

LAKE PLACID TOWN COUNCIL

Special Meeting Agenda

May 19, 2023 5:30 PM

Town of Lake Placid Government Center

1069 U.S. Highway 27 N, Lake Placid Florida 33852

WWW.LAKEPLACIDFL.NET VIDEO LINK <http://www.lakeplacidfl.net/admin/broadcasts.html>

Call to Order – Mayor Holbrook

Roll Call

Mayor John Holbrook

Council Member Ray Royce Council Member Charles Wilson

Council Member Greg Sapp Council Member Nell Frewin-Hays

- 1. Lake Placid Police Chief Appointment**
- 2. Town Administrator Appointment**
- 3. CITIZENS NOT ON AGENDA** (Comments are to be limited to 3 minutes, unless a longer period of time is permitted by the presiding officer or by a majority of the Town Council)
- 4. ADJOURNMENT**

Any person who might wish to appeal any decision made by the Lake Placid Town Council, in public hearing or meeting is hereby advised that he will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based. The Lake Placid Town Council, does not discriminate upon the basis of any individual's disability status. This non-discrimination policy involves every aspect of the Council's functions, including one's access to, participation, employment or treatment in its programs or activities. Anyone requiring reasonable accommodation as provided for in the Americans with Disabilities Act or Section 286.26 Florida Statutes should contact Town Administrator Phil Williams, ADA Coordinator at: 863-699-3747 or by email lakeplacidinfo@gmail.com. Requests for CART or interpreter services should be made at least 24 hours in advance to permit coordination of the service. **PLEASE NOTE OUR WEB SITE ADDRESS: www.lakeplacidfl.net**

**TOWN OF LAKE PLACID
AGENDA ITEM INTRODUCTION
(CHIEF OF POLICE)**

MEETING DATE: 19 May 2023

MEETING TYPE: Special Meeting of the Town Council

AGENDA ITEM # 1

TITLE: Appointment of Chief of Police.

PLACED ON AGENDA BY: Mayor John Holbrook

STATEMENT OF ISSUE: Mayor Holbrook's appointment and the Town Council's Consent to the appointment of the Chief of Police according to Section 408, Town Charter.

FISCAL IMPACT: Depends upon the salary.

ATTACHED ITEMS: Draft Employment Agreement

PROPOSED ACTION:

BY THE MAYOR: SUBJECT TO THE CONSENT OF THE TOWN COUNCIL, I APPOINT MARK SCHNEIDER AS CHIEF OF POLICE.

BY THE TOWN COUNCIL: I MOVE THAT THE TOWN COUNCIL CONSENT TO THE APPOINTMENT OF MARK SCHNEIDER AS CHIEF OF POLICE.

May 18, 2023

EMPLOYMENT AGREEMENT

To: Mark Schneider
From: Town Administrator Phil Williams
Re: Police Chief

Effective May 19, 2023, you are offered the Police Chief position for the Town of Lake Placid position, effective that date, subject to the following terms. You are hereby advised that the position is an "at-will" position, as are all positions with the Town of Lake Placid and is supervised by the duly appointed Town Administrator, or other as approved by the Mayor of Lake Placid. The term "supervision" in this case includes direction and ability to terminate employment with the approval of the Mayor of Lake Placid. The Town Administrator, or other as approved by the Mayor of Lake Placid, may adjust any part of this agreement by way of email documentation. This document is intended to establish some basic conditions of your employment with the town.

- The position of Police Chief is an exempt salaried position in accordance with the Fair Labor Standards Act. The position is allowed to set your own hours as needed – within reason.
- The position is a leadership position which is expected to set an example for members of the community and your department at all times. There are few times in a day when a questionable action or comment given by a Police Chief are considered private views and private times wherein the Chief is not accountable.
- The benefits of health insurance will not change. The retirement classification will remain the same.
- Your salary will be adjusted from \$24.68 to \$29.00 per hour.
- You are expected to be on call at all time and available by cell phone to the Town Administrator, or other as approved by the Mayor of Lake Placid
- All employees with the town may be reassigned to other areas given abnormal conditions such as hurricanes, etc. as needed.
- All employees with the town are expected to be available if needed during emergency periods such as hurricanes or pandemics.
- You are subject to all personnel policies for the town. The policies are maintained on the town's website at <http://www.lakeplacidfl.net/admin/employees.html>. The password for the pdf policy document is 4411581. You are responsible to hold your staff accountable to town personnel policies as well as establishing policies for your department on police related areas.
- The positions benefits are subject at all time to adjustment by town council. At the time of this appointment, in addition to other benefits described herein and not herein, the position includes a furnished vehicle. Since the Police Chief is required to be on call 24/7, and is required to attend some social and training events, the Police Chief is able to use the vehicle at all times and to transport family members in same as is necessary to subsequent to town business.
- You are encouraged to develop your education as it relates to Police Chief and Human Resources.
- It is my hope that you become the best Police Chief Lake Placid has ever had and I hereby commit to support you in that quest.

