

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

November 21, 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 Dr. Paul Harsh – First Baptist Church of Lady Lake
- 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
Dan Vincent, Commissioner Ward 3
Ruth Kussard, Mayor/Commissioner Ward 1

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Attorney Sasha Garcia for Town Attorney Derek Schroth; Wendy Then, Town Planner; C. T. Eagle, Public Works Director; Mike Burske, Parks and Recreation Director; Marsha Brinson, Library Director; Chief Chris McKinstry, Police Department; Pam Winegardner, Finance Director; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTS: Mayor Kussard asked if there were any comments by the public. There were no comments at this time.

G. ACKNOWLEDGMENT OF ELECTION RESULTS:

1. Election Results from the November 8, 2016 General Election – Supervisor of Elections Office (Kris Kollgaard)

Town Manager Kris Kollgaard reported on the results of the general election on November 8, 2016. She reported that per the Canvassing Board of Lake County Certificate, for Lady Lake Town Commissioner Ward Two, Anthony Holden was re-elected based on receiving 535 votes versus Andrew LoFaro with 292 votes.

H. COMMISSION SWEARING-IN CEREMONY: Anthony Holden, Ward Two
Paul Hannan, Ward Four

Town Manager Kris Kollgaard conducted the Swearing-In Ceremony by administering the Oath of Office to Commissioner Tony Holden, Ward 2; and Commissioner Paul Hannan, Ward 4.

I. CONSIDERATION OF SELECTION OF MAYOR AND MAYOR PRO-TEM FOR 2016-2017

Mayor Kussard thanked the Commissioners for what she believed was a good year for the residents. She stated many items were accomplished such as lowering ad valorem taxes and paying off the library loan. She stated although the Commissioners do not always agree, they try to do what is best for the residents. Mayor Kussard thanked Commissioner Richards for stepping up as Mayor Pro Tem when she could not be here. She stated she has enjoyed serving as Mayor the past three years as it has given her the opportunity to meet wonderful people and speak before many clubs, organizations and groups representing the Town of Lady Lake. She stated she would like to give this opportunity to another commissioner and nominated Commissioner Richards.

Commissioner Kussard nominated Commissioner Richards to act as Mayor for the next one-year period; Commissioner Hannan seconded the motion, and the motion passed by a vote of 5-0.

Mayor Richards thanked Commissioner Kussard for all she did. He asked for a nomination for Mayor Pro Tem.

Commissioner Hannan nominated Commissioner Kussard as Mayor Pro-Tem for next one-year period; Commissioner Holden seconded the motion, and the motion passed by a vote of 5-0.

Commissioner Kussard passed the gavel to Mayor Richards.

J. CONSIDERATION OF SELECTION OF COMMISSION LIAISONS FOR 2016-2017

Mayor Richards asked if any Commissioner would like to comment on the liaisons for this year.

Commissioner Vincent stated he would like to be the liaison for the Florida League of Cities as he is now an officer of the organization.

Commissioner Hannan stated he has been the liaison for the last five or so years and he would like to remain as liaison.

It was the consensus of the Commissioners to assign Commissioner Vincent to act as liaison for Florida League of Cities, with Commissioner Hannan to act as alternate.

Mayor Richards thanked Commissioner Hannan for his past reports.

Ms. Kollgaard confirmed with Commissioner Hannan that he is agreeable to be the alternate liaison for Florida League of Cities, and he did confirm this.

Commissioner Hannan recommended keeping the same liaison assignments for the rest of the boards and committees as the previous year for 2016-2017, and it was the consensus of the Commissioners to do this.

K. CONSENT:

Mayor Richards asked if the Commissioners had any questions on the consent items. There were no questions.

1. Minutes – November 7, 2016 – Regular Commission Meeting

2. Consideration of Approval of the Youth Library Roof Repair (Marsha Brinson)

The background summary for this agenda item (on file in the Clerk's Office) states that the Town Commission previously approved utilizing Custom Roofing and Coating, Inc. for the polyurethane coating for the final repair on the roof of the Youth Library. The \$16,300.00 previously budgeted for this item was moved to contingency, and staff would like to utilize this amount from contingency to complete the work.

Upon a motion by Commissioner Kussard and a second by Commissioner Hannan, the Commission approved Consent Items #K-2 and #K-3 by a vote of 5 to 0.

