan Area. However, Mr. Wells, a member of the Greater Lake Placid Growth Management Board has willingly come before the Lake Placid Local Planning Agency and the Town Council for review and recommendation to the Highlands County Zoning Board of Adjustment.

Council Member Bastardi made a motion pursuant to the LPA's motion to recommend the Highlands County Board of County Commissioners approve the variance request subject to the conditions as stated by the Highlands County Zoning Department and also that the county consider the Town of Lake Placid's Growth Management Plan referring to signage in future requests; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

B. Amend As-Built – Robert Barger – Mrs. BuChans stated Mr. Barger has submitted an "As-Built" which will duly serve as an amended site plan for the Barger Office Development located at 308 Dal Hall Boulevard. Council Member Royce made a motion pursuant to the LPA's recommended motion, to recommend approval of the as-built to duly serve as an amended site plan and approve the landscape as-built and to include the difference in the landscaping to include the location, the number, and

the border, and a recordable site plan be submitted; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

C. South Side Area – Comp. Plan Amend. (Located in County/Town Notification Area)
Lake Placid Groves, LLC or commonly called the South Lake Placid Plan is represented by Mr. Richard Woodruff of WilsonMiller, Inc. The South Lake Placid Plan is proposing a Comprehensive Plan Amendment to the Town Council. The proposed property is within both the joint notification area with Highlands County and the Greater Lake Placid Growth Management Vision Plan Area. The site is on both sides of S.R. 8 in Lake Placid, generally between Lake Placid on the west and U.S. 27 on the east. It is a total of 1595.4 acres. The applicants were requesting a change of the combined ownerships to the county's future land use map from AU (Agriculture) and RL (Low Density Residential) to MU (Mixed Use). There is a proposal to develop a community of 4,279 total dwelling units of varying types, 300,000 sq. ft. of retail space and 150,000 sq. ft. of office/flex space.

Council Member Bastardi made a motion to recommend to the Board of County Commissioners to approve for transmittal of CPA-08-465LS amending the Future Land Use Map for approximately 1595 acres from AU (Agriculture) to MU (Mixed Use), in accordance with the conditions cited below; referencing the mandatory findings and; becoming effective as provided by law, providing for the conditions outlined by Staff, modifying Condition #9 to age restriction to 10% and require a consent to annexation on those terms in that agreed document prior to final adoption of the text of the Comprehensive Plan Amendment by the Board of County Commissioners. Motion seconded by Council Member Brantley.

Council Member Royce made a motion to amend the motion to delete Conditions #9, #16, and #25 from the original motion and require a consent to annexation on those terms in that agreed document prior to final adoption of the text of the Comprehensive Plan Amendment by the Board of County Commissioners; motion seconded by Council Member Wilson. On roll call, Council Member Royce and Council Member Wilson voted yes; Council Member Bastardi and Council Member Brantley voted no. Mayor Katsanis voted yes to break the tie. Motion carried 3 to 2.

Council Member Bastardi made a motion to recommend the Board of County Commissioner to continue the hearing until February 2009 for the transmittal of CPA-08-465LS amending the Future Land Use Map for approximately 1595 acres from AU (Agriculture) to MU (Mixed Use); referencing the mandatory findings; and becoming effective as provided by law.

THE REASON TO CONTINUE IS THAT:

1. The Rural Area Plan has not been approved; and
2. The Greater Lake Placid Vision Policy Plan not been settled (approved by the State of Florida;
3. The County Strategic Growth Plan has not been approved; and
4. The Transportation data is insufficient.

motion seconded by Council Member Brantley. On roll call, Council Member Bastardi and Council Member Brantley voted yes; Council Member Wilson and Council Member Royce voted no. Mayor Katsanis voted no to break the tie. Motion failed 3 to 2.

Council Member Bastardi made a motion to amend the motion to reinstate Condition #9 (No developments that are age restricted for seniors shall be allowed except through the PD rezoning process and if allowed, they shall be limited to a total of 642 dwelling units, or 15% of the total development) at 10%; motion seconded by Council Member Brantley. On roll call, Council Member Bastardi and Council Member Brantley voted yes; Council Member Wilson and Council Member Royce voted no; Mayor Katsanis voted no to break the tie. Motion failed 3 to 2.

Council Member Brantley made a motion the Council consider amending the age restriction for this development at time of PD; motion seconded by Council Member Bastardi. On roll call, Council Member Brantley, Council Member Bastardi, and Council Member Wilson voted yes; Council Member Royce voted no. Motion carried 3 to 1.

On roll call on the original motion (to recommend approval to the County Commissioners for transmittal with Staff's conditions, excluding Conditions #9, #16 and #25, consider amending the age restriction at PD and require a consent to annexation on those terms on that agreement document prior to final adoption of the Comprehensive Plan Amendment) Council Member Wilson, Council Member Royce, Council Member Brantley and Council Member Bastardi voted yes. Motion carried 4 to 0.

D. North Side Area – Comp. Plan Amend. (Located in County/Town Notification Area)
North Lake Placid Consortium is represented by Mr. Augie Fragala, of Powell, Fragala & Associates, Inc. The North Lake Placid Consortium is proposing a Comprehensive Plan Amendment to the Town Council. The proposed property is within both the joint notification area with Highlands County and the Greater Lake Placid Growth Management Vision Plan Area. The application encompasses some 1,578.6 acres within the 2,682 acres of the North Area, and lies northwest of the Town of Lake Placid municipal limits. The applicants are asking for a change to the County's future land use map from AU (Agriculture) to MU (Mixed Use).
Council Member Royce made a motion to move to recommend to the Highlands County Board of County Commissioners and Highlands County Planning and Zoning Board,

based upon the reconstructed set of conditions outlined by the Town to approve transmittal of CPA-08-469LS amending the Future Land Use Map for approximately 1531 acres from AU (Agriculture) to MU (Mixed Use), in accordance with the conditions cited below; referencing the mandatory findings and; becoming effective as provided by Law:

CONDITIONS FOR APPROVAL OF CPA-08-469LS:

1. The following conditions to be included in either the Developer's Agreement or Comprehensive Plan Amendment entered prior to adoption.
2. All development shall be consistent and contingent upon the adoption of the goals, objectives and policies of the Greater Lake Placid Specific Area Policy Plan (Vision Plan).
3. Subject to the approval by the Board of County Commissioners and of the State of Florida, the requested amendment shall change the designation on the Future Land Use Map from AU Agriculture to MU Mixed Use. Implementation will occur through rezoning the property to Planned Development (PD) or a series of sequential PD zoning district applications and by Development Agreement subject to the conditions herein. Any increase to the total number of residential units, square footage of commercial, retain, mixed office/retail, office, employment distribution, flex space, and light industrial uses as originally approved by the Board of County Commissioners shall conform to Section 12.05.290.G.7 of the Land Development Regulations. All development shall be implemented through a PD zoning district.
4. The North Lake Placid Area Conceptual Plan shall be included in the Comprehensive Plan amendment and shown on the Future Land Use Map, its land uses mapped as planned. The FLUM map may be amended by the County pursuant to the amendment to Mixed Use category. Road realignments, park relocations, school relocations, civic relocations, drainage and open space and other similar uses shall specifically be permitted without the requirement for amending the Comprehensive Plan nor Future Land Use Map of Highlands County. The final location of these Commercial, residential, and other non-residential uses will be based upon Board of County Commissioner decision through PD Rezoning process.
5. The Amendment as filed is a joint application on behalf of the applicants. The application has been filed, and the owners' affidavits bind each property and each owner, jointly and severally, to the application as submitted and, once approved by the Board of County Commissioners, that action binds all properties contained within the application. All re-zonings must be in conformance with the Comprehensive Plan Amendment as approved by the Board of County Commissioners.
6. Within one year from the expiration of the appeals period for the adoption of the Comprehensive Plan Amendment and settlement with DCA for the County's Specific Plan, the applicants, jointly and severally, shall execute a Developer's Agreement with

Highlands County which shall bind all successors in title to the properties subject to this plan amendment. The Developer's Agreement shall provide that development takes place in a fashion consistent with these conditions, the conceptual plan, and the densities and intensities of development as set forth in the Land Use Plan Amendment application. The Developer's Agreement shall be consistent with the Goals, Objectives and Policies of the Greater Lake Placid Specific Area Plan.

7. The square footage of nonresidential land uses should be reduced to a range that is proportionate to the number of dwelling units proposed and more in keeping with the development pattern of the County. The same methodology shall be agreed upon and utilized by both the North and South Areas. Recommended Intensity of Nonresidential Land Uses, based on the ratios used in the South Area shall be vested at time of the PD rezoning process.

8. An Archeological Reconnaissance Survey of Areas of High Probability as prescribed by the County shall be vested at PD rezoning process.

9. No building permits shall be issued: (1) prior to completion of a Water and Wastewater Master Plan for the North Lake Placid Area, as adopted by the BCC, and (2) prior to the inclusion of all relevant water supply data from this application within the county Water Supply Plan, as adopted by the BCC in an amendment to the County's adopted Comprehensive Plan.

9. Agricultural irrigation water use permit capacity in excess of that needed within the project shall be transferred to Highlands County or the Town of Lake Placid, which ever system is to be the potable water provider, prior to land clearing and development in accordance with all Water Management District rules and regulations, except for yard irrigation; and landowners shall record upon PD Ordinance approval, a deed restriction prohibiting all further wells, except for private on site irrigation wells.

10. The applicant must provide public central potable water and central wastewater facilities by either constructing the systems and their associated facilities or by extending a current public system, which, as approved by the BCC is to be dedicated to the County or to the Town of Lake Placid, or another public entity, whoever assumes the maintenance responsibilities. Until said time of transfer, maintenance responsibility and debt obligation will remain with the developer. At the time of transfer, the maintenance responsibility and remaining outstanding debt objections will also transfer to the party accepting ownership. Customers within the development will continue to pay sufficient fees to offset their portion of any outstanding debt obligation and shall be limited to a reasonable debt. To be resolved at Developer's Agreement.