This agreement is made in within the period when the Town Administrator has announced his retirement and as such, also expressly asserts the Mayor's support of this decision to appoint Mark Schneider as Police Chief.

ACCEPTED BY: _____ DATE: _____
Mark Schneider

ADMINISTERED BY: _____
Mayor John M. Holbrook

ADMINISTERED BY: _____
Town Administrator Phil Williams

**TOWN OF LAKE PLACID
AGENDA ITEM INTRODUCTION
(Town Supervisor)**

MEETING DATE: 19 May 2023

MEETING TYPE: Special Meeting of the Town Council

AGENDA ITEM # 2

TITLE: Appointment of Town Supervisor.

PLACED ON AGENDA BY: Mayor John Holbrook

STATEMENT OF ISSUE: Mayor Holbrook's appointment and the Town Council's Consent to the appointment of the Town Supervisor according to Section 408, Town Charter.

FISCAL IMPACT: Depends upon the salary of the Town Supervisor.

ATTACHED ITEMS:

- Appointment and Resolution Consenting to the appointment of Phil Williams.
- Proposed Appointment and Resolution Consenting to the appointment of the Town Supervisor.
- Proposed Appointment and Resolution Consenting to the appointment of the Interim Town Supervisor.

PROPOSED ACTION:

BY THE MAYOR: SUBJECT TO THE CONSENT OF THE TOWN COUNCIL, I APPOINT _____ AS (INTERIM) TOWN SUPERVISOR.

BY THE TOWN COUNCIL: I MOVE THAT THE TOWN COUNCIL ADOPT THE PROPOSED RESOLUTION APPOINTING THE (INTERIM) TOWN SUPERVISOR.

**MAYOR JOHN HOLBROOK'S APPOINTMENT AND THE
LAKE PLACID TOWN COUNCIL'S CONCURRING
RESOLUTION FOR THE APPOINTMENT OF PHIL
WILLIAMS AS TOWN ADMINISTRATOR.**

John Holbrook, Mayor of the Town of Lake Placid (Mayor Holbrook), and the **Lake Placid Town Council** (Town Council), both and collectively determine, delegate, appoint and resolve as follows:

SECTION 1. AUTHORITY. The Charter of the Town of Lake Placid, Florida contains the following provisions regarding the selection, appointment, authority and responsibility of a Town Administrator. In relevant part, the Town Charter provides:

TOWN CHARTER. Article III, Powers of the Town.

Section 301. Powers enumerated. Subpart (b). To organize and regulate its internal affairs and to establish, alter, abolish and terminate offices, positions and employments, including citizen board positions; define functions, powers and duties; and fix their term, tenure and composition.

TOWN CHARTER. Article IV. Legislative.

Section 405. Mayor. The Mayor shall be elected by the electors of the town and shall serve for a term of four (4) years. The Mayor shall be both chief executive officer and chief administrative officer of the town and shall preside at all meetings of the Council. The Mayor may not vote on any matters before the Council, but shall vote to break a tie.

Section 407. Appointment of town employees. The Mayor, with the consent of the Town Council, shall from time to time appoint employees of the town. These shall include, but not be limited to, Police Chief, Fire Chief, Town Clerk, Town Attorney, Town Supervisor, employees or technical consultants. No Councilman may hold any town employment during the term for which he was elected to the Council; and no former Councilman shall hold any compensated town employment until one (1) year after vacating the office to which he was elected. Any two (2) or more appointive positions in and for the town may be held by the same person.

Section 408. Supervision of departments. Except as otherwise provided in this Charter, the Mayor shall be responsible for the supervision and direction of all departments,

agencies or offices of the town. All departments, agencies and offices shall be administered by the officer appointed by and subject to the direction and supervision of the chief administrative officer.

