

**MINUTES OF THE SPECIAL MEETING  
OF THE LADY LAKE TOWN COMMISSION  
LADY LAKE, FLORIDA**

**January 20, 2016**

The Special Meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Ruth Kussard presiding. The meeting convened at 6:00 p.m.

- A. CALL TO ORDER:** Mayor Ruth Kussard
- B. PROCEDURAL:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*
- C. PLEDGE OF ALLEGIANCE**
- D. INVOCATION<sup>i</sup>:** Reverend Tom Ash – New Song Community Church
- E. ROLL CALL:** Tony Holden, Commissioner Ward 2  
Dan Vincent, Commissioner Ward 3  
Paul Hannan, Commissioner Ward 4  
Jim Richards, Commissioner Ward 5  
Ruth Kussard, Mayor/Commissioner Ward 1

**STAFF MEMBERS PRESENT:** Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; Mike Burske, Parks and Recreation Director; John Pearl, I.T. Director; Pam Winegardner, Finance Director; and Nancy Slaton, Deputy Town Clerk

**F. PUBLIC COMMENTS<sup>ii</sup>**

Mayor Kussard asked if there were any comments at this time. There were no comments.

**G. CONSENT<sup>iii</sup>:**

Mayor Kussard asked if there were any questions or comments on the Consent items, and hearing none, asked for a motion.

- 1. Minutes – January 4, 2016 – Special Commission Workshop Meeting and January 4, 2016 Regular Commission Meeting**
- 2. Consideration and Approval of the Microsoft Enterprise Agreement Renewal (John Pearl)**

The background summary for this agenda item is on file in the Clerk's Office. It states that on December 3, 2012, the Town Commission approved staff's recommendation to accept the SHI Microsoft Enterprise Agreement proposal to enter into a three-year software licensing agreement. (Please see attached documentation.) That agreement provided licensing for various Microsoft server and client operating systems and applications. It is now expiring.

This request is to renew the enterprise agreement for another three year term. Renewal of the enterprise agreement will allow for the continuance of the software assurance benefit (software upgrades) for the licensing already purchased.

SHI is the sole vendor of the Microsoft Enterprise Agreement in Florida under State Contract #252-001-09-1. Mr. Schroth has reviewed and approved the language of the renewal agreement. The cost for this item has been included in the 2016 budget.

**3. Consideration to Host the Annual Lady Lake Easter Egg Hunt at the Junior Field at the Guava Street Athletic Complex on March 19, 2016 (Mike Burske)**

The background summary for this agenda item is on file in the Clerk's Office. It states that last year, the Lady Lake Easter Egg Hunt volunteers counted over 2,500 people attending the event. The Parks and Recreation Director will be proposing to host this event at the Junior Baseball Field at the Guava Street Athletic Complex. The size of the field and the available parking will assist us in handling a crowd of this size. As in years past, we have many different groups and organizations which assist the Town with this event. Many Chamber members, businesses and churches donate their time, labor and signs for the event. Last year, we had over 30 different groups who supported this event and gave those in our area the ability to have a controlled Easter Egg Hunt. The egg hunt goes for the duration of the event and allows children of similar ages to hunt at the same time. The number of children is also controlled to make sure every child is able to get several eggs.

Some of the groups who assisted last year were the Lady Lake Library, Chamber of Commerce, Girls Scouts, Relay for Life, Steeple People, Life Family Practice, United Southern Bank, Lady Lake Area Rotary Club, First Baptist Church of Lady Lake, Crossroads Community Church, Sonic Drive Thru, Chic-Fil-A, Z88 Radio, Recreation Plantation and the Historical Society. As with any event, the groups and games will change from year to year. As in years past, we have had bounce houses donated for the children and expect the donation once again this year. The businesses who donate their time and efforts are able to advertise who they are and hand out coupons or literature to help support their organization. This is also the practice for the Halloween Party.

To assist with marketing, this event will appear on many websites for different organizations. This gives us great exposure while not having to pay to advertise. We have many different churches and organizations that volunteer to run the egg hunt and the front gate. This gives us the ability to staff the event without utilizing paid staff. Including the running games, we have around 100 people volunteer for this event and assist in the coordination.