L. OLD BUSINESS: No old business.

M. NEW BUSINESS:

3. Consideration of Approval to Begin Advertising for the Tree Lottery Drawing to be Held on January 19, 2017 at the Town of Lady Lake Arbor Day Celebration (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 directed by the Commission, the form included in the packet is to be advertised for Lady Lake residents for the Tree Grant/Lottery. Mr. Burske stated they will pick 20 winners at the Florida Arbor Day Celebration to be held at Town Hall. Each winner of a \$200.00 voucher can then pick any plant/tree they desire at Burke's Tree Farm in Fruitland Park. He stated that this farm has historically had the best prices and quality over the years. He stated staff will begin advertising soon after this Commission meeting, if approved.

Upon a motion by Commissioner Holden and a second by Commissioner Vincent, the Commission approved to begin advertising for the tree lottery drawing to be held on January 19, 2017 at the Town of Lady Lake Arbor Day Celebration by a vote of 5 to 0.

4. Consideration of Approval to Advertise a Request for Proposals (RFP) for Biosolids Dewatering Box Hauling to Disposal Site Services (C.T. Eagle)

Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the Clerk's Office). He stated that the Town currently has an approved disposal site for its wastewater biosolids. A qualified and licensed hauler is needed to transport the dewatering box to the disposal site. The services are needed on an ongoing basis and are budgeted. Once the

RFP's have been received they will be brought back to Town Commission for consideration. The RFP has been reviewed and approved by the Town Attorney.

Upon a motion by Commissioner Kussard and a second by Commissioner Holden, the Commission approved advertising a Request for Proposals (RFP) for Biosolids Dewatering Box Hauling to Disposal Site Services by a vote of 5 to 0.

5. Consideration of Approval for the Lady Lake Police Department's Santa's Shop with a Cop 2016 Event (Chris McKinstry)

Police Chief Chris McKinstry gave the background summary for this agenda item (on file in the Clerk's Office). He stated that the Lady Lake Police Department (LLPD) is requesting to partner with the Lady Lake Kiwanis for Santa's Shop With A Cop 2016 event at the local Target store on December 10, 2016 from 8:00 a.m. until 11:00 a.m. This is the first year that the Lady Lake Police Department is coordinating this event, and it has been discussed with the Leesburg Police Department and the Fruitland Park Police Department. Both of these neighboring law enforcement agencies would like to join with the LLPD in the holiday goodwill effort.

The Lady Lake Police Department would be assisting ten of its community's children with this special shopping trip, and the Lady Lake Kiwanis would contribute the funds to sponsor each child's wish list. The Leesburg and Fruitland Park Police Departments would coordinate their area children's attendance and funding to sponsor their children to participate in this festive event.

Commissioner Kussard commented that this is a wonderful project.

Mayor Richards stated he is happy this event is being brought back as it has not occurred for at least the last five years.

Upon a motion by Commissioner Hannan and a second by Commissioner Kussard, the Commission approved the Lady Lake Police Department's Santa's Shop with a Cop 2016 Event by a vote of 5 to 0.

N. TOWN ATTORNEY'S REPORT:

7. Ordinance No. 2016-30 – Second/Final Reading – Annexation – Schimerhorn/Hall – Two Lots Located at the Corner of Lakeview Drive and Griffinview Drive, within Lake County, FL (Alternate Keys 1770971 & 3868840) (Wendy Then)

Attorney Sasha Garcia read the ordinance by title only.

Town Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated that the property owners, Douglas Schimerhorn and BJ Hall, have filed applications to amend the Future Land Use designation of properties consisting of two lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3,000 lineal feet east of the intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The small scale application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake. She stated that staff recommends approval of the second/final reading of this ordinance.

There is an existing manufactured home currently placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by Alternate Key #1770971. This property is currently serviced by Town of Lady Lake potable water. Ms. Then stated that as a condition for the Town to service water at this property under in-town limits customer rates, Mr. Schimerhorn and Ms. Hall signed a Covenant to Annex on June 9, 2016. The property owners are now fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and the applicant has not provided any specific plans or time frame of when this parcel will be developed.

A map, a survey of the property showing the location of the home and garage, and an aerial view showing the housing types in the vicinity of the property was shown, as were photos of the postings of the property and surrounding properties.

The subject properties lie in Section 21, 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.

The annexation application was received on Monday, August 30, 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.