SECTION 2. TOWN ADMINISTRATOR. John Holbrook, Mayor of the Town of Lake Placid and the Lake Placid Town Council, both acting under the authority of the Charter of the Town of Lake Placid, take the following actions:

- A. Town Administrator.** There is hereby created the position of Lake Placid Town Administrator, to have the powers, responsibility, authority and duties set out below.
- B. Appointment and delegation of authority by the Mayor.** John Holbrook, Mayor of the Town of Lake Placid hereby directs, authorizes and delegates to the Town Administrator the herein listed powers, duties and responsibilities. Mayor Holbrook retains the authority to supervise and direct the Town Administrator, and the power to revoke these actions.
- C. Town Council.** The Town Council joins and concurs with the appointment of Phil Williams as Town Administrator; and the delegation of the stated powers, responsibility, and authority of the Town Administrator to Phil Williams. Members of the Town Council may not direct the Town Administrator. The creation of the position of Town Administrator does not create or otherwise expand the administrative authority of the Town Council. Any member of the Town Council may convey their concerns on any issue to the Town Administrator. However, any attempt by a member of Council to privately direct the Town Administrator shall be by the Town Administrator reported in writing to the Mayor and Town Council at the next meeting of the Town Council.
- D. Amendment, rescission, and termination.** The Mayor may rescind this appointment upon ten days written notice to the Town Administrator and Town Council. The Town Council may rescind this appointment by majority vote at any regular or special Town Council meeting.

SECTION 3. DIRECTION. All Town department heads, are hereby notified that Phil Williams, as Town Administrator, is their supervisor, according to the terms of this appointment. Complaints regarding the Town Administrator shall be made in writing, signed by the submitting party, and delivered to Mayor John Holbrook.

SECTION 4. TOWN ADMINISTRATOR'S SCOPE OF WORK. The Town Administrator shall be responsible for the supervision and direction of all departments and employees of the Town of Lake Placid, except the Town Attorney. The Mayor and Members of the Town Council shall not direct or influence any Town Employee on any matter. The Town Administrator's duties include the following (by way of example and not limitation), to wit:

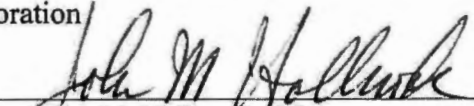
- A.** Supervises and directs all Town department heads, and contractor and franchise entitites.
- B.** Serves as the Town's point of contact.
- C.** Attends all Town Council Meetings.
- D.** Communicates official plan, policies and procedures to staff and the general public.
- E.** Carries out inter-governmental relations with other agencies.
- F.** Directs a high level of customer service to internal and external customers.
- G.** Develop and present a Town strategic plan to the Mayor and Town Council. Implement the adopted strategic plan.
- H.** Develop, present to Town Council and upon adoption, implement a Town Budget.
- I.** Assures that assigned areas of responsibility are performed within the budget:
 - i.** Performs cost control activities.
 - ii.** Monitors revenues and expenditures to assure sound fiscal control.
 - iii.** Assists Department Heads in preparing their annual budget requests, then finalizes the budget for submission to the Town Council.
 - iv.** Assures effective and efficient use of budgeted funds, personnel, materials, facilities, and time.

SECTION 5. SALARY. The Town of Lake Placid shall pay Phil Williams the sum of \$71,000.00 per year on an annualized basis for his services as Town Administrator.

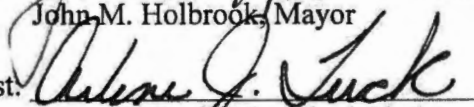
DELEGATED, APPOINTED, RESOLVED AND APPROVED this fourth day of February 2013 by John Holbrook, Mayor of the Town of Lake Placid.

TOWN OF LAKE PLACID, a Florida municipal corporation

By:


John M. Holbrook, Mayor

Attest:


Arlene J. Tuck, Municipal Clerk

(SEAL)

**MAYOR JOHN HOLBROOK’S APPOINTMENT AND THE
LAKE PLACID TOWN COUNCIL’S CONCURRING
RESOLUTION FOR THE APPOINTMENT OF INTERIM
TOWN SUPERVISOR**

John Holbrook, Mayor of the Town of Lake Placid (“Mayor Holbrook”), and the **Lake Placid Town Council** (“Town Council”), both and collectively determine, delegate, appoint and resolve as follows:

SECTION 1. AUTHORITY.