This year, we will have the Lady Lake Kiwanis Club as our major sponsor. The Kiwanis Club will invest in Easter eggs for the Town and will also work to staff the event. In return, they will want to be able to advertise that they are partnering with the Town for the egg hunt. The Parks and Recreation Department believes the requests are valid and are happy to have the new partnership.

***Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved Consent Items #G-1 through #G-3 by a vote of 5 to 0.***

H. **OLD BUSINESS:** No old business.

I **NEW BUSINESS:**

**4. Consideration to Reject the Bids for the Guava Street Athletic Complex Concession Stand Project and Approval to Re-Bid the Project (Mike Burske)**

Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on file in the Clerk's office). He stated that as shown in the engineer's bid tabulation, the bids received in November 2015 were very high for the concession stand project; the lowest bid was from Mark Cook Builders at \$468,756.00 and the highest bid was \$754,801.00.

Mr. Burske stated that the Town's goal is a bid in the \$350,000.00 range, and in the new bid request, addendums to the bid will be included for less expensive items to try to reduce the costs.

Commissioner Richards commented that this is the smart thing to do.

*Upon a motion by Commissioner Richards and a second by Commissioner Hannan, the Commission approved the Consideration to Reject the Bids for the Guava Street Athletic Complex Concession Stand Project and to Re-Bid the Project by a vote of 5 to 0.*

**5. Consideration to Invest \$3,250.00 in Commercial Grade Smoke Alarms for the Chamber of Commerce and the Lady Lake Historical Society (Mike Burske)**

Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on file in the Clerk's office). He stated that Aztek Security & Fire Alarm Company has given the Town a quote for \$3,250.00 for a commercial grade alarm system. He stated the alarm will also assist the Lady Lake Historical Society in being able to obtain insurance for the contents of their building if they so choose.

*Upon a motion by Commissioner Holden and a second by Commissioner Hannan, the Commission approved the Consideration to Invest \$3,250.00 in Commercial Grade Smoke Alarms for the Chamber of Commerce and the Lady Lake Historical Society by a vote of 5 to 0.*

**6. Consideration of Approval of the Memorandum of Agreement for Early Voting Site for the 2016 Election Year (Kris Kollgaard)**

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk's office). She stated that the Lake County Supervisor of Elections is requesting to utilize the Lady Lake Library as an early voting site for the Presidential Primary Election for the dates of Feb. 29<sup>th</sup> – Mar. 5<sup>th</sup>, 2016 and Mar. 6<sup>th</sup> – Mar. 12<sup>th</sup>, 2016; for the Primary Election on Aug. 15<sup>th</sup> – Aug. 20<sup>th</sup>, 2016 and Aug. 21<sup>st</sup> – Aug. 27<sup>th</sup>, 2016; and for the General Election for the dates of Oct. 24<sup>th</sup> – 29<sup>th</sup> and Oct. 30<sup>th</sup> – Nov. 5<sup>th</sup>, 2016.

*Upon a motion by Commissioner Hannan and a second by Commissioner Vincent, the Commission approved the Memorandum of Agreement for Early Voting Site for the 2016 Election Year by a vote of 5 to 0.*

J. **TOWN ATTORNEY'S REPORT:**

**7. Ordinance No. 2016-01 – First Reading – Annexation – The Villages of Lake-Sumter, Inc. - Annexing Property Being 0.95 +/- Acres of Land by Robert R. & Jerilyn K. Mowry – Referenced by Alternate Keys 1483077, 2524189, 1672775, 2575026 , 2535385, 2669365, 3239474; 7 Lots - Located within Orange Blossom Gardens Units 2, 3, and 3.1b within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc./Robert R. & Jerilyn K. Mowry, has filed applications to annex properties consisting of seven lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2, 3, and 3.1B. The annexation application involves annexing 0.95 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

Mr. Carroll stated that the present use of the properties is vacant and that staff recommends approval. A map and an aerial view of the properties was shown, as were photos of the postings.