11. Central water and wastewater systems capable of serving 100% of each development phase shall be operational prior to the first certificate of occupancy is issued for that phase.

12. All development shall be consistent with the County Long Range Transportation Plan as amended from time to time. Amendments to the impacts of CPA-08-469LS to the Long Range Transportation Plan must be addressed as part of this application.

13. The applicant shall dedicate to the County additional rights-of-way as required by the Board of County Commissioners or their designee in order to meet the requirements of the Long Range Transportation Plan, the Land Development Regulations, the Highlands County Technical Standards Manual and the Capital Improvements Program at the time of development and consistent with the Greater Lake Placid Specific Area Policy Plan. The applicant may receive credit against the impact fee, pursuant to the adopted impact fee ordinance and SAP, provided density is not also given.
14. All parks and other public uses and interests, such as schools, libraries, community centers, etc, within each geographic phase, shall in some manner, be collocated with other public uses and convey to the government prior to the first certificate of occupancy being issued for that phase.
15. A provision for a park with public access to Lake Apthorp may be considered at time of PD zoning.
16. North Lake Placid Capital Improvements Element and CFS required amendments (an amendment to the Capital Improvement Element) as presented on Staff's report be approved. Year 10 of CFS at Developer's cost.

Motion seconded by Council Member Brantley. On roll call, Council Member Royce and Council Member Brantley voted yes; Council Member Bastardi voted no; and Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 2 to 1.

- D. Utility Element to Comprehensive Plan – The Town will be considering changes to the adopted Comprehensive Plan text, Public Hearing for transmittal to the State of Florida for LPCP.08.003LS Comprehensive Plan Test Amendments for the new water supply facilities work plan. These amendments should be approved by the Local Planning Agency (LPA) and recommended to the Town of Lake Placid Town Council, with recommendations of the LPA. Staff is proposing amending three elements of the Comprehensive Plan, with the revision of the Infrastructure Element. This Water Supply Facilities Work Plan is intended to aid in the review, planning and permitting of water projects that serve incorporated Lake Placid, as well addressing the considerable customer base within the unincorporated portions of the County. And, the Plan will summarize information on existing water supply sources, current design, capacities, permitted withdrawals, current average daily rates, anticipated growth for a ten year planning period and required improvements necessary within five years and ten years to meet projected demands. In addition to the Work Plan, other requirements are cited pertaining to the comprehensive plan where:
 1. Coordinate our comprehensive plan with the Southwest Florida Water Management District regional water supply plans.

2. Directs revising the Conservation (Natural Resources) Element to assess projected water needs and sources for at least a 10-year planning period considering the appropriate regional water supply plan.
3. Directs revising the Intergovernmental Coordination Element to ensure coordination of the comprehensive plan with the applicable regional water supply plan.
4. Directs revising the Capital Improvements Element, if necessary, to demonstrate that adequate public facilities will be available to serve the proposed Future Land Use Map amendments.

Council Member Royce made a motion to transmit the proposed amendment to the Water Supply Facilities Work Plan amending the Infrastructure, Intergovernmental Coordination, Natural Resources and Capital Improvement Elements to the text of the adopted Comprehensive Plan to the Florida Department of Community Affairs for compliance determination; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

- E. Ordinance No. 08-584 – Ordinance amending 2007-2008 Budget (1st hearing)
Mrs. Tuck informed the Town Council this Ordinance is to amend the 2007-2008 budget to adjust it due to funds received from the FRDAP grants. Council Member Wilson made a motion to approve Ordinance No. 08-584 on first hearing by reading of title only; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

Council Member Brantley made a motion the meeting adjourn; motion seconded by Council Member Bastardi. Mayor Katsanis hearing no objections declared the meeting adjourned at 12:58 A.M.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
AUGUST 13, 2007 5:30 P.M.**

Mayor Thomas Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday, August 13, 2007 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Rev. Steve Bishop gave the invocation and led in the Pledge of Allegiance to the Flag.

ROLL CALL:

Mayor Thomas Katsanis
Council Member Bill Brantley
Council Member Charles Wilson
Council Member Debra Worley
Council Member Jim Waller

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

APPROVAL OF AGENDA:

Council Member Wilson made a motion the agenda presented be approved; motion seconded by Council Member Worley. On roll call Council Member Wilson, Council Member Worley and Council Member Brantley voted yes; Council Member Waller had not yet arrived at the meeting. Motion carried 3 to 0.

CONSENT AGENDA:

1. Approval of Monthly Reports and Payment of Monthly Bills
2. Approval of Monthly Meeting Minutes and Special Meeting Minutes
3. Bill Brantley Lease Termination Agreement

Council Member Wilson made a motion items 1 and 2 be approved as presented, but item 3 removed at this time and brought back later; motion seconded by Council Member Worley. On roll call, Council Member Wilson, Council Member Brantley and Council Member Worley voted yes; Council Member Waller had not yet arrived at the meeting. Motion carried 3 to 0.

Council Member Waller arrived at the meeting at this time.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Town Attorney:

1. Keep Lake Placid Beautiful – Atty. Harris presented a letter to the Council requesting approval from the Council to remove the tall Washingtonia Palms lining Interlake Boulevard between SunTrust and Walgreens and replace them with Sable Palms. Atty. Harris stated KLPB has received a grant for \$25,000. to fund the project and that SunTrust and Walgreens are in agreement with the project. Council Member Worley made a motion Atty. Harris's request be approved; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
2. Annexation of West Interlake Boulevard – Atty. Harris presented a Resolution regarding the Annexation of certain lands along, near and south of West Interlake Boulevard for the Council's approval. Council Member Waller made a motion the Resolution presented by Atty. Harris be approved; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

Council Member Wilson asked that the Council return to the Consent Agenda item #3 now that Council Member Waller was present. Council Member Wilson made a motion Consent Agenda Item #3 (Bill Brantley Lease Termination Agreement) be approved; motion seconded by Council Member Worley. On roll call, Council Member Wilson, Council Member Worley and Council Member Waller voted yes; Council Member Brantley abstained from voting due to a conflict of interest. Motion carried 3 to 0. (The Agreement terminates Mr. Brantley's requirement of paying \$500.00 to the Town of Lake Placid annually for the use of the property. However, it does allow Mr. Brantley the continued use of the property.)

B. Town Planner:

1. Council Member Worley – Sunrise United, Inc. – Mrs. Rafet Ghaznavi stated she would like Council to recommend her development for approval to the Board of County Commissioners and she would also like to ask Council to allow Council Member Worley to assist her with an ED loan. Mrs. Ghaznavi stated she has a total of 27 acres adjacent to the Town's cemetery. She would like to use 3.5 acres of the land for commercial use and 23.5 acres for multi family.

Council Member Waller made a motion Council Member Worley be allowed to assist Mrs. Ghaznavi in obtaining an ED loan as allowed by the

Town of Lake Placid; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

Council Member Brantley made a motion the Council recommend to the Highlands County Board of County Commissioners that they approve Mrs. Ghaznavi's site plan subject to using the Town of Lake Placid's PD Ordinance guidelines, have workforce housing (using the County's guidelines and the property being annexed into the Town once it becomes contingent; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

2. Council Member Worley – Enterprise Zone Update – Council Member Worley stated she would bring a new map back to the Council at their September meeting.

C. Town Public Works Director:

1. Roads – Mr. Fulton gave an update on the repairs of the roads. Council Member Wilson stated he would like to know exactly what roads were repaired and at what cost. Council asked Mr. Fulton to get a cost on doing Phoenix.
2. The service road in front of Wendy's, Compton Realty and Seminole Tire Company was discussed. The Council stated they have all had complaints concerning the road. The Mayor stated he has complaints every day, but being as the Town does not own the road, it is left up to the property owners to maintain the road. Mr. Fulton was asked to repair Phoenix Avenue up to the service road.

One suggestion that was made was for the town to close off the service road. Atty. Harris was asked to look into other possibilities of having the road repaired by the owners of the service road.

3. Mr. Fulton stated he had been contacted that there is a propane tank in the ground on the corner lot on South Main Street and Hibiscus Avenue. Council asked Mr. Fulton to contact the owner of the property and advise them they need to correct the problem.

D. Recreation Director:

1. Permission for vendors at Highlands Ridge Association Canoe Race – Mr. Komosa stated Mr. Merritt O'Brien had contacted him about holding a canoe race at the Lake June Park facility. Mr. Komosa stated the Town

would receive 25% of the proceeds. Mr. Komosa further stated there would be vendors and he was asking for permission for those vendors to sell food. The race will be held October 20, 2007. Council approved of the race and vendors, however a vote was never taken.

2. Approval of cost of fencing for playground behind basketball courts – Mr. Komosa stated the Council asked him to check on this matter several meetings ago and bring back a price for the gate and fencing. Mr. Komosa stated he did not have the price yet and would bring it back at the next meeting.
3. Recognition of 9-10 year old All Star Champions – Mr. Komosa stated he would like to see the Council do something for the 9-10 year old All Stars. Council asked Mr. Komosa to invite them to the next Council meeting to be recognized.

E. Town Utility Director:

1. Purchase of Highlands Utilities Wastewater System – Mr. Freeman stated he had asked Wicks, Brown, Williams & Co. to look into the feasibility of the Town purchasing Highlands Utilities Wastewater System. Mr. Freeman stated Highlands Utilities has shown interest in selling the system. Mr. Freeman stated they were actually interested in selling the lines. Council Member Brantley asked if Mr. Freeman knew the condition of the lines and Mr. Freeman stated he would want to do a telescoping of the system. Mr. Freeman stated this would be at the Town's expensive because Highlands Utilities was not willing to pay for it. Council Member Brantley stated he was considered about the lines being so old (30 years old) when the year span of the lines according to Mr. Freeman is thirty years. Council Member Waller stated he felt we owed an obligation to the citizens of the Town who are on the system to furnish the best system we can to them.

Council Member Waller made a motion the Town offer Highlands Utilities \$500,000. upon signing of an Option to Purchase, including the use of the existing plant until 2011; authorize Mr. Freeman to place an ad in the Lake Placid Journal asking for bids to do the telescoping and at the same time see if he can find a city or town we can piggyback with on the telescoping; and for him to redo his budget to include the price of the telescoping; motion seconded by Council Member Worley. On roll call, motion carried unanimously.

- F. Town Clerk – Mrs. Tuck stated she had attended a meeting with County Engineer Ramon Gaverrete and he stated he would be willing to do the review of engineer plans for the Town. He stated he has to review all plans for the County and this would actually cut down on the amount of time used in reviewing. Council asked Mrs. Tuck to invite Mr. Gaverrete to our September 2007 meeting for more input.
- G. Mayor/Town Council Members:
1. Mayor Thomas Katsanis – Nu-Hope Building – Mayor Katsanis presented a letter he had received from Nu-Hope concerning the Town’s property they are presently using. Council asked the Mayor to invite a representative of Nu-Hope to the next Council meeting to further review this matter.

PUBLIC HEARINGS:

- A. Ordinance 07-562 – Annexation for Sewer Hookup (2nd hearing) An Ordinance requiring the execution of an annexation for sewer hookups outside the town limits. Council Member Waller made a motion Ordinance 07-562 be approved on second hearing by reading of title only and adopted with corrections as stated; motion seconded by Council Member Brantley. On roll call, motion carried unanimously.
- B. Ordinance 07-557 – Creating a Lake Placid Regional Utility Advisory Commission (2nd hearing) – After much discussion, Council Member Brantley made a motion Ordinance 07-557 be approved on second hearing, but not adopted; motion seconded by Council Member Wilson. On roll call, Council Member Wilson, Council Member Waller and Council Member Brantley voted yes; Council Member Worley voted no. Motion carried 3 to 1.
- C. Ordinance 07-568 – Increasing sale price and perpetual care prices (1st hearing) Mr. Fulton stated the Ordinance will assess a 25% of the purchase price for perpetual care to old mausoleum spaces with no deed issued by the Town of Lake Placid; increase the sale price of mausoleums; state internment fees shall be \$600.00 per space; and increase perpetual care fee on the sale of all lots to 25%. Council Member Waller made a motion Ordinance 07-568 be approved on first hearing by reading of title only; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- D. Ordinance 07-569 – Repealing Reliable Sanitation Collection (1st hearing) Council Member Brantley made a motion Ordinance 07-569 be approved on first hearing by reading of title only, that Reliable Sanitation be notified they are to remove all their dumpsters by October 1, 2007 and that anyone using a roll off dumpster be allowed to choice whatever company they want to use; motion seconded by Council Member Waller. On roll call, motion carried unanimously.

- E. Site Plan Review – William Klohn – After much discussion concerning Mr. Klohn’s proposed Restrictive Covenant on Use of Condominium Units in Mid-Town Center and the Nonexclusive Cross Ingress, Egress and Parking Easement of Condominium Units in Mid-Town Center, Council Member Waller made a motion to approve the William Klohn and Patrick McCaun site plans based on the Town of Lake Placid’s LPA recommendations (as attached) and staff’s recommended motion (as attached), as corrected by Atty. Harris’s two letters dated August 7, 2007 (attached), which intends to work out the wording between Atty. Harris and the developer’s attorney for the easements and looping of the road around the property; motion seconded by Council Member Brantley. On roll call Council Member Wilson, Council Member Waller and Council Member Brantley voted yes; Council Member Worley abstained from voting due to a financial gain conflict of interest. Motion carried 3 to 0.

Council Member Wilson made a motion the meeting adjourn; motion seconded by Council Member Brantley. Mayor Katsanis hearing no objection declared the meeting adjourned at 9:30 P.M.

**SPECIAL MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
AUGUST 26, 2008 5:30 P.M.**

Mayor Tom Katsanis called the special meeting of the Town of Lake Placid Town Council to order on Tuesday August 26, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

Mayor Thomas Katsanis
Council Member Bill Brantley
Council Member Steve Bastardi
Council Member Ray Royce
Council Member Charles Wilson

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

APPROVAL OF AGENDA:

Council Member Bastardi made a motion the agenda be approved subject to the matters under discussion being switched (A. Discussion on Appointment of Council Member; and B. Utility Department 2008-2009 Budget to be switched to A. Utility Department 2008-2009 Budget; and B. Discussion on Appointment of Council Member); motion seconded by Council Member Brantley. On roll call, motion carried unanimously.

DISCUSSION:

- A. Utility Department 2008-2009 Budget – John Davis, Wicks, Brown, Williams & Co. - Mr. Davis stated he had been requested by the Council to review the proposed 2008-2008 Utility Department Budget and make recommendations concerning it. Mr. Davis stated, after discussing with staff, he review the proposed revenue for 2008-2009 and came up with an estimated amount. Mr. Davis stated he feels the estimated amount is very conservative and that staff should monitor the budget each month for any increases or decreases. He further stated Staff should analysis the revenues and expenditures on a quarterly basis to see if adjustments need to be made by the Council.

Mr. Davis stated, with the help of Staff, the Utility Department budget for 2008-2009 was balanced.

Council reviewed the proposed budget and after some changes decided to proceed with the budget as is to “public hearing”. The final budget will be voted on September 15, 2008.

- B. Discussion on Appointment of Council Member – Council Member Brantley stated he would be turning in his resignation effective August 28, 2008. He stated he would be moving out of the Town limits on August 29, 2008 and therefore does not qualify to stay on the Town Council.

After discussion the Council asked the Clerk to advertise for resumes for Council Member Brantley’s seat. The resumes to be turned in by Friday September 5, 2008 at 12:00 P.M. The interviews will take place on Monday September 8, 2008 at which time the Council will select a candidate to fill Council Member Brantley’s seat.

Council Member Brantley stated he wanted to thank everyone for his terms on the Council. He further advised Council to listen to the Planning Staff on land development matters. He stated they are very knowledgeable and are looking out for the best of the town. Mayor Katsanis thanked Council Member Brantley for serving the Town on the Council and stated what an asset he had been to the Council and Town during his terms.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Wilson. Mayor Katsanis hearing no objections declared the meeting adjourned at 8:00 P.M.

REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
SEPTEMBER 8, 2008 5:30 P.M.

Mayor Thomas A. Katsanis called the regular meeting of the Town of Lake Placid Town Council to order on Monday September 8, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Mayor Katsanis gave the invocation and led in the Pledge of Allegiance to the Florida.

ROLL CALL:

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

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

CITIZENS NOT ON THE AGENDA:

No one was present and wanting to speak who was not on the agenda.

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Amend Large Scale Schedule
- D. Approval of Holidays and Meetings

Council Member Wilson made a motion to approval consent agenda A, B, and C, but to pull D. for further discussion; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

As to item D. on the Consent Agenda Council Member Wilson informed the Council that Council Member Royce and he would not be present at the meeting on October 13, 2008. Council Member Royce made a motion the October 13, 2008 meeting be rescheduled for October 27, 2008; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

PRESENTATION:

- A. Selection of Council Member – Mrs. Tuck informed the Council she had received two resumes, one from Carol Smart and one from Lynn Connolly. She stated Mrs. Connolly had contacted her on Friday before the meeting and asked that her name be withdrawn. Mrs. Tuck stated Mrs. Smart was still interested in serving on the Council. Council Member Royce made a motion Carol Smart be appointed as Town Council Member to fill the unexpired term vacated by Council Member Bill Brantley; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Mrs. Tuck asked Mrs. Smart to come forward; at which time she swore her in and Council Member Smart assumed her position on the Council.

- B. Steve Gueff – LPHS Football Program – Mr. Gueff stated he was helping with the Lake Placid High School football program. He stated the school would like permission to place several signs in DeVane Park the day of a game stating there is a game that night. He stated the signs (the size of a campaign sign) would be placed in the Park in the morning and removed that afternoon. Council Member Royce made a motion suggest to review by the Town Attorney the Lake Placid Booster Club be allowed to place signs in DeVane Park notifying the public of a home football game; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

C. CDBG Grant:

1. Selection of Grant Administrator – Mrs. Tuck informed the Council she had requested Rachel Osborne, Jackie Haynes and John Komasa to review two proposals we received for Grant Administrators for a CDBG grant. She stated we received a proposal from Wilson Miller and Guardian CRM. Mrs. Tuck stated the Committee had ranked Guardian CRM as their #1 choice and Wilson Miller as the #2 Choice. Council Member Royce made a motion Guardian CRM be chosen as the Town's Grant Administrator for the 2008 CDBG Grant; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
2. Hearing (2nd) and Motion to approve the application – Corbett Alday, representative of Guardian CRM stated he had met with the Town's Citizens' Advisory Task Force prior to the Council Meeting and they had

selected the Lake Placid Ridge Community Center and Hurricane Shelter as the project for seeking to secure a CDBG (Community Development Block Grant) grant. Mr. Alday stated the Town is entitled to apply for a \$650,000.00 grant. Several members of the Lake Placid Chamber of Commerce were present to support the project and asked that the Town Council move forward with trying to secure the grant. Council Member Bastardi made a motion to approve the application; motion seconded by Council Member Smart. On roll call, motion carried unanimously.

3. Resolution on Leverage of City Funds – Mr. Alday stated if the Town would leverage a certain amount of funds this would give them more points on the application and secure a better position. Mr. Alday stated he had been made aware the Town was willing to leverage \$250,000.00 toward the project. Council Member Bastardi made a motion the Resolution be approved; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR./COUNCIL MEMBERS:

A. Public Works Director-

1. Debra Worley – was present and presented an agreement between the Southwest Florida Water Management District and the Town of Lake Placid for the Lake Clay Storm water Improvement Project. Mrs. Worley stated Atty. Harris had review the agreement and made several recommendations. Mrs. Worley stated Atty. Harris had prepared the Resolution attached to the Agreement and that she agreed with the Resolution. The Resolution states:
 - a. The Town is aware of the condition of Lake Clay
 - b. The Town asks that the County take lead in the Agreement with the Water Management district and pay the required match for the construction project because they have a greater expertise to address and management the run-off from Lake Clay.
 - c. That all fees for permit application be waived.
 - d. That the landowners be asked to contribute easement or parcel to absorb so that the run-off will remain on the subject property and not be directly disposed into Lake Clay.
 - e. That the Town hereby consents to the use of the Town Easement, but reserves the right to approve any construction within said easement.

