

7:30 pm

REGULAR MEETING

January 6, 2009

This Regularly scheduled meeting of the Governing Body of the City of Lake Park was called to order at 7:30 pm on January 6, 2009 by Mayor Sandlin who led in flag salute and prayer. Those present, Mayor Sandlin, members Carter, Mulkey, Schindler, and Spradley, City Attorney, City Clerk and interested citizens.

Mayor Sandlin recessed the regular meeting to hold Public Hearings (see minutes), meeting called back to order at 7:45 pm.

Member Schindler moved to waive the reading of Regular meeting 12/2/2008 minutes and adopt as written, motion second by Carter, all approved. Member Schindler moved to waive the reading of Public Hearing 12/2/2008 and approved as written, motion second by member Carter, all approved. Member Carter moved to waive reading of minutes of Call meeting 12/4/2008, motion second by member Schindler, all approved. Financial Statement reviewed and accepted as presented.

Under Citizens Concerns, Mrs. Chris Bremer co-chair of the 2008 Christmas Festival/ Parade thanked Council and employees for all their help, along with police & fire volunteers, and the Lake Park Chamber of Commerce. It was a very successful event.

Mr. Danny Beasley of Harris Trail asked Council if they were aware that the guest house located on the property, 215 Harris Trail was being rented out (both floors). There were a number of citizens presented concerning this matter, and all urged the Council to take action to correct this situation, as the property is zoned R-10, and owner had applied for a building permit for a guest house on the property. R-10 is single family dwellings only.

Mrs. Minchew questioned Council if there were any restrictions concerning using vehicles as outdoor storage units. Mr. Brooks Futch of Eagle Automotive talked with Council concerning the large number of repairs being done on the 2002 Tahoe, in his opinion the City might need to consider replacing this vehicle, rather than continue with the numerous repairs. Council thanked him for this information.

Mayor Pro Tem Schindler presented awards to Cub Scout Troop 416 for their Participation in the 2008 Lake Park Clean Up Day.

Mr. Charlie Clark, with EMC engineering was questioned by Council about doing some engineering studies on the City's water system, in particular pressure problems, discoloration, capacity, etc. Mayor will work with Mr. Clark concerning this study/ report.

Judge Carlo Rodgers approached Council about changing from the State TIPPS program of entering, disposition and tracking of traffic citations to a private vendor. Costs would be added to the original fine, no cost to City. Officers are presently putting into the computer their citations, and Chief Rutland is preparing court docket, along with dispositions of cases, which he (Rodgers) feels is not in the best interest of the City. If the City Clerk does not have time to enter this information, the City might be able to hire a part-time person to do this job. Council will give this their consideration. In addition, the fine schedule set by Ordinance No. 29 is not consistent with State law, City attorney will look at City's bond schedule and confer with Judge Rodgers concerning this matter.

As Public Hearings have been held for consideration of adoption, Ordinance No. 94, establish fee to holders of cable or video franchises, member Schindler moved City adopt as written, motion second by member Mulkey, all approved. Ordinance No. 95, establishing due compensation applicable to any telegraph or telephone company was considered, with member Carter moving adoption, second by member Schindler, all approved. Ordinance No. 96, establish streets, sidewalks and public places , motion to adopt made by member Schindler, second by Carter, all approved. Ordinance No. 97, establish identity theft prevention was considered, with member Schindler moving to adopt, second by member Mulkey, all approved.

No appointments were made to the Ethics Committee.

Mr. Dale Cooper has made known that he would be interested in serving on the Lake Park Board of Zoning Appeals. Term of service would end in Dec. 2011. Member Schindler moved to appoint Mr. Cooper, motion second by member Spradley, all approved.

Protocol/backup plan for handling and storage of police evidence, and Chain of custody concerning city police records was next discussed with Clerk to prepare letter asking other cities of approx. same size how these items were handled in their department, will compile information and report back to Council.

Member Jeff Spradley spoke on the issue, possible zoning violations at 215 Harris Trail. He asked Ms. Sandy Sherrill (Chairman of Lake Park Board of Zoning Appeals) to give Council some background information on this matter. The owner of the property had filed for a Special Exception request for this property and original request was

denied. During this meeting, owner was questioned at length about use, as zoning is single family use only. Owner assured Board this guest house would be used on occasion, by his Mother. Clerk has confirmed with utility companies that there are two separate accounts, in separate names, listed at this address (one original main dwelling now used as guest house, and one on “duplex primary” house). Member Spradley stated that numerous surrounding propertyowner’s have approached him concerning the apparent rental of the guesthouse dwelling on the property, in addition to two families in the primary home on this property. Lake Park Police Dept. has noted number of vehicles and times they are on this property.

Zoning Administrator was instructed to notify owner of this matter, and if not resolved to take matter before Lake Park Municipal Court Judge Rodgers.

Council in full agreement on this issue.

Clerk reported to Council of overages in 2008 budget. After a review of the financial statement, Clerk was instructed to amend the 2008 overages ( including payroll) with funding coming from over budget revenues, and fund balance if necessary.

Council agreed they would review the budget on a monthly basis, rather than quarterly.

Chief Rutland asked Council’s permission to promote officer Joseph Pettus to Corporal Status, with additional duties of technology/evidence officer. Members agreed. The condition of the 2002 Tahoe was brought back on the floor. Members expressed their concern that this vehicle was presented as “police ready”, as it has become apparent that it was not a heavy duty vehicle. Members suggested Mayor send a letter to Brannan Ford

voicing their concerns.

There being no further business of this meeting, meeting was adjourned at 9:45 pm.

Read and approved \_\_\_\_\_

Date \_\_\_\_\_