The seven lots are spread out along different roads and include the following addresses:

- 822 Beechwood Avenue
- 916 Kim Lane
- 808 Roseapple Avenue
- 744 Royal Palm Avenue
- 822 Royal Palm Avenue
- 860 Silver Oak Avenue
- 743 Truman Avenue

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application. All lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed properties under this application exist as both contiguous and non-contiguous lots.

The annexation application was received on Wednesday, December 2, 2015, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (122) within 150 feet of the properties proposed by annexation request were mailed Wednesday, December 23, 2015. The properties were posted Monday, December 28, 2015. He stated that no objections or letters of

support have been received from surrounding property owners, although there have been three inquiries on the annexation.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-01, provided comments on January 4, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-01 by a vote of 3-0. The Town Commission is scheduled to consider Ordinance No. 2016-01 for second/final reading on Monday, February 1, 2016 at 6:00 p.m.

Mr. Carroll stated that Martin Dzuro, on behalf of The Villages, is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

*Upon a motion by Commissioner Vincent and seconded by Commissioner Richards, the Commission approved the first reading of Ordinance No. 2016-01 by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**8. Ordinance No. 2016-02 – First Reading – Small Scale Future Land Use Comprehensive Plan Amendment –The Villages Of Lake-Sumter, Inc. – Small Scale Future Land Use Comprehensive Plan Amendment from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Seven Lots of Approximately 0.95 +/- Acres – Referenced by Alternate Keys 1483077, 2524189, 1672775, 2575026 , 2535385, 2669365, 3239474 - Located within Orange Blossom Gardens Units 2, 3, and 3.1b within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc./Robert R. & Jerilyn K. Mowry, has filed applications to amend the future land use comprehensive plan for properties consisting of seven lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2, 3, and 3.1B. The application involves changing 0.95 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. He stated that staff recommends approval of this ordinance.

The proposed properties are as follows:

- 822 Beechwood Avenue
- 916 Kim Lane
- 808 Roseapple Avenue
- 744 Royal Palm Avenue
- 822 Royal Palm Avenue
- 860 Silver Oak Avenue

- 743 Truman Avenue

A map showing the location of the properties was shown, as was the Future Land Use Map.

The Small Scale Future Land Use Map Amendment application was received on Wednesday, December 2, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Concurrency Determination Statement: The Villages has removed existing manufactured homes on six of the lots in a historic section of The Villages known as Orange Blossom Gardens to construct a similar size conventional built home on each lot. There will be no increase in utility services, traffic, population, or recreation use.

Mr. Carroll reported there will be no impact on Town services as shown below:

- Potable Water – No impact, lots are served by the Village Center Community Development District Central Water System.
- Sewer – No impact, lots are served by the Village Center Community Development District Central Sewer System.
- Schools – Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.
- Transportation – No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.
- Parks & Recreation – The annexation, small scale future land use amendment, and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, The Villages provides its residents with all park and recreation amenities.
- Stormwater – Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Applications have been reviewed and determined to be complete. The applicant has submitted all appropriate material in compliance with the Land Development Regulations (LDRs) and the application is ready for transmittal to the Town Commission. Additionally, the applications were reviewed and determined to be in compliance with the directives of the adopted Comprehensive Plan in accordance with the sought designation. A Concurrency Determination Statement has also been included as part of the Small Scale Comprehensive Plan Amendment Application, which the applicant submitted to explain expected impacts on Town Services.

The subject properties involve approximately 0.95 ± acres lies in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

### **Future Land Use**

Subject Properties	Lake County Medium Urban Density
<b>Future Land Use of Adjacent Properties</b>	
West	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
East	Lake County – Medium Urban Density
North	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)
South	Lake County – Medium Urban Density & Lady Lake- Manufactured Home High Density (MH-HD)

Comments:

- 1) Annexation and Rezoning Applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.
- 2) In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if The Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.
- 3) Project will be required to adhere to St. John’s River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Mr. Carroll reported that notices to inform the surrounding property owners (122) within 150’ of the property of the proposed annexation were mailed on Wednesday, December 23, 2015. The properties were posted on Monday, December 28, 2015. He stated there have been no objections received to date.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-02, provided comments on January 4, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-02 by a vote of 3-0. The Local Planning Agency considered Ordinance No. 2016-02 earlier this same day (at 5:45 p.m.) and recommended approval by a vote of 5-0. The Town Commission is scheduled to consider Ordinance No. 2016-02 for second/final reading on Monday, February 1, 2016 at 6:00 p.m.