Council Member Royce made a motion the Resolution be approved, executed by the appropriate individuals and forwarded to the Water District; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

- B. Recreation Director – Mr. Komasa gave Council an update on the fields and stated he would be sending in the new grant for recreation funds to the State this month.
- C. Utility Director:
1. Max Telhiard – stated he had water turned on at a condo no one was living in. He stated he received a bill two weeks after the water was turned on for \$47.00, which was for the base rate. Mr. Telhiard stated he was never told he had to pay for a bill even if no one was in the residence. As soon as he received the bill, he had the water turned off. He felt because the office staff did not inform him he had to pay for water services he should get his \$47.00 back. After much discussion, Council Member Bastardi made a motion the Town refund Mr. Telhiard’s base rate of \$47.00 and direct staff to rewrite the application to disclose all the elements you are buying into when you turn your utilities on; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
 2. Gary Prentice – Adjustment on water bill – Mr. Freeman stated he was requesting approval to adjust Mr. Prentice’s water bill to the minimum rate due to an unforeseen leak that occurred to Mr. Prentice. Council Member Bastardi made the motion to adjust the bill; motion seconded by Council Member Royce. On roll call, motion carried unanimously.
 3. Backflow Bids and response letter to DEP – Mr. Freeman and Atty. Harris stated they had talked to Tallahassee several times on the requirement of putting in backflow preventers. Atty. Harris stated the State has informed him because of pending questions from other cities; Tallahassee is taking a wait and see position. Atty. Harris stated his recommendation would be to postpone this matter for approximately one year or until we hear something positive from the State. Council agreed.
 4. Enforcement of Gravity Sewer Connections – Mr. Freeman stated the time has lapsed for customers to connect to the sewer system and that there are 26 customers who have not hooked up. After much discussion on this matter, Council Member Bastardi made a motion Mr. Freeman is to immediately institute Ordinance 08-581 and start billing the appropriate rate for sewer customers whether or not they have hooked up to the sewer; motion seconded by Council Member Royce. On roll call, Council Member Bastardi, Council Member Royce and Council Member Smart voted yes; Council Member Wilson voted no. Motion carried 3 to 1.
 5. Reuse Project – Funds needed to complete project – Mr. Freeman stated the funds being received for the reuse project are paid in arrears, meaning we pay and then we are reimbursed. Mr. Freeman stated the water department would not have the funds in March 2009 to pay the loan on the

reuse system and was requesting a loan from the General Fund of \$200,000.00. Mr. Freeman stated he has estimated the funds would be available to repay the General Fund the \$200,000.00 by September 2009. Council Member Bastardi made a motion the loan be approved; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

D. Police Chief – Chief Williams stated Atty. Harris and he were ready to proceed with the red light cameras Ordinance if Council wanted to. Council Member Royce made a motion the Clerk advertise for the public hearings on the Ordinance; motion seconded by Council Member Smart. On roll call, Council Member Smart, Council Member Royce and Council Member Bastardi voted yes; Council Member Wilson had to leave the room before the vote and did not return until after the vote. Motion carried 3 to 0.

E. Town Planner:

1. Scheduling of presentation by BlueHead Ranch – Mrs. BuChans stated BlueHead Ranch would like to come make a presentation to the Council concerning their project even though it is not within the Town and County’s joint notification area. Council asked that the Clerk notify them to appear October 27, 2008 or any other regularly scheduled meeting.
2. Schedule Grigsby PD – Council also asked that the Grigsby PD be scheduled for October 27, 2008.
3. Chris Clarke – Vacation of Alleyway – Mrs. BuChans stated Mr. Clarke was requesting a vacation of an alleyway on Rainer Avenue. According to our Code he must get Council’s approval to advertise for a public hearing. Council Member Royce made a motion Mr. Clarke advertise for his public hearing; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

F. Town Attorney:

1. Policy 1.A.4 Development Approval Process/Annexation – Growth Management – Atty. Harris stated the Policy before the Council is what the Growth Management Committee is recommending be approved and forwarded to the County Commissioners. Council Member Royce made a motion Policy 1.A.4 Development Approval Process/Annexation be incorporated into the Comprehensive Plan Amendment; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
2. Final Approval on Landscape Plan for U.S. 27 Median – Atty. Harris stated the plan that was presented to Council has been approved (90%) by DOT and he would like Council to approve it. Council Member Bastardi made a motion the plan be approved as presented; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

3. Approval landscaping along side of U.S. 27 and request Town assume KLPB grant. Atty. Harris stated Mike Eisenhart has visited with the majority of the businesses involved in the landscaping along the side of U.S. 27 south of Lake Placid. The majority of the businesses have signed off approving the plan. Atty. Harris also stated that the grant that went along with this landscaping project was originally placed in the Chamber's name. However, it has been suggested that the grant be placed in the Town's name so that materials can be bought with the tax exemption status. This would save approximately \$20,000.00 from the project. Council Member Bastardi made a motion the plans as presented for U.S. 27 south of Lake Placid be approved and that the grant be renamed in the Town of Lake Placid's name; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- G. Town Clerk – Mrs. Tuck reminded the Council we have a special meeting on Monday September 15, 2008 for the final budget hearings.
- H. Mayor/Town Council Members:
 1. Election of Vice Mayor – Council Member Bastardi made a motion to elect Charles Wilson as Vice Mayor; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
 2. Council Member Royce – Utility Advisory Board – Council Member Royce stated several months ago the Council discussed a Utility Advisory Board. Council Member Royce stated he would like to move forward with setting up the parameters for a Utility Advisory Board; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

PUBLIC HEARINGS:

- A. Ordinance No. 08-584 – Amend 2007-2008 Budget (2nd hearing) Council Member Wilson made a motion Ordinance No. 08-584 be approved on second hearing by reading of title only and adopted; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- B. Ordinance No. 08-582 – 2008-2009 Millage – (1st hearing)
 1. Rolled Back Rate is 4.1250 mills, which is -6.7% of proposed millage of 3.8500.
 2. Millage Rate proposed is 3.8500

Town Clerk Arlene Tuck read Ordinance No. 08-582 by title only after advising Council of the rolled back rate and millage rate. Council Member Smart made a motion Ordinance No. 08-582 be approved on first hearing by reading of title only; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

- C. Ordinance No. 08-583 – 2008-2009 Budget – (1st hearing) Town Clerk Arlene Tuck read Ordinance No. 08-583 by title only. Council Member Bastardi made a motion Ordinance No. 08-583 be approved on first hearing by reading of title only; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
- D. Abatements – Cowell, Jeffery & Kimberly A. – Town Clerk Tuck advised Council the abatements are due to citations issued by the Code Enforcement Officer for violations that are not paid for. Mrs. Tuck stated this violation was due to banners. She asked that Council consider approving the abatements. Council Member Royce made a motion to approve the Preliminary Abatement; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- E. Ordinance No. 08-562 – Amending Comp. Plan – School Element, CIE, ICE, FLUE, and ORC Report and Interlocal Agreement for the Schools – Mrs. BuChans reviewed the documents with the Council. Council Member Royce made a motion to adopt: 1) The ORC report; 2) the Interlocal Agreement for coordinated planning and school concurrency; and 3) Ordinance No. 08-562, incorporating the new public schools facilities element, the amended capital improvements element, the amended intergovernmental coordination element, and the amended future land use element into the comprehensive plan, and transmitting LPCP.NO.-08PEFE1 to the DCA for compliance determination; and becoming effective as provided by law; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- F. EAR Scoping Meeting – Mrs. BuChans stated this was a workshop with the Council to discuss the comprehensive plan and the future growth and development of the Town of Lake Placid. She stated the comprehensive plan needs periodic evaluation and the Town has never revisited their comprehensive plan. She stated a workshop had already been held with the LPA and public for town-wide participation. She also stated she held a governmental agency workshop which included DCA by conference call. She stated DCA recommends no more than five (5) major issues.

The issues Mrs. BuChan's has been made aware of during her meetings with the different Town groups are:

1. Commercial land – The Town needs to address the quantity of commercial and available, the extent to which future available developable urban lands will be managed, specifically to prevent the stripping of major roadways within the Town, the US Highway 27, and new roadway corridors.
2. Central Potable Water and Wastewater – The plan should be examined to evaluate if it is effective in coordinating the expansion of central water and

sewer systems with the County and determine the jurisdiction that will provide the service(s).

3. Conservation Effort – Determine if the Plan has been able to direct efforts towards innovative conservation efforts in regards to Water Use, natural resources, and the built environment.
4. Transportation – The plan should be evaluated to ensure coordination efforts between the Town and County is provided for transportation improvements for future developments (CFRPC) and a coordinated trails and paths system is provided for a safe way to school, fosters interconnectivity with neighborhoods, and promotes an alternate mode of transportation.

Council Member Bastardi made a motion the list of recommendations from our Planner be accepted; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

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

**SPECIAL MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
SEPTEMBER 15, 2008 5:30 P.M.**

Mayor Tom Katsanis called the special meeting of the Lake Placid Town Council to order on Monday September 15, 2008 at 5:50 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

Town Clerk Arlene Tuck

PUBLIC HEARING:

- A. Ordinance No. 08-582 – 2008/2009 Millage – Town Clerk Arlene Tuck read Ordinance No. 08-582 in its entirety advising the Council and citizens the Fiscal Year 2008/2009 operating millage rate for the Town is 3.8500 mills, which is less than the rolled-back rate of 4.1250 mills by -6.7%. Council Member Royce made a motion to approve Ordinance No. 08-582 on second hearing after it being read in its entirety and adopt; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.
- B. Ordinance No. 08-583 – 2008/2009 Budget – Town Clerk Arlene Tuck read Ordinance No. 08-583 in its entirety. Council Member Bastardi made a motion to approve Ordinance No. 08-583 on second hearing after it being read in its entirety and adopt; motion seconded by Council Member Smart. On roll call, motion carried unanimously.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Katsanis hearing no objections declared the meeting adjourned at 6:00 P.M.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
OCTOBER 27, 2008 5:30 P.M.**

The regular meeting of the Town of Lake Placid Town Council was called to order on Monday, October 27, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida by Mayor Thomas Katsanis. The invocation was given by Rev. Wayne Godwin and the Pledge of Allegiance led by the Boys Scouts. A quorum was present.

ROLL CALL:

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

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

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

- A. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Appointment of Merry Cresswell to Highlands County Library Advisory Board
- D. Amend Holidays for Town Employees

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

PRESENTATION:

- A. County Changes to Growth Management Policy – Mike Wright, County Administrator was present and talked about the future of Lake Placid and its

developments. Mr. Wright stated he feels most of the development in the future will be in the south part of Highlands County. He stated the Town and County needed to start looking at infrastructure for these developments and, of course, the main infrastructure would be utilities. He said he would like to start working on a united service between the Town and County. Council Member Royce made a motion Atty. Harris serve as the liaison on any committee Mr. Wright forms for a Utility Commission; motion seconded by Council Member Smart. On roll call, motion carried unanimously.

- B. Blue Head Ranch Presentation – Susie Bishop, with Blue Head Ranch, stated the proposed Blue Head Ranch Overlay District is intended to create a vision for the long-term future of the 65,000 +/- acre Blue Head Ranch located in the southwestern Highlands County adjacent to the Desoto County line. The proposed special overlay district has a goal of protecting natural resource areas comprising a total of 31,000 acres and keeping 9,000 acres of land in agricultural use. The plan will also designate 20,000 acres of potential “developable” area on the Highlands County Future Land Use Map.

PUBLIC HEARINGS:

1. Vacation of Right-of-Way – Chris Clark – Mrs. BuChans stated Mr. Chris Clark had petitioned the Town of Lake Placid to close a portion of the unimproved alleyway adjacent to Lots 25, 26, 27, 28 and 29, in Block 1, of Lake Sirena Addition No. 1, Plat Book 2, Page 53, of the Public Records of Highlands County, Florida. Mrs. BuChans further stated that on October 9, 2006, the Town was petitioned and closed, the portions of unimproved alleyway’s located behind Lots 1 through 23, Block 1, of Lake Sirena Addition No. 1, as shown on plat Lake Sirena Addition No. 1, Plat Book 2, Page 53, of the Public Records of Highlands County, Florida. She further stated she had reviewed the documents, found all of them to be in order and did not object to the closing of the portion of the unimproved alleyway. Council Member Wilson made a motion the request to close the alleyway be granted; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
2. Ordinance No. 08-587 – School Concurrency LDC Ordinance – Mrs. BuChans stated the Ordinance presented to the Council is a model prepared by a consulting team funded by DCA. It was to be used by local governments in the preparation of their public school concurrency ordinance. The team organized the model ordinance consistent with statutory requirements. It is recommended that each local government and school district tailor this model ordinance, after thorough review, to meet their adopted PSFE, other amended elements, and adopted IA. She stated Staff has redone the Ordinance changing only the name.

Mrs. BuChans stated the Ordinance had been before the LPA and the LPA's recommended motion was to move to recommend to the Town Council to approve the proposed public school concurrency ordinance No. 08-587 amending the concurrency Chapter 158 to the text of the Town's Land Development Code, subject to the Town Attorney's review.

Council Member Royce made a motion pursuant to the LPA's recommended motion, move to approve the proposed public school concurrency Ordinance No. 08-587 amending the concurrency Chapter 158 to the text of the Town's Land Development Code, subject to the Town Attorney's review; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

A. Public Works Director – No comments

B. Recreation Director:

1. Lake Placid Miracle League – Mr. Komasa presented John Varady and the Board of Directors for the Lake Placid Miracle League. Mr. Varady gave an update on the Miracle League. Mr. Dennis Orles stated the Miracle League was requesting that the Town Council allow them to present a program for funds to RPAC to finish the layering of their field at the Lake June Ball fields. Mr. Orles stated Glades Electric had donated \$50,000.00 for the engineering and they still needed approximately \$120,000.00 to be able to place a special topping on the asphalt which would allow for wheel chairs and walkers. The field would also be utilized by softball players, tee ball and soccer.

Issues raised that caused some concern were that if the Town asked and was granted \$120,000.00 from the County, we would not be able to apply for any other funds for a number of years. Mr. Komasa stated they would like to request that the Town put in the \$120,000.00 and that the County reimburse the Town over four years at \$30,000.00, plus interest. Mr. Komasa stated this was done several years ago when the additional land was purchased for Lake June Park.

Mr. Horace Durrance, Chairman of the Lake Placid Recreation Committee, was present and stated the Miracle League presented a program to the Recreation Committee on October 8, 2008, asking for them to endorse the request to RPAC. Mr. Durrance stated the request was unanimously approved.

Council Member Royce made a motion the Town Council of Lake Placid supports the Miracle Leagues request of the RPAC Committee and the County Commission to establish a Miracle League Field at a site at the Lake June Belfield; that this project be a project of Countywide significance; that further the Town of Lake Placid agrees to borrow up to \$120,000.00 in principle, interest and associated costs, subject to the County agreeing to reimburse the Town over a four-year period for that total amount; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

Council Member Royce asked the Board of the Miracle League to please keep the Council abreast of what happens with RPAC and the County.

2. Report on sod on field – Mr. Komasa gave an update on the laying of the sod at the Lake June fields. He stated all should be completed very shortly.

C. Police Chief:

1. Red Light Cameras – The Council discussed proceeding with the Ordinance for the installation Red Light Cameras on U.S. 27 and Interlake Boulevard. Council Member Wilson made a motion to set for public hearing Ordinance No. 08-586, Red Light, with constitutionality and liability issues to be addressed at the next meeting; motion seconded by Council Member Smart. On roll call, Council Member Smart, Council Member Wilson and Council Member Royce voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.
2. Chief Williams reminded everyone the Police Department was holding their Bike Rodeo on November 15, 2008.

D. Utility Director:

1. Sewer Discussion – Council Member Bastardi stated at the last meeting he made a motion for Mr. Freeman to immediately institute Ordinance 08-581 and start billing the appropriate rate for sewer customers whether or not they have hooked up to the sewer. Council Member Bastardi stated he had made the motion for gravity sewer connections only and felt anyone, including the customers who are on the grinder systems and have not hooked up should also have to pay. Council Member Bastardi made a motion to immediately institute Ordinance 08-581 and start billing the appropriate rate for sewer customers whether or not they have hooked up to the sewer, plus Mr. Freeman and Atty. Harris are to come back with wording to send a letter advising the customer they have until January 1, 2008 to make a decision whether or not they want to pay the tap fee (\$3,200) in

cash, whether they want it put on their tax bill over a 10-year period, plus interest or whether they want it put on their monthly utility bill over a 10-year period, plus interest and if they do not respond put it on their tax bill as an assessment; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

D. Town Planner:

1. Workshop on CIE – Mrs. BuChans stated this workshop is to consider the annual amendment to the Town’s Capital Improvements Element (CIE) of its adopted comprehensive plan, including the five-year schedule of Capital Improvements. She stated the Town will want to review the highlighted rows to make sure that all developer contributions have amounts calculated and that the Town Department Directors need to compare the remaining capital improvements (not highlighted) projected for the Town in the CIS and ?CFS, 5 and 10 years out, to the Town’s adopted budget, approved grants, and revenue sources. If the Directors determine that funding is not available, what source of revenue do they propose to fund their capital improvement?

Mrs. BuChans asked for permission to contact Atty. Harris if she needed assistance from him. Council Member Royce made a motion to approve the Town Attorney provide assistance to the Town Staff in the annual amendment to the Town’s capital improvement element of its adopted comprehensive plan, including the five-year schedule of capital improvements and the ten-year financial strategy; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Appointment of LPA member – Mrs. Tuck stated we had received two resumes for the LPA member position. One resume was from Cheryl Brantley Davis and one from James Edward Oxer. The Council stated it was a very hard decision to select one over the other. Council Member Wilson made a motion James Edward Oxer be appointed as the LPA member and that Cheryl Brantley Davis be appointed as an alternate for the LPA Board; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

E. Town Attorney:

1. Drainage Grant – Lake Clay – Atty. Harris stated he had met with Debra Worley, Mike Wright of Highlands County and Mary Beth McNeil of Southwest Florida Water Management District concerning the proposed scope of work for the Lake Clay storm water treatment system. Atty. Harris stated he felt the Scope of Work suggested by Southwest Florida

Water Management District and Highlands County was beneficial to the Town and he felt the Council should consider approving the document. He stated there was some concern about the annual fee of \$1,500.00 for maintenance, but they were still trying to negotiate this fee. Council Member Royce made a motion to approve the agreement and authorize the Mayor and Clerk to sign the document; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

F. Town Clerk:

1. Boy Scouts – Discuss amending Lease for Bicentennial Park – Mr. Burley Hill, representative of Placid Mason Lodge (who are the Trustees for the Boy Scouts) stated the Town has been paying the Boy Scouts \$250.00 a year lease on the property (Bicentennial Park) owned by the Boy Scouts. He stated due to the increase in water service and the addition of sewer charge they would like to increase the lease amount.

Debra Worley, with the Rotary Club stated her club has put monies into the park and was concerned the Boy Scouts would break the Lease with the Town. Mr. Hill stated they did not plan on breaking the Lease, but they needed more money. He further stated in the past they had had several individuals interested in purchasing the park.

Council Member Royce made a motion that Atty. Harris try to negotiate a lease with the Mason for the Boy Scouts with the bases being that the annual rate shall be for the base rate of the water, sewer and garbage for that location and the lease shall extend for 20 years; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

2. Town of Lake Placid Sick Bank – Mrs. Tuck stated the Town Employees started a sick bank back in 2002. The rules of the sick bank was whoever wanted to belong had to donate at least 8 hours each year until the sick bank had 500 hours. In 2004 the sick bank reached its maximum amount of hours. No one has been allowed to join since. After discussion with the employees, Staff is requesting the Council delete the sick bank from the Employees Handbook and return all hours to the appropriate owners. Council Member Royce made a motion the Town of Lake Placid's Sick Bank be deleted from the Employees' Handbook and whatever hours have been placed in the sick bank by an employee be returned to that employee; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

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

REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
NOVEMBER 10, 2008 5:30 P.M.

The regular meeting of the Town of Lake Placid Town Council was called to order by Mayor Tom Katsanis on Monday November 10, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. Invocation was given by Mayor Katsanis and he also led in the Pledge of Allegiance to the Flag.

ROLL CALL:

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

Town Clerk Arlene Tuck
Town Attorney Bert Harris
Town Planner Sue BuChans
Town Utility Director Gary Freeman
Town Public Works Director Jim Fulton
Town Recreation Director John Komasa
Town Police Chief (Bonnie Pruitt filled in)

CITIZENS NOT ON THE AGENDA: No citizens had any matters to discuss.

APPROVAL OF AGENDA:

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

CONSENT AGENDA:

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

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

PRESENTATION:

- A. Proclamation – Mayor Katsanis presented a Proclamation to Tom Staik. Tom has been a reporter for the Lake Placid Journal for many, many years and has covered all our meetings. Tom has accepted in position in Punta Gorda and will be

moving. The Proclamation thanked Tom for his many years of support to the Town and its citizens.

- B. North Main Avenue Merchants' Open House – Mr. Don Neiman, of Holiday Trinkets and Treasurers, informed the Council the Merchants of North Main Avenue would be holding an open house on November 21, 2008. He stated they had coordinated the event with Chief Williams and that North Main Avenue will be closed from 5:00 P.M. until 8:00 P.M. for the Open House.

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Public Works Director – Mr. Fulton stated he had no reports
- B. Recreation Director – Mr. Komasa reminded the Council we would be approaching RPAC on November 20, 2008 at 2:00 P.M. requesting funding for the Miracle League Field. Mr. Komasa stated they needed all the support from the Council and citizens that they could get.
- C. Police Chief – Officer Pruitt stated the Police Department would be holding their annual Bike Rodeo on Saturday November 15, 2008 at 9:30 P.M. in front of the Police Station.
- D. Utility Director – No reports
- E. Town Planner – Mrs. BuChans presented the Council with a packet that will be going to the County Commissioners on November 18, 2008. The packet contained an offer to the Department of Community Affairs to settle the Administrative Hearing case for the Lake Placid Vision (Greater Lake Placid Specific Area Plan). Council Member Royce made a motion that the Town Council appreciates the County's attention to the Specific Area Plan that was developed by residents of the Greater Lake Placid Area and we appreciate the input they have taken through the process from the Town and we encourage them to continue to move forward to try to reach settlement with DCA so that the Lake Placid Specific Area Plan can in fact become law in governing future development in our area; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- F. Town Attorney – No reports.
- G. Town Clerk – No reports
- H. Mayor/Town Council Members – No reports

PUBLIC HEARINGS:

- A. Ordinance No. 08-586 – Red Light Camera Ordinance (1st hearing) – Atty. Harris stated he was not able to check into Council Member Wilson's concern about whether or not the Town would have to return all monies if the project was considered unconstitutional, but that he would have an answer at the next hearing. Council Member Wilson made a motion Ordinance No. 08-586 be approved on first hearing by reading by title only; motion seconded by Council Member

Royce. On roll call, Council Member Wilson, Council Member Royce and Council Member Smart voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

- B. Ordinance No. 08-587 – School Concurrency (2nd hearing) Mrs. BuChans informed the Council this meeting is to consider the future amendment to Chapter 158 Concurrency of the Town’s Land Development Code to adopt an ordinance establishing school concurrency. Mrs. BuChans stated the Council had adopted into their comprehensive plan a Public Scholl Facilities Element, new objectives and policies in the Capital Improvements Element, the Intergovernmental Coordination Element and the Future Land Use Element to implement school concurrency. An Interlocal Agreement was also adopted. She further stated the adopted changes, supporting documents and adopting Ordinance was transmitted to DCA and that DCA issued its Notice of Intent regarding the IAs for each jurisdiction in Highlands County, which includes: the Town of Lake Placid, Highlands County, the City of Avon Park, the City of Sebring, and the Highlands County School Board.

The final step is for the Town to adopt an Ordinance establishing school concurrency to the text of their Land Development Code. Mrs. BuChans stated the Ordinance presented was prepared by Ms. Elizabeth Lehinan, a Highlands County Attorney. Mrs. BuChans stated the Ordinance is consistent with statutory requirements, adopted elements and local needs.

Council Member Royce stated he was concerned the Town is the first one to issue the Ordinance. He stated he does not want the Town to give up more than any other entity. Council Member Royce made a motion to accept the input on the second hearing and that we schedule an adoption hearing for December 8, 2008; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

Council Member Bastardi questioned whether or not the motion needed to state the issues the Council wanted answered and returned to us at the next meeting. Council Member Royce stated his intent was that Mrs. BuChans and/or others would come back and state this is what Highlands County is adopting and this is what Sebring and Avon Park are in the process of adopting, and you have our assurance that this is the common language and then that is going to be encumbered on us voting yes at the December 8th meeting.

Council Member Royce restated his motion of accepting the input on the second hearing and that we schedule an adoption hearing for December 8, 2008 to include that at that hearing we consider what the language being adopted by

Highlands County and other municipalities are as part of our decision making process; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

Council Member Royce stated he would like to have some type of formula that the School Board will use to make the determination whether or not there is sufficient space in the schools for additional students. He further stated he would like to know if utilizing that formula we have space today.

Council asked that Rev. Norris, the Lake Placid School Board Member and Wally Cox, Superintendent of Schools, attend the next meeting.

Council Member Smart made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Katsanis hearing no objections declared the meeting adjourned at 6:35 P.M.

**REGULAR MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
DECEMBER 8, 2008 5:30 P.M.**

Mayor Tom Katsanis called the regular monthly meeting of the Town of Lake Placid Town Council to order on Monday December 8, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present. The Invocation and Pledge of Allegiance was led by Rec. Tim Taylor.

ROLL CALL:

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

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

CITIZENS ON THE AGENDA: There were no comments.

APPROVAL OF AGENDA:

Council Member Smart made a motion to approve the agenda; motion seconded by Council Member Wilson. On roll call, motion carried unanimously.

CONSENT AGENDA:

- A. Approval of Monthly Meeting Minutes and Special Meeting Minutes
- B. Approval of Monthly Reports and Payment of Monthly Bills
- C. Lake Placid Arts and Crafts Country Fair – Request in letter

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

DEPARTMENT HEADS/MAYOR/COUNCIL MEMBERS:

- A. Town Planner:
 - 1. School Currency Element – Adoption – Mrs. BuChans stated this meeting is to consider the future amendment to Chapter 158 Concurrency of the

Town's Land Development Code to adopt an ordinance establishing school concurrency.

Mrs. BuChans stated the Town has adopted into their comprehensive plan a Public School Facilities Element, new objectives and policies in the Capital Improvement Element, the Intergovernmental Coordination Element, and the Future Land Use Element to implement school concurrency. An Interlocal Agreement (IA) was also adopted. These adopted changes, supporting documents and adopting ordinance were transmitted to the Florida Department of Community Affairs (DCA) as required by 9J-11.006-008, F.A.C. The DCA issued its Notice of Intent regarding the IAs for each jurisdiction in Highlands County. Pursuant to Section 163.3177, Florida Statutes (F.S.), each IA is consistent with Sections 163.3177(2) and (3), F.S. The final step is for the Town to adopt an ordinance establishing school concurrency to the text of the Town Land Development Code.

Mrs. BuChans stated the LPA's recommendation was for the Town Council to approve the proposed public school concurrency ordinance, No. 08-587 amending the concurrency Chapter 158 to the text of the Town's Land Development Code, subject to the Town Attorney's Review.

Mr. Mike Averyt, Assistant School Superintendent, and Chairman of the Highlands County School Board, Andy Tuck, were present to answer any questions the Council might have.

Council Member Royce made a motion pursuant to the LPA's recommended motion, move to approve, on second hearing, the proposed public school concurrency Ordinance No. 08-587 amending the concurrency Chapter 158 to the text of the Town's Land Development Code and adopt; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

2. Appointment of Alternate for LPA – Mrs. Tuck stated she had advertised for resumes for the position of an alternate on the LPA and she received no applications.

B. Recreation Director: Mr. Komasa stated RPAC had agreed with the Miracle League request of up to \$30,000. for four years. Mr. Komasa stated it now goes to the County Commissioners for their approval on December 16, 2008.

C. Public Works Director – Mr. Fulton was out sick.

D. Police Chief:

1. Chief Williams stated he would be closing the east side of North Main Avenue on December 19, 2008 for the merchants. He stated the merchants along North Main Avenue will be holding another open house.

E. Utility Director:

1. Council Member Royce made a motion that the Council determine sewer Capacity is available; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
2. Sewer Discussion – Mr. Freeman presented a memo to the Town Council containing his proposed resolutions for the residential and non-residential downtown sewer customers. He stated these were options the Council had asked him to review and make a recommendation.

Atty. Harris stated he had discussed this matter of the sewer with Mr. Freeman and Mrs. Tuck. He stated the issues as he sees them are: 1) directing him to get on with repealing grinder maintenance clause; 2) repeal delay in low pressure hookup; 3) defining capacity for both low pressure and gravity; 4) honor deals made with the customers previously; 5) Offer gravity customers a 10-year loan at 6% interest on the \$3,200. system development cost and the low-pressure (grinder) customers a \$2,000 reduction and ability to pay the remainder of \$1,200. over a 4-year period at 6% interest.

Council Member Smart made a motion to approve what was outlined by Atty. Harris; motion seconded by Council Member Royce. On roll call, motion carried unanimously.

F. Town Attorney:

1. Opening Bids for U.S. Highway 27 FDOT landscape grant – Atty. Harris stated we received only one bid for the trees for the grant along U.S. 27 and that was from Griffin Trees. Atty. Harris stated the Contractor (Griffin) would have to wait until monies are received from the grant before being paid for his services. It would not be the Town's responsibility to pay prior to monies received from the grant.

Council Member Bastardi made a motion the Council approve the bid suggest to approval by the Florida Department of Transportation, authorize Mike Eisenhart to proceed with the Contract upon FDOT's approval and that Mike Eisenhart, coordinator of Keep Lake Placid Beautiful to implement the Contract; motion seconded by Council Member Smart. On roll call, motion carried unanimously.

2. Resolution Scheduling the Public Hearing to consider Uniform Method of Collecting Non-Ad Valorem Assessments (Scheduled for 12/22/2008) – Mrs. Tuck stated Jackie Haynes and her had been asked by the previous Council to look into placing a non-ad valorem assessment on the tax bills for sanitation. She stated with all that was involved, they had recently accomplished the task. The Resolution being presented will allow the Town to move forward with a public hearing on December 22, 2008, to get public input on this matter. The tax collector would collect the sanitation fee and forward it to the Town. The customers would be paying once a year instead of monthly as they now do. Council Member Royce made a motion to approve the Resolution and move forward with the public hearing; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
3. Lake Partners – Utility Agreement, Note and Mortgage – Atty. Harris stated we had received a letter from Ted Schiafione's (Lake Partners) attorney requesting that the Town Council consider allowing Mr. Schiafione to voluntarily surrender the development rights for Lake Partners development on Hillcrest, provided however the Town surrender the associated note and mortgage given to the Town pursuant to the Utility Agreement and recorded in O. R. Book 2040, Page 337, of the Public Records of Highlands County, Florida and otherwise terminate the subject Utility Agreement itself. Council needed to postpone any action on this matter until the developer's attorney was present.

PUBLIC HEARING:

- A. Ordinance No. 08-586 – Red Light Cameras (2nd hearing) Chief Williams introduced Pete Cuccaro of American Traffic Solutions (Red Light Cameras). Mr. Cuccaro presented a power point on his product. Mr. Cuccaro then answered several questions that the Council and Atty. Harris had.

Council Member Royce made a motion the Council move forward with asking Atty. Harris to finalize the language in the Ordinance; motion seconded by Council Member Wilson. On roll call, Council Member Royce voted yes, Council Member Wilson voted yes and Council Member Smart voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.

Council Member Royce made a motion Ordinance 08-586 be approved on second hearing by reading of title only; motion seconded by Council Member Wilson. On roll call Council Member Wilson, Council Member Royce and Council Member Smart voted yes; Council Member Bastardi voted no. Motion carried 3 to 1. (This Ordinance 08-586 was approved but adoption was postponed until a later date).

- B. Ordinance No. 08-588 – Annual Capital Improvement Element to Comprehensive Plan – Mrs. BuChans stated the Florida Statutes require that the Capital Improvement Element of the Comprehensive Plan be updated annually by adoption of a new Capital Financial Strategy (CFS) and Capital Improvement Schedule (CIS). The update must take place minimally once a year by the 1st of December. The statutes also require that the School District Five-Year District Work Program be adopted as part of the CFS. New provisions pertaining to the Capital Improvements Element were included in SB 360, becoming effective as law on July 1, 2005. The Capital Improvements Element must be updated annually. At a minimum the update will add a new fifth year to the schedule. In addition the update is required to:

1. Add new projects to the schedule;
2. Eliminate a project(s) from the schedule; or
3. Defer or delay the date of construction of a particular project(s) already included in the schedule.

Failure to adopt and submit the annual CIE update by December 1 each year will result in a prohibition from adopting Future Land Use Map changes.

Mrs. BuChans stated the LPA was recommending the Town Council adopt Ordinance 08-588, amending the capital improvement element of the Town of Lake Placid Comprehensive Plan, updating the Capital Financial Strategy, updating the capital improvements schedule, and including the school district five-year district work program as part of the capital improvements element, with all four attachments and with the word change from discrepancy tax to discretionary tax on Page 4 of 5 under State of Florida

(Penny Tax), with dollar amounts change on Page 4 or 5 under SWFWMD, to point out to Town Council the issues the LPA had with Lake Partners water and sewer and we recommend the Town Council review the PD ordinance for this development and determine where that money needs to be moved and seek Town Attorney opinion.

Mrs. BuChans went through all the suggestions the LPA had, through all the attachments and Ordinance.

Council Member Royce made a motion to move to adopt Ordinance 08-588 amending the capital improvements element of the Town of Lake Placid Comprehensive Plan, updating the capital financial strategy, updating the capital improvements schedule, and including the school district five-year district work program as part of the capital improvements element with the four attachments and transmitting LPCP.08.003LS to the Florida Department of Community Affairs for compliance determination, and becoming effective as provided by law; to include modifications suggested by the Town Council at this meeting as follows: to include but not be limited to the following projects: Lake Rachard, Lake Sirena, and Lake Clay; and moving those things associated with Lake Partners into the 10-year category; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Smart. Mayor Katsanis hearing no objections declared the meeting adjourned at 8:45 P.M.

**SPECIAL MEETING
TOWN OF LAKE PLACID TOWN COUNCIL
DECEMBER 22, 2008 5:30 P.M.**

Mayor Tom Katsanis called the special meeting of the Lake Placid Town Council to order on Monday December 22, 2008 at 5:30 P.M. at Town Hall, 311 W. Interlake Boulevard, Lake Placid, Florida. A quorum was present.

ROLL CALL:

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

Town Clerk Arlene Tuck
Town Attorney Bert Harris
Town Planner Sue BuChans
Town Police Chief Phil Williams

APPROVAL OF AGENDA:

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

PUBLIC HEARINGS:

- A. Ordinance No. 08-579 – Large Scale Comp. Plan – Lake June Properties – Map Amendment – This matter was on the LPA’s agenda on March 24, 2008 and the Town Council on April 14, 2008. After approval for transmittal, the large scale comprehensive plan was reviewed by DCA and they issued their Objections, Recommendations and Comments (ORC) on November 21, 2008. The Town must respond to all Objections cited in the Report. Comments and Recommendations are provided as incentives or inducements toward mitigating the Objections. Therefore, the Town may adopt, adopt with changes or determine not to adopt any of the proposed amendments. This is a large scale comprehensive plan amendment submission, first and only of the two authorized adoption hearings for the year 2008 by Florida Statutes (F.S.) in any one calendar year.

Staff went through all the suggestions the LPA had, through all the Objections, Recommendations and Comments (ORC) submitted by the DCA regarding proposed future land use map amendment LPCP.08.001LS, Ordinance 08-579 with the Town

Council. There were two (2) objections made by the DCA regarding LPCP.08.001LS, Ordinance 08-579. These objections pertained to the Florida Statutes (F.S.) requirements that the future land use plan be based on 'the availability of public facilities and service' and includes: (1) transportation – demonstrating that capacity is available on the local roadway network to accommodate the maximum amount of potential residential and non-residential development by the proposed land use classifications, and (2) wastewater – the availability of public wastewater facilities in a five-year financially feasible schedule. Town Council was in agreement with the ORC response prepared by the Town Planner.

Council Member Smart made a motion to approve Ordinance 08-579 on second hearing by reading of title only and adopt the proposed amendment, Ordinance 08-579 to the Town of Lake Placid Future Land Use Map as it was originally agreed upon and transmitted to DCA, from Agricultural/Residential (AR) and Low Density Residential (LDR) to Medium Density Residential (MDR) for 333+/- acres, with the addition of the 170,000 square feet of commercial development maximum limited to "30 acres", and the floor area ratio not to exceed 0.13 added to condition number 1, and transmit to the DCA pursuant to the Town of Lake Placid Local Planning Agency's recommended motion and becoming effective as provided by law:

1. The property shall have a maximum development of 999 residential dwelling units and up to 170,000 square feet of commercial development maximum on 30 acres, and the floor area ratio not to exceed 0.13.
2. The property shall be developed only through a Planned Development.
3. Prohibit age-restricted community.

Motion seconded by Council Member Bastardi. On roll call Council Member Smart and Council Member Bastardi voted yes; Council Member Royce voted no; and Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 2 to 1.

- B. Ordinance No. 08-580 – Large Scale Comp. Plan – Text Amendment – Lake June Properties – This matter was on the LPA's agenda on March 24, 2008 and the Town Council on April 14, 2008. After approval for transmittal, the large scale comp. plan was reviewed by DCA and they issued their Objections, Recommendations and Comments (ORC) on November 21, 2008. The town must respond to all Objections cited in the Report. Comments and Recommendations are provided as incentives or inducements toward mitigating the Objections. Therefore, the Town may adopt, adopt with changes or determine not to adopt any of the proposed amendments. This is a large scale comprehensive plan amendment submission, first and only of the two authorized adoption hearings for the year 2008 by Florida Statutes (F.S.) in any one calendar year.

Staff went through all the suggestions the LPA had, through the Objections, recommendations and Comments (ORC) submitted by the DCA regarding proposed text amendment LPCP.08.002LS, Ordinance 08-580 with the Town Council. There was one (1) objection made by DCA regarding LPCP.08.002LS, Ordinance 08-580. The land use amendment would be limited to 999 dwelling units, 170,000 square feet of commercial and office development and non-residential development is also limited to a FAR of 0.13; however, this would allow 1,888,712 square feet of potential non-residential development creating an internal inconsistency. Thus, the amendment is internally inconsistent regarding the amount of commercial development allows. Town Council was in agreement with the ORC response prepared by the Town Planner.

Council Member Bastardi made a motion to approve Ordinance 08-580 on second hearing by reading of title only and adopt the proposed amendment, Ordinance 08-580 to the Text of the adopted Comprehensive Plan by amending the Future Land Use Element and the Capital Improvements Element of the adopted Comprehensive Plan, striking item 4 and adopt items 1 through 3 of the conditions cited below, and transmit to the Department of Community Affairs pursuant to the Town of Lake Placid Local Planning Agency's recommended motion and becoming effective as provided by law:

1. The property shall have a maximum development of 999 residential dwelling units and up to 170,000 square feet of commercial development maximum of 30 acres, and the floor area ratio not to exceed 0.13.
2. The property shall be developed only through a Planned Development.
3. Prohibit age-restricted community.

Motion seconded by Council Member Smart. On roll call Council Member Smart and Council Member Bastardi voted yes; Council Member Royce voted no; and Council Member Wilson abstained from voting due to a conflict of interest. Motion carried 2 to 1.

- C. Ordinance No. 08-589 – Town of Lake Placid Water Supply Facilities Work Plan - Council Member Royce made a motion pursuant to the LPA recommended motion, move to approve the continuance to a date certain and time certain for the public Adoption Hearing for Florida Department of Community Affairs No. 08-RWSP1, Town of Lake Placid Water Supply Facilities Work Plan to Monday February 23, 2009 at 5:30 p.m. for the Local Planning Agency and to Monday, March 8, 2009 for the Town Council to consider (1) a response to the Objections, Recommendations and Comments from the Florida Department of Community Affairs comprising Lake Placid's Amendment DCA-08.RWSP1, and (2) Adopting the Town of Lake Placid Water Supply Facilities Work Plan including

changes to the adopted Comprehensive Plan; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- D. Site Plan Review – Raceway – The applicant is postponing the Town Council review of their site plan, which is a proposed Raceway Station Store in an area zoned C-1 and located at the Southeast corner of U.S. Highway 27 and South Lakeview Road. Town staff, local FDOT staff and the County Engineer plan to meet and discuss: (1) the frontage/backage configuration, (2) the County access road (and RaceTrac access), (3) the Holiday Inn and Martinez property to the South. Staff’s requested action is: Provide a Town position regarding roadway design/access for the proposed RaceTrac site plan: (1) Frontage/Backage Road configuration; and (2) US Highway 27 driveway.

Council Member Royce made a motion to ask our staff, led by Atty. Harris, to continue conversations with Florida Department of Transportation and the County Engineer and bring us back a proposal of the best possible frontage and/or backage combination; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.

- E. Ordinance No. 08-586 – Red Light Cameras – (two hearings had previously been held. This action should be adoption only) Ordinance of the Town of Lake Placid, Florida adopting the Traffic Light Safety Act; the intent of the act; the use of image capture technologies; definitions; adherence to red light traffic control signals; violations, three month notice and introductory period; review of recorded images; notice of violation/infraction; vehicle owner responsibilities; appeal to hearing officer; vehicle owner’s affidavit of non-responsibility; penalties; administrative charges; collection of penalties; exceptions, severability; and effective date. Atty. Harris stated we needed to discuss this matter further concerning the appeals actions. Council Member Wilson made a motion to table Ordinance No. 08-586 and authorize the Town Attorney to come up with a Special Masters Ordinance and set the Ordinance for public hearing as soon as the Ordinance is complete; motion seconded by Council Member Smart. On roll call, Council Member Smart, Council Member Royce and Council Member Wilson voted yes; Council Member Bastardi voted no. Motion carried 3 to 1.
- F. Resolution – Atty. Harris presented Resolution of the Town of Lake Placid Regarding Sewer Plant Capacity and Connections. He stated the Resolution was required so that the Town can notify the residents the sewer plant has capacity at this time. Council Member Bastardi made a motion the Resolution be approved

as amended; motion seconded by Council Member Smart. On roll call, motion carried unanimously.

- G. Ordinance No. 08-590 – Amending Town Water and Sewers Charges and Policies – Atty. Harris stated he was presenting this version of the Ordinance which only corrects the sections that need to be. Beginning with Section 135-19.

Termination of Services – Water or sewer service may be terminated by the Town for failure to pay delinquent charges or fees for water, sewer, or garbage service, or for water meter or fire hydrant tampering or vandalism. Atty. Harris stated this paragraph authorizes the Town to turn off water and sewer if the resident does not pay the bill sent to them. This includes being charged for sewer whether or not they are connected. If the sewer is within 200 feet of their resident or business, they are to be connected.

Other sections which Atty. Harris stated have been changed are as follows: Section 135.51. ***Sewer policies.*** (b) is amended to delete Residential and non residential customers with existing homes or buildings (residential, commercial or industrial) served by the low pressure wastewater collection lines are exempt from the requirement to immediately connect to the Town’s wastewater system, as long as their existing septic system remains in good working order. Under Section 135.51 ***Sewer policies.*** (i) For owners who have hooked up and paid the sewer system development charge prior to May 2007, the Town shall maintain the customer’s grinder pump, but only for normal wear and tear. The customer is responsible for extra ordinary maintenance; such as but not limited to large objects (rock, wood, metal, plastic, etc.) or excessive usage as determined by the Director Utilities; (ii) All customers served by the Town’s Low Pressure Line will pay the cost (labor and material) of installing the elements required to connect to the Town’s low pressure line (including for example, the tank, grinder pump, and related items); and (iii) The Town (upon written request of an owner connecting to the Town’s low pressure waste water collection line) shall grant to the owner a \$2,000.00 one-time credit toward the Owners utility fees and/or charges, if the Owner hooks up and pays the sewer system development charges before January 1, 2009.

Atty. Harris stated Section 135.73 ***Sewer system development charge*** has been corrected to show the system development charge as \$3,200.00 instead of the old \$2,800.00.

Atty. Harris stated a new Section is to set out the payments options: Section 135.74. ***Payment Options for the System Development Charges.*** The waste water system development charges set out in Town Code Section 135-73 for a ¾ inch water meter may be paid in the following manners:

- A. The sums due under Section 135-73 of the Code may be paid in full to the Town Clerk prior to establishing service.
- B. The sums due under Section 135-73 of the Code for a ¾ inch water meter serving an existing single family residence may be paid under a promissory note payable to the Town over time as follows, to-wit:
1. Single Family Residence – Gravity Line. The Owner of an existing single family residence on the gravity portion of the wastewater collection system may pay the sums due for the waste water system development charge under Section 135-73 for a ¾ inch water meter by delivery of a promissory note payable to the Town monthly over a period of up to one hundred twenty (120) months, with 5% interest per annum. All payments shall be applied first to interest and then to principal.
 2. Single Family Residence – Low Pressure Line. The Owner of an existing single family residence on the low pressure portion of the wastewater collection system may pay the sums due for the wastewater system development charge under Section 135-73 for a ¾ inch water meter by delivery of a promissory note payable to the Town monthly over a period of up to forty eight (48) months, with 5% interest per annum. All payments shall be applied first to interest and then to principal. The Two Thousand Dollar credit under code Section 135-51(q)(3) shall be applied when the owner executes and delivers the promissory note to the Town for the balance of the System Development Charge.
 3. Commercial and Industrial. The Owner of an existing commercial or industrial structure on commercial or industrial property on the wastewater collection system may pay the sums due under Section 135-73 by delivery of a promissory note payable to the Town monthly over a period of up to one hundred twenty (120) months, with 5% interest per annum. All payments shall be applied first to interest and then to principal. The Two Thousand Dollar Credit (applying to the low pressure line) under Code Section 135-51(q)(3) shall be applied when the owner executes and delivers the promissory note to the Town for the balance of the System Development Charge.
- C. Default in payment of the note. Default in payment of a note due to the Town shall be a violation of Sections 135-19 and Section 135-51 of this Chapter.

Council Member Bastardi made a motion Ordinance 08-590 be approved on first hearing by reading of title only; motion seconded by Council Member Smart. On roll call, motion carried unanimously.

SPECIAL PUBLIC HEARING:

- A. Resolution – Intent to use the Uniform Method of Collecting Non-Ad Valorem Assessments regarding Residential Solid Waste – Mrs. Tuck stated this method would allow the Town to place solid waste collection bills on the tax bills. Therefore, the fee would be collected one time a year instead of monthly. She stated this would reduce the additional work in the office, plus guarantee payment of all solid waste bills. She further stated the Resolution would allow adoption of the uniform method of collecting non-ad valorem assessments; and to thereby employ the Highlands County Tax Collector to collect the Town’s non-ad valorem garbage assessment. Council Member Royce made a motion the Resolution be approved; motion seconded by Council Member Smart. On roll call, motion carried unanimously.
- B. Resolution Establishing Tentative Assessment Rate in Connection with Non-Ad Valorem Assessment for Residential Solid Waste – Council Member Royce made a motion to approve the Resolution of the Lake Placid Town Council establishing a tentative assessment rate in connection with non-ad valorem assessments for residential solid waste; motion seconded by Council Member Bastardi. On roll call, motion carried unanimously.
- C. Agreement – Town and Highlands County Tax Collector – Council Member Bastardi made a motion to approve the Agreement between the Town of Lake Placid and the Highlands County Tax Collector to collect the non-ad valorem assessments for the Town; motion seconded by Council Member Smart. On roll call, motion carried unanimously.

Council Member Bastardi made a motion the meeting adjourn; motion seconded by Council Member Royce. Mayor Katsanis hearing no objections declared the meeting adjourned at 8:44 P.M.