A. Article VIII, Section 2(b) of the Florida Constitution grants to municipalities the power to conduct municipal government, perform municipal functions, render municipal services, and exercise any power for municipal purposes except as otherwise provided by law; and

B. Section 166.021, Florida Statutes, secures for municipalities the broad exercise of home rule powers granted by the Florida Constitution; and

C. Section 301 (b), of the Town Charter, entitled “Powers Enumerated” provides that the Town shall have the powers, among other things: “To organize and regulate its internal affairs and to establish, alter, abolish and terminate offices, positions and employments, including citizen board positions; define functions, powers and duties; and fix their term, tenure and composition.”

D. Section 405 of the Town Charter, entitled “Mayor” provides that: The Mayor shall be elected by the electors of the Town and shall serve for a term of four (4) years. The Mayor shall be both chief executive officer and chief administrative officer of the Town and shall preside at all meetings of the Council. The Mayor may not vote on any matters before the Council, but shall vote to break a tie.

E. Section 407 of the Town Charter, entitled “Appointment of Town employees” provides in relevant part: The Mayor, with the consent of the Town Council, shall from time to time appoint employees of the Town. These shall include, but not be limited to, Police Chief, Fire Chief, Town Clerk, Town Attorney, **Town Supervisor**, employees or technical consultants.

F. Section 408 of the Town Charter, entitled “Supervision of Departments” provides: Except as otherwise provided in this Charter, the Mayor shall be responsible for the supervision and direction of all departments, agencies or offices of the Town. All departments, agencies and offices shall be administered by the officer appointed by and subject to the direction and supervision of the chief administrative officer.

SECTION 2. INTERIM TOWN SUPERVISOR. John Holbrook, Mayor of the Town of Lake Placid and the Lake Placid Town Council, both acting under the above authority, take the following actions:

A. Interim Town Supervisor. The position of Lake Placid Interim Town Supervisor is hereby created and shall have the powers, responsibility, authority and duties set out herein.

B. Delegation of Authority. John Holbrook, Mayor of the Town of Lake Placid and the Lake Placid Town Council hereby directs, authorizes and delegates to the Interim Town Supervisor the herein listed powers, duties and responsibilities. Mayor John Holbrook retains the authority to supervise and direct the Interim Town Supervisor.

C. Appointment of Interim Town Supervisor. Mayor John Holbrook appoints and the Lake Placid Town Council consents to the appointment of _____ as Interim Town Supervisor. Individual members of the Town Council may not direct the Interim Town Supervisor. The creation of the position of Interim Town Supervisor does not create or otherwise expand the administrative authority of the Town Council. Any member of the Town Council may convey their concerns on any issue to the Interim Town Supervisor.

D. Amendment, Rescission, and Termination. The Mayor may rescind this appointment upon ten days' written notice to the Interim Town Supervisor and Town Council. The Town Council may rescind this appointment by majority vote at any regular or special Town Council meeting.

SECTION 3. DIRECTION. All Town department heads are hereby notified that the Interim Town Supervisor, is their supervisor, according to the terms of this appointment. Complaints regarding the Interim Town Supervisor shall be made in writing, signed by the submitting party, and delivered to Mayor John Holbrook.

SECTION 4. INTERIM TOWN SUPERVISOR'S SCOPE OF WORK. The Interim Town Supervisor shall be responsible for the supervision and direction of all departments and employees of the Town of Lake Placid, except the Town Attorney. The Mayor and Members of the Town Council shall not direct or influence any Town Employee on any matter. The Interim Town Supervisor's duties include the following (by way of example and not limitation), to wit:

- A.** Supervises and directs all Town department heads, contractors and franchise entities.
- B.** Serves as the Town's point of contact.
- C.** Publishes the agendas for and attends all Town Council Meetings.
- D.** Communicates official plan, policies and procedures to staff and the general public.
- E.** Carries out inter-governmental relations with other agencies.
- F.** Directs a high level of customer service to internal and external customers.

G. Develops, presents to Town Council and upon adoption, implements a Town Budget.

H. Assures that assigned areas of responsibility are performed within the budget:

i. Performs cost control activities.

ii. Monitors revenues and expenditures to assure sound fiscal control.

iii. Assists Department Heads in preparing their annual budget requests, then finalizes the budget for submission to the Town Council.

iv. Assures effective and efficient use of budgeted funds, personnel, materials, facilities, and time.