Mr. Carroll stated that Martin Dzuro, on behalf of The Villages, is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

***Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2016-02 by the following roll call vote:***

<b><i>HOLDEN</i></b>	<b><i>YES</i></b>
<b><i>VINCENT</i></b>	<b><i>YES</i></b>
<b><i>HANNAN</i></b>	<b><i>YES</i></b>
<b><i>RICHARDS</i></b>	<b><i>YES</i></b>
<b><i>KUSSARD</i></b>	<b><i>YES</i></b>

**9. Ordinance No. 2016-03 – First Reading – Rezoning – The Villages of Lake-Sumter, Inc. – Rezoning from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) for Seven Lots Consisting of Approximately 0.95 +/- Acres of Land – Referenced by Alternate Keys 1483077, 2524189, 1672775, 2575026 , 2535385, 2669365, 3239474 - Located within Orange Blossom Gardens Units 2, 3, and 3.1b within Lake County, Florida (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc./Robert R. & Jerilyn K. Mowry, has filed an application concurrently with the annexation and Small Scale Future Land Use Comp Plan Amendment to rezone properties consisting of seven lots located north of Griffin Avenue and northeast of North Highway 27/441 within the Orange Blossom Garden Subdivisions Units 2, 3, and 3.1B. The application involves rezoning 0.95 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in The Villages which are presently in the Town of Lady Lake's jurisdiction. He stated staff recommends approval of this ordinance.

The proposed properties are as follows:

- 822 Beechwood Avenue
- 916 Kim Lane
- 808 Roseapple Avenue
- 744 Royal Palm Avenue
- 822 Royal Palm Avenue
- 860 Silver Oak Avenue
- 743 Truman Avenue

A map depicting the properties was shown, as was a zoning map of the area.

The rezoning application was received on Wednesday, December 2, 2015, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (122) within 150' of the property of the proposed annexation were mailed on Wednesday, December 23, 2015. The properties were posted on Monday, December 28, 2015.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

**Zoning**

Subject Property	Lake County Residential Medium (RM)
<b>Zoning of Adjacent Properties</b>	
West	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Residential Medium (RM)
North	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)
South	Lake County Residential Medium (RM) Lady Lake- Mixed Residential Medium Density (MX-8)

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-03, provided comments on January 4, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-03 by a vote of 3-0. The Town Commission is scheduled to consider Ordinance No. 2016-03 for second/final reading on Monday, February 1, 2016 at 6:00 p.m.

Mr. Carroll stated that Martin Dzuro, on behalf of The Villages, is present if there are any questions.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

*Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved the first reading of Ordinance No. 2016-03 by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**10. Ordinance No. 2016-04 – Second/Final Reading – Suspension of the Supplemental Education Assistance Fee (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk’s office). He stated that on September 29, 2015, the Lake County Board of County Commissioners approved Ordinance No. 2015-40 which provided for the increase of the educational impact fees for all residential construction within the county, both unincorporated and within municipalities, to one-hundred percent (100%) of the recommended amount in accordance with the Lake County Schools Educational Facilities Update Study dated July 16, 2015. Due to the adoption of Ordinance No. 2015-40, supplemental educational assistance fee cannot be imposed by the Town of Lady Lake, because effective January 11, 2016, 100% of the recommended amount for the impact fee is to be collected in full by the Lake County Board of County Commissioners.

Mr. Carroll stated that at this time, the Town of Lady Lake must suspend collection of the Supplemental Education Assistance Fee to a date uncertain. He stated that staff recommends

approval of Ordinance No. 2016-04 suspending collection of the Supplemental Education Assistance Fee retroactively from January 11, 2016 to a date uncertain.

As per the Impact Fee Study prepared by Tindale Oliver, dated July 16, 2015 (with Table 11 revised August 19, 2015), the Public School Impact Fee per Dwelling Unit was recommended to be \$9,324 for single family homes; \$8,045 for Multi-family dwellings, and \$5,856 for Mobile Home/Mobile Home Parks. Age-restricted communities remain exempt. Below are the adopted rates as per Ordinance No. 2015-40, assessing the full amount.

<u>Dwelling Type</u>	<u>Impact Fee</u>
Single Family Homes	\$9,324
Multi-Family	\$8,045
Mobile Home	\$5,856

The Town of Lady Lake has \$1,619,676.11 in Supplemental Education Impact Fees as of October 31, 2015. The fees may be used for the following:

Code of Ordinances, Sec. 13-25. - Use of supplemental education assistance fees.

- (a) Any supplemental education assistance fee collected by the town shall be held by them in a trust account separate and distinct from all other revenues. The supplemental education assistance fee funds shall be held by the town until a request for funds is received from the Lake County School Board. Any transfer of funds to the school board shall be subject to town commission approval. All transferred funds shall be held by the school board in the supplemental education assistance fee trust account. Five percent (5%) of the funds collected shall be retained by the town as an administrative fee for collecting and transmitting the funds.
- (b) Supplemental education assistance fees shall, upon receipt by the school board, be deposited in a separate trust account established and maintained by the school board. Such account shall be designated as the "Supplemental Education Assistance Fee Trust Account" and shall be maintained separate and apart from all other accounts of the school board.
- (c) The school board shall maintain adequate records to justify all expenditures from the supplemental education assistance fee trust account. Upon reasonable notice, the town shall have access to such books, records and documents relating to the supplemental education assistance fee trust account for the purpose of inspection or audit. The town has the right, but not the duty, to audit the school board's supplemental education assistance fee trust account at the town's sole cost and expense.
- (d) The monies deposited into the supplemental education assistance fee trust account shall be used solely in the Town of Lady Lake's utility service area boundary for the purpose of providing growth-necessitated capital improvements to educational plants and ancillary plants of the educational system including, but not limited to:
  - (1) Land acquisition, including any cost of acquisition;
  - (2) Fees for professional services, including but not limited to architecture, engineering, surveying, feasibility determinations, landscaping, soils and material testing, legal appraisals, and construction management;

- (3) Design and construction documents;
- (4) Site development, site-related improvements and improvements incidental to the construction thereto; on-site and off-site;
- (5) Any permitting or application fees necessary for the construction;
- (6) Design and construction of educational plants and ancillary plants;
- (7) Design and construction of drainage facilities required by the construction of educational plants and ancillary plants or improvements thereto;
- (8) Relocating utilities required by the construction of educational plants and ancillary plants or improvements or additions thereto;
- (9) Acquisition of furniture and equipment necessary to accommodate students, faculty, administrators, staff and the activities of the educational programs and services at educational plants which are necessitated by growth;
- (10) Payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the school board to fund growth-necessitated improvements and additions to the educational system.

Code of Ordinances, Sec.13-26. - Permissible allocation of funds: All funds held in the supplemental education assistance fee trust account may be allocated to fund charter schools or allocated to other such legally permissible causes as the town commission directs. The Town of Lady Lake is not required to remit any fees to the Lake County School Board, but may, should it decide to do so.

Mr. Carroll reported that the Town Commission voted 5-0 for approval of Ordinance No. 2016-04 at first reading on Monday, January 4, 2016.

Mayor Kussard asked if the Commissioners or anyone from the audience had any questions, and hearing none, asked for a motion.

*Upon a motion by Commissioner Richards and seconded by Commissioner Vincent, the Commission approved the second/final reading of Ordinance No. 2016-04 by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**11. Ordinance No. 2016-07 – First Reading – Amending The Town of Lady Lake Land Development Regulations Chapter 9, Miscellaneous Regulations; Adding Section 9-10, Entitled Facade Improvement Program (Thad Carroll)**

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that a draft ordinance was included in the packet for consideration by the Town Commission pertaining to an amendment to the Town of Lady Lake Land Development Regulations Chapter 9, Miscellaneous Regulations; Adding Section 9-10, Entitled Façade Improvement Program.

Mr. Carroll reported that staff previously prepared a draft "Façade Improvement Program" document for consideration by the Economic Development Advisory Committee (EDAC) at the April 29, 2014 meeting. He stated that the draft outlined the qualifications for the program, procedures, and eligibility for the committee's consideration; and since that time, the draft ordinance was submitted to the Town Attorney for review and has been approved.

Mr. Carroll stated that at this time, the ordinance has been prepared in its final form and is ready for consideration for approval by the Town Commission to implement the program, as recommendations from the Planning and Zoning Board and the Economic Development Advisory Committee (EDAC) have been made. This fiscal year, the budget for EDAC activities has been established at \$7,500. The intent is to allocate funds for two grants this fiscal year, leaving \$2,500 for other operational expenses. Staff is seeking an approval of Ordinance No. 2016-07 by the Town Commission.

Mr. Carroll reviewed some of the highlights of the ordinance, as follows:

***Eligibility Requirements.*** To participate in the Façade Improvement Program, the structure must be:

1. located within the Downtown Redevelopment Area Boundary (see Figure A below). (Applicants within the Downtown Redevelopment Area will be given priority to the grant award; however, the Town Commission may award the grant to applicants outside of the Downtown Redevelopment Area on a case-by-case basis, provided they meet all other eligibility requirements); and
2. used for a business operating at minimum 20 hours a week; and
3. have a commercial zoning designation (HC, LC, CP, CT).

***Eligible Façade Improvements:*** The Façade Improvement Program is limited to reimbursement for improvements made only to the exterior of commercial structures. Eligible improvements are those on the building elevations that front rights-of-way and are visible to the passers-by on the street. Signs and sign improvements are not eligible for this program. Routine maintenance such as painting, pressure washing, and minor repairs to existing materials alone will not be eligible for reimbursement, but may be an element of the scope of the project. Project components that may qualify for a Façade Grant include, but are not necessarily limited to:

Exterior improvement, restoration, including removal of decayed materials.

- a) Repair, replacement, or installation of new:
  - b) exterior windows
  - c) exterior doors
  - d) awnings
  - e) exterior lighting

- f) painting (only if entire façade is repainted)
- g) roofing materials

**Application Submittals:** Required application submittals shall include:

1. Completed application form
2. Valid Business Tax Receipt for the Town of Lady Lake
3. Documentation that property taxes are current
4. Documentation of no outstanding liens or active Code Enforcement cases within the Town of Lady Lake. (Mr. Carroll noted that this program is not to be used to remedy code enforcement violations.)
5. Detailed budget including three written estimates from licensed contractors to verify costs are within reasonable parameters. Invoice of project costs will have to be submitted.
6. Photo of current Façade (a photo of the completed façade showing all improvements will be required to close the project as well).
7. Scaled drawings clearly illustrating proposed improvements.

A map of the Downtown Redevelopment Area Boundary was shown. Mr. Carroll stated that it is in the older, historical section of downtown with a lot of smaller businesses within this boundary. He noted that this is the focus area where staff would like to see this grant implemented; however, the ordinance is not limited in its application Town-wide. He stated that if there are applications for businesses outside of this boundary, and they are a project that the Commission would like to see funded, it will be the Commission's discretion to award a grant outside of this boundary.

Mr. Carroll reported that the Economic Development Advisory Committee reviewed Ordinance No. 2016-07 at their regular meeting on Tuesday, January 5, 2016 and recommended approval by a vote of 3-0. The Planning and Zoning Board recommended approval of Ordinance No. 2016-07 by a vote of 2-1 at the January 11, 2015 meeting. The Town Commission is scheduled to consider Ordinance No. 2016-07 for second/final reading on Monday, February 1, 2016 at 6:00 p.m.

Mayor Kussard asked if the Commissioners had any questions.

Commissioner Hannan asked if staff or a business owner will file an application for this grant.