Ms. Then reported that notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016, and the properties were posted this same date. She stated no objections or letters of support have been received, although there was extensive dialogue regarding the annexation application at the October 10, 2016 Planning and Zoning Board meeting.

Ms. Then reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-30, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the October 10, 2016 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-30 to the Town Commission with the recommendation of approval. At the November 7, 2016 meeting, the Town Commission voted 5-0 for approval of Ordinance No. 2016-30 upon first reading.

Ms. Then stated that Mr. Schimerhorn is present if there are any question.

Mayor Richards asked if the Commissioners or members of the audience had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the second/final reading of Ordinance No. 2016-30, by the following roll call vote:

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

8. Ordinance No. 2016-31 – Second/Final Reading – Small Scale Future Land Use Comprehensive Plan Amendment – Schimerhorn/Hall – from Lake County Urban Low Density to Lady Lake Mixed Residential Low Density (MR-LD) – Two Lots Located at the Corner of Lakeview Drive and Griffinview Drive, within Lake County, FL (Alternate Keys 1770971 & 3868840) (Wendy Then)

Attorney Sasha Garcia read the ordinance by title only.

Town Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated that the property owners, Douglas Schimerhorn and BJ Hall, have filed applications to amend the Future Land Use designation of properties consisting of two lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3,000 lineal feet east of the intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The small scale application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake. She stated staff recommends approval of the second/final reading of this ordinance.

Ms. Then reported that the present Future Land Use of the property is Lake County Urban Low Density. The requested Future Land Use is Lady Lake Mixed Residential Low Density (MR-LD). Future Land Use maps were shown, as were photos of the postings and of the property and adjacent properties.

There is an existing manufactured home currently placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by Alternate Key #1770971. This property is currently serviced by Town of Lady Lake potable water. As a condition for the Town to service water at this property under in-town limits customer rates, Mr. Schimerhorn and Ms. Hall signed a Covenant to Annex on June 9, 2016. The property owners are now fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and the applicant has not provided any specific plans or time frame of when this parcel will be developed.

The subject properties lie in Section 21, 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.

The small scale application was received on Monday, August 30, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required 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.

Concurrency Determination Statement – The applicants are annexing into the Town in accordance with the terms set forth in the Covenant to Annex Agreement executed between property owners and the Town on June 9, 2016.

Ms. Then reviewed the impact on Town services as shown below:

Potable Water – This property is currently serviced by Town of Lady Lake potable water and consumes one water Equivalent Residential Unit (ERU) or a maximum of 250 gallons per day.

At the time the vacant parcel is proposed to be developed, an additional ERU would be required for a total of two ERUs or 500 gallons per day combined for both parcels.

Sewer – The Town does not service sewer at this location, so the property owners were required to acquire a septic tank permit through Lake County Health Department-Environmental Division when they applied to set up the existing manufactured home.

Schools – Using the updated Lake County student generation rates based on the recently-updated impact fee study, minimum impact expected with a maximum of three school children (one student for each school):

	SF-DU	MF-DU	Mobile	Mobile Home School Impact (based on 2 MH)
Total	0.328	0.283	0.206	3
Elementary	0.152	0.143	0.097	1
Middle School	0.074	0.063	0.047	1
High School	0.102	0.077	0.062	1

Transportation – The local roadways that will be affected by these parcels are all Lake County Roads. Traffic impact is existing for Parcel 1. The proposed land amendment change is expected to generate a maximum of four additional PM peak hour trips should Parcel 2 be developed with the expectation that only one single family dwelling unit would be built at the location. Based on either build-out of one single family dwelling unit or two dwelling units at the maximum, there would be low impact to the local road system.

Parks & Recreation – The annexation, small scale future land use amendment, and the rezoning applications will cause minimum impact to the Town’s Park and Recreation facility in that the highest use would be one single family dwelling unit per each parcel.

Stormwater – Project will be required to adhere to SJRWMD guidelines. As per FEMA FIRM MAP 12069C0170E effective 12/18/2012, both parcels are in Flood Zone X - Outside the 500-yr Floodplain.

Future Land Use

Subject Properties	Lake County Urban Low Density
Future Land Use of Adjacent Properties	
West	Lady Lake- Mixed Residential- Medium Density (MR-MD)
East	Lake County – Urban Low Density
North	Lake County – Urban Low Density
South	ROW/Lady Lake- Single Family Medium Density (SF-MD)

Comments: Annexation and