SECTION 5. SALARY. The Town of Lake Placid shall pay the Interim Town Supervisor the sum of \$ _____ per year on an annualized basis.

DELEGATED, APPOINTED, RESOLVED AND APPROVED this 19th day of May 2023 by John Holbrook, Mayor of the Town of Lake Placid and the Lake Placid Town Council.

TOWN OF LAKE PLACID, a Florida municipal corporation

By: _____
John M. Holbrook, Mayor

(SEAL)

Attest: _____
Municipal Clerk

**MAYOR JOHN HOLBROOK’S APPOINTMENT AND THE
LAKE PLACID TOWN COUNCIL’S CONCURRING
RESOLUTION FOR THE APPOINTMENT OF TOWN
SUPERVISOR**

John Holbrook, Mayor of the Town of Lake Placid (“Mayor Holbrook”), and the **Lake Placid Town Council** (“Town Council”), both and collectively determine, delegate, appoint and resolve as follows:

SECTION 1. AUTHORITY.

A. Article VIII, Section 2(b) of the Florida Constitution grants to municipalities the power to conduct municipal government, perform municipal functions, render municipal services, and exercise any power for municipal purposes except as otherwise provided by law; and

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C. Section 301 (b), of the Town Charter, entitled “Powers Enumerated” provides that the Town shall have the powers, among other things: “To organize and regulate its internal affairs and to establish, alter, abolish and terminate offices, positions and employments, including citizen board positions; define functions, powers and duties; and fix their term, tenure and composition.”

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SECTION 2. TOWN SUPERVISOR. John Holbrook, Mayor of the Town of Lake Placid and the Lake Placid Town Council, both acting under the above authority, take the following actions:

A. Town Supervisor. The position of Lake Placid Town Supervisor is hereby created and shall have the powers, responsibility, authority and duties set out herein.

B. Delegation of Authority. John Holbrook, Mayor of the Town of Lake Placid and the Lake Placid Town Council hereby directs, authorizes and delegates to the Town Supervisor the herein listed powers, duties and responsibilities. Mayor John Holbrook retains the authority to supervise and direct the Town Supervisor.

C. Appointment of Town Supervisor. Mayor John Holbrook appoints and the Lake Placid Town Council consents to the appointment of _____ as Town Supervisor. Individual members of the Town Council may not direct the Town Supervisor. The creation of the position of Town Supervisor does not create or otherwise expand the administrative authority of the Town Council. Any member of the Town Council may convey their concerns on any issue to the Town Supervisor.

D. Amendment, Rescission, and Termination. The Mayor may rescind this appointment upon ten days' written notice to the Town Supervisor and Town Council. The Town Council may rescind this appointment by majority vote at any regular or special Town Council meeting.

SECTION 3. DIRECTION. All Town department heads are hereby notified that the Town Supervisor, is their supervisor, according to the terms of this appointment. Complaints regarding the Town Supervisor shall be made in writing, signed by the submitting party, and delivered to Mayor John Holbrook.

SECTION 4. TOWN SUPERVISOR'S SCOPE OF WORK. The Town Supervisor shall be responsible for the supervision and direction of all departments and employees of the Town of Lake Placid, except the Town Attorney. The Mayor and Members of the Town Council shall not direct or influence any Town Employee on any matter. The Town Supervisor's duties include the following (by way of example and not limitation), to wit:

- A.** Supervises and directs all Town department heads, contractors and franchise entities.
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i. Performs cost control activities.

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iii. Assists Department Heads in preparing their annual budget requests, then finalizes the budget for submission to the Town Council.

iv. Assures effective and efficient use of budgeted funds, personnel, materials, facilities, and time.

SECTION 5. SALARY. The Town of Lake Placid shall pay the Town Supervisor the sum of \$ _____ per year on an annualized basis.

DELEGATED, APPOINTED, RESOLVED AND APPROVED this 19th day of May 2023 by John Holbrook, Mayor of the Town of Lake Placid and the Lake Placid Town Council.

TOWN OF LAKE PLACID, a Florida municipal corporation

By: _____
John M. Holbrook, Mayor

(SEAL)

Attest: _____
Municipal Clerk