Mr. Carroll replied that the business owner would have to come in as applicant, and would have to supply contractor information, what their scope is, etc. He stated staff would review it to assess whether it trips the threshold of the Town's Commercial Design Standards, and once all the necessary items are submitted, staff would put the packet together and bring it before the Commission for their consideration.

Town Manager Kris Kollgaard clarified that the Commission will supply the grants to the business owners. She stated there is \$7,500 in the EDAC line item budget which will include the two \$2,500 grants in the budget, with \$2,500 left to cover other EDAC expenses.

Commissioner Hannan asked if this grant will cover landscaping.

Mr. Carroll replied that landscaping is not written into this grant in its present form. He stated that landscaping can be planted and then die, and is not a permanent improvement; this grant is for permanent improvements.

Commissioner Richards commented that this grant would be a way to get businesses closer to the Town's current Commercial Design Standards so there will be a nice looking community.

Mr. Carroll agreed, stating some projects have been approved that do not quite meet the Town's Commercial Design Standards, although they are progressing closer to the threshold.

*Upon a motion by Commissioner Hannan and seconded by Commissioner Richards, the Commission approved the first reading of Ordinance No. 2016-07 by the following roll call vote:*

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

**K. TOWN MANAGER'S REPORT:**

Town Manager Kris Kollgaard reminded everyone that next Thursday, January 28<sup>th</sup>, the Town will be hosting The Villages Middle School 7<sup>th</sup> grade Civics classes at Town Hall for a chance to experience local government and participate in a mock Commission meeting. She stated it will be open to the public and will begin around 9 a.m.; a pizza lunch will be provided.

Ms. Kollgaard also stated that the Art-in-the Park is scheduled for January 30<sup>th</sup> and 31<sup>st</sup> at the Log Cabin Park.

Ms. Kollgaard reported that staff has met with the Driving Range people regarding parking lot improvements. She stated the engineering costs will be \$13,000, and they were given a rough estimate of the total project. She stated they will get back with staff to see if they are willing to split the costs, and if so, it will be brought before the Commission for their consideration of putting it out to bid.

**L. MAYOR/COMMISSIONER'S REPORT:**

Commissioner Hannan stated he is being challenged using the Microsoft tablet, but that he has used it during this meeting. He stated he has asked the Town Manager for the cost savings if the tablets are used instead of paper packets.

Ms. Kollgaard stated that she has those figures and will e-mail them to the Commissioners. She also stated that if the Commissioners decide they do not want to use the tablets, they will be used to replace the big laptop computers in the patrol cars. She stated that as they come up for replacement, they will be replaced with the tablets as the tablets are cheaper, they do more, and take up less room.

Commissioner Richards commented that one of his nuclear devices was stolen in the Tampa area, and as big as their police force is, they could not send a report on the computers and they said it would take a week to a week and a half. He said the Town's police force should be commended as they have had the computers in the cars for over 20 years.

Commissioner Richards asked if the Police Officer Retirement Trust Fund is doing well and if there will be enough to fund the pensions. He stated that although he saw the report, he was not sure if this shows actuarially if the pensions will be funded.

Ms. Kollgaard stated that according to the actuaries, the fund is doing well. She stated that according to the plan's operating procedures, they are required to have an independent party look at it every couple of years. She stated she is going to point this out to the Police Pension chairperson to remind them to bring this up at the next meeting.

Commissioner Holden stated he has been attending the Police Pension Board meetings for the past couple of years and that he is disappointed that the fund is not building up like he thinks it should. He stated that a workshop for the new board members is going to be scheduled and perhaps this will help.

**M. PUBLIC COMMENTS<sup>iv</sup>**

Mayor Kussard asked if anyone in the audience would like to speak on any item. There were no comments or questions.

**N. ADJOURN:** The meeting was adjourned at 6:29 p.m.

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Kristen Kollgaard, Town Clerk

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Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

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<sup>i</sup> Any invocation that may be offered before the official start of the Commission meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Commission. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Commission, and the Commission is not allowed by law to endorse the religious beliefs or views of this, or any other speaker.

<sup>ii</sup> This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.

<sup>iii</sup> All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

<sup>iv</sup> This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda and it is open to any concern or comments that the public may have.