

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

August 15, 2016

The regular 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. PROCEDURE:** *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. INVOCATION:** Reverend Daniel Burgess – Lady Lake Wesleyan Church
- D. PLEDGE OF ALLEGIANCE** – Led by Lowell Barker
- E. ROLL CALL:** Tony Holden, Commissioner Ward 2
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Ruth Kussard, Mayor/Commissioner Ward 1
- ABSENT:** Dan Vincent, Commissioner Ward 3

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C. T. Eagle, Public Works Director; Chief Chris McKinstry, Police Department; Marsha Brinson, Director of Library Services; Tia O’Neal, Human Resource Director; Pam Winegardner, Finance Director; and Nancy Slaton, Deputy Town Clerk

- F. PUBLIC COMMENTS:** Mayor Kussard asked if there were any comments at this time.
- Larry Edwards of 171 Palermo Ct. publically expressed his appreciation for the Mayor and the Town Manager taking the time to discuss the potential solution to the driving congestion that exists on Rolling Acres Road twice a day near the Villages Elementary School of Lady Lake. He stated they discussed the potential of an access road to the rear of the school that would take some of the strain of traffic off of Rolling Acres Road, and could eliminate some of the need for a police officer to monitor the traffic, which is expensive. Mr. Edwards stated much planning will need to take place to study the feasibility of this proposal, and he urged that this be put on a future agenda for consideration.

Commissioner Hannan commented that he discussed something of this nature with the Town Manager a year or so ago, and found it was not an option at that time.

Town Manager Kris Kollgaard replied that she and Mr. Edwards drove out and looked at some other possibilities that were different from earlier discussions. She stated she will meet with the Growth Management Director, the Public Works Director, and the Police Chief to discuss the pros and cons, and if it looks feasible, a Commission Workshop meeting will be held and the School Board will need to be contacted.

- Mr. Edwards stated he would make himself available if needed for these meetings.

Commissioner Hannan asked if part of the parcel near the school belongs to Benchmark.

Ms. Kollgaard replied that there is some open land near the school and research will need to be done to find who owns the property, although the shopping center belongs to Benchmark.

G. CONSENT:

1. **Minutes – July 12, 2016 – Commission Budget Workshop**
– August 1, 2016 – Commission Meeting

2. **Consideration of Budget Amendment to Increase Solid Waste Revenue and Corresponding Expenses Line Items (Pam Winegardner)**

The background summary for this agenda item is on file in the Clerk’s Office. It states that Amendment BT16-004 increases the Solid Waste Fund by \$127,522.53 due to the original budget being an estimated amount with the actual Solid Waste Collections being higher due to adding The Villages section of Lady Lake to the Town’s Solid Waste contract.

3. **Consideration of an Application for the Edward Byrne Memorial Justice Assistance Grant (JAG) Program (Chris McKinstry)**

The background summary for this agenda item is on file in the Clerk’s Office. It states that law enforcement agencies are continually seeking tools to enhance the investigative process. In order to provide a more efficient method of producing superior quality digital video and audio records, staff is requesting approval to accept the 2016 Edward Byrne Memorial Justice Assistance Grant, if awarded. These funds would be utilized to purchase an enhanced video and audio recording system for the Police Department’s interview room. This system produces a higher quality video and audio than what is currently in existence. It will also enable a more streamlined method to capture, catalog, inventory, store and copy video and audio evidence. It is expected that the Town of Lady Lake’s share of this grant opportunity will be approximately \$5,158.00. The remaining balance of \$619.00 will be covered by budgeted funds in PD General Operating.

4. **Consideration of Holiday Schedules for FY 2016-2017 (Tia O’Neal)**

The background summary for this agenda item is on file in the Clerk’s Office. It states that the FY 2016-2017 holiday schedules (on file) reflect holidays based on the eight and ten-hour work days, and holiday pay is included in the budget.

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

Upon a motion by Commissioner Hannan and a second by Commissioner Richards, the Commission approved Consent Items #G-1 through #G-4 by a vote of 4 to 0.

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

I. **NEW BUSINESS:**

5. Consideration of Proposals from Aztek Systems for Installation/Upgrade of Security Camera Systems for all Town Facilities (C.T. Eagle/Chris McKinstry)

Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the Clerk's office). He stated that in an effort to deter and/or document any potential illegal activities taking place at any of the Town-owned facilities, staff has requested the Town's current security monitoring and maintenance contractor to put together a comprehensive proposal for installation of security cameras. Itemized proposals for each of the Town's facilities were included in the packet. Each facility was assessed for their specific needs. Funding is proposed utilizing surplus budget funds. Mr. Eagle clarified that there were two proposals in the packet labeled as Community Building, and one should have been marked as the Parks and Recreation building.

Commissioner Richards stated his concern that perhaps this proposal should be bid out due to the cost involved. He also mentioned that impact fees could be used for the Parks and Recreation facilities, and enterprise system funds for the wells.

Mr. Eagle stated that this proposal was a unit priced proposal and each unit did not exceed the \$5,000 threshold for procurement. He stated staff is pleased with the work that Aztek Systems has provided this past year. He also stated this is a scaled project and agreed that other funds could be utilized for the parks and wells. Mr. Eagle stated that since each project is priced as a separate unit, one can be removed if the Commission chooses to, and it may be more difficult to get other proposals for separate units rather than as a whole.

Ms. Kollgaard stated that the Town chose Aztek Systems last year after getting several proposals for the alarm systems, and one of the key reasons for choosing them over Simplex-Grinnell and others, other than lower costs, was that they were not proprietary. Simplex-Grinnell would only use their equipment and only they could service it, and their prices kept increasing. She stated Aztek will install the equipment under this proposal but it will belong to the Town.

Commissioner Richards stated he would prefer there be other proposals.

Ms. Kollgaard commented that staff would not be able to put this out to bid and have it awarded prior to October 1st.

Commissioner Hannan asked if there are any failures of equipment at this point.

Police Chief Chris McKinstry replied that some cameras are beginning to fail, although there is not complete coverage at this time. Cameras in the stairwells and the front steps of the library are proposed to protect the Town in the event of a slip and fall or other injury.

Commissioner Richards asked about the additional expenses not included in the current proposal.

Mr. Eagle replied that the only expenses not included in the current proposal would be wiring required by an electrician. He stated that in many instances, facilities maintenance staff could assist with installation including areas such as Heritage Park.

Commissioner Holden stated that he is in favor of this project for security purposes and since the funds are available.

Ms. Kollgaard suggested that staff has time to request three different quotes to ensure the Town is getting the best price available rather than going through the formal bid process.

Mayor Kussard confirmed that there would be time to do this and have the project completed prior to October 1st.

It was the consensus of the Commission to table this item until three quotes can be obtained for the Commission's consideration at the next meeting.

J. TOWN ATTORNEY'S REPORT:

6. Ordinance No. 2016-21 – Second/Final Reading – Annexation – The Villages of Lake-Sumter, Inc. – Annexation of Property Being 0.31 +/- Acres of Land, referenced by Alternate Keys 1482437 & 2582774; Two Lots Located Within Orange Blossom Gardens Unit 1, 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., has filed applications to annex properties consisting of two lots located on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The annexation application involves 0.31 +/- acres of property from unincorporated Lake County into the Town of Lady Lake.

The two lots include the following addresses:

- 1034 Aloha Way
- 1043 Aloha Way

Mr. Carroll stated that staff recommends approval of this ordinance. Maps and aerial views of the two properties were shown, as were photos of the postings.

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 each property has 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 non-contiguous lots.

The annexation application was received on Tuesday, June 14, 2016, 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 transmittal to the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (33) within 150’ of the properties proposed by annexation request were mailed on June 22, 2016, and the properties were posted on June 27, 2016. No objections or letters of support have been received to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed application for Ordinance No. 2016-21, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the July 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-21 by a vote of 4-0. At the August 1, 2016 meeting, the Town Commission voted 4-0 for approval of Ordinance No. 2016-21 upon first reading.

Mr. Carroll stated that Mr. Moyer is present from The Villages if there are any questions.

Mayor Kussard asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-21, by the following roll call vote:

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

Mayor Kussard took a moment to recognize Lake County Commissioner Tim Sullivan who was present in the audience.

7. Ordinance No. 2016-22 – Second/Final Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density for Property Being 0.31 +/- Acres of Land, referenced by Alternate Keys 1482437 & 2582774; Two Lots Located Within Orange Blossom Gardens Unit 1, 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., has filed applications for two lots located on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves 0.31 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. The proposed properties are as follows:

- 1034 Aloha Way
- 1043 Aloha Way

Mr. Carroll stated that staff recommends approval of this ordinance. A map and future land use map were shown.

The Small Scale Future Land Use Map Amendment application was received on Tuesday, June 14, 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 transmittal to the Town Commission.

Concurrency Determination Statement - The Villages has removed existing manufactured homes on two 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 stated there is no impact on Town services, as follows:

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 small scale future land use amendment 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 Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The 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 0.31 ± acres lie 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
Future Land Use of Adjacent Properties	
West	Lake County Medium Urban Density/
East	Lake County – Medium Urban Density
North	Lake County Medium Urban Density/ Lady Lake Manufactured Home High Density
South	Lake County Medium Urban Density

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 the application was received on June 14, 2016. Notices to inform the surrounding property owners (33) within 150’ of the property of the proposed amendment were mailed on June 22, 2016, and the properties were posted on June 27, 2016. No objections or letters of support have been received to date.

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-22, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the July 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-22 by a vote of 4-0. The Local Planning Agency considered Ordinance No. 2016-22 at their meeting on August 1, 2016 and voted 4-0 for approval. The Town Commission voted 4-0 for approval of Ordinance No. 2016-22 upon first reading at their meeting on Monday, August 1, 2016.

Mr. Carroll stated he would address any questions.

Commissioner Hannan asked about Mr. Carroll’s statement regarding the structures being replaced with comparable structures.

Mr. Carroll clarified that the structures will be replaced with single family residences.

Mayor Kussard asked if anyone else had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Richards, the Commission approved the second/final reading of Ordinance No. 2016-22, by the following roll call vote:

<i>HOLDEN</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. 2016-23 – Second/Final Reading – Rezoning – The Villages of Lake-Sumter, Inc. – from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8), for Property Being 0.31 +/- Acres of Land, referenced by Alternate Keys 1482437 & 2582774; Two Lots Located Within Orange Blossom Gardens Unit 1, 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., has filed applications to rezone two lots on Aloha Way within the Orange Blossom Gardens Subdivision Unit 1. The application involves rezoning 0.31 +/- 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. The proposed properties are as follows:

- 1034 Aloha Way
- 1043 Aloha Way

Mr. Carroll stated that staff recommends approval. A map showing the properties and a zoning map were shown.

The Rezoning application was received on Tuesday, June 14, 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 transmittal to the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (33) within 150’ of the property of the proposed rezoning were mailed on June 22, 2016, and the properties were posted on June 27, 2016. No objections or letters of support have been received.

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)
Zoning of Adjacent Properties	
West	Lake County Residential Medium (RM)
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)

Mr. Carroll reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-23, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the July 11, 2016 meeting, the Planning and Zoning Board recommended approval of Ordinance No. 2016-23 by a vote of 4-0. At the August 1, 2016 meeting, the Town Commission voted 4-0 for approval of Ordinance No. 2016-23 upon first reading.

Mr. Carroll stated he would address any questions.

Mayor Kussard asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-23, by the following roll call vote:

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

9. Ordinance No. 2016-24 – Second/Final Reading - An Ordinance of the Town of Lady Lake, Lake County, Florida; Amending The Town of Lady Lake Land Development Regulations (Ordinance No. 2014-04); Chapter 1, Article III, Section 1-83; Entitled “Code Enforcement Special Magistrate”; Providing for A Procedure for Stipulation Agreements (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 over the course of the past few months, Growth Management staff has received many inquiries regarding the purchase of listed properties for sale within the Town of Lady Lake. However, in many cases, these properties have accrued costly code enforcement liens; many of which still continue to accrue due to their status of non-compliance of a violation.

At present, the Town has a procedure under the Land Development Regulations, Section 1-83, h), 5), whereby an individual or corporation may purchase a property that is not in compliance with the Town’s Code of Ordinances and/or Land Development Regulations; then bring that property into compliance; and subsequently ask for a lien reduction by the Town Commission based upon their efforts to bring the property into a satisfactory state. Although the process does afford the purchaser the potential for relief of large lien accruals, to many speculative purchasers, the process does not provide any assurance of such relief and the amount by which the liens will be reduced remains unknown. As a result, having no guarantee of what the purchaser will ultimately be responsible to pay following the lien reduction has left many properties within the Town in a state of vacancy, and in some cases, blight.

Mr. Carroll stated that staff is proposing a process under Ordinance No. 2016-24 whereby a potential purchaser can come before the Town Commission *before* the purchase of property is made to orchestrate a stipulation agreement. This agreement shall define the timeline and manner in which the property will be brought into compliance. In exchange, the property purchaser will be provided a set figure for which they will be responsible to pay provided that they satisfy all conditions of the agreement. In the event that the terms of the agreement are not adhered to, the liens are reinstated to their original amounts and the agreement shall be deemed void.

It is the intent that such agreements will provide potential purchasers the assurance they need to acquire properties that are in need of improvement and repair, thereby reducing the number of vacant and derelict parcels within the Town. Essentially, the purpose of the ordinance is to improve and preserve the land values within the neighborhoods of our community.

Staff recommends approval of Ordinance No. 2016-24, establishing the process whereby these stipulation agreements can be created and used as an additional tool for code enforcement compliance and neighborhood stabilization.

Mr. Carroll reported that at first reading on August 1, 2016, the Town Commission voted 4-0 for approval of Ordinance No. 2016-24 with a recommendation to amend language in the policy. The following language has been added to the policy since first reading:

The initial recommendation of Town staff shall be to set the reduction to 25% of the value of the property if the accrued liens have exceeded that amount, or to \$5,000, whichever is less. The Town Commission retains the right to reduce the amount further or to not reduce the amount at all based upon the evidence of the party seeking to enter into the agreement.

Commissioner Richards and Commissioner Holden both commented that they liked the added language.

Mayor Kussard asked if anyone had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-24 by the following roll call vote:

<i>HOLDEN</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 reported that the Police Pension Board interviewed three attorneys and selected Kevin Stone of Stone & Gurken, P.A. from Mount Dora. She stated that a contract has been drawn up and reviewed by the Board members, and they are moving forward with having it executed.

Commissioner Hannan asked the term of the contract.

Ms. Kollgaard replied that the term is indefinite but can be terminated with a 30-day notice by either party; this is the same as the contract with the previous firm.

L. MAYOR/COMMISSIONER’S REPORT:

Commissioner Holden commented that he was glad an attorney has been selected for the Police Pension Board.

M. PUBLIC COMMENTS:

Mayor Kussard asked if there were any further questions or comments. There were no questions or comments.

N. ADJOURN: The meeting was adjourned at 6:26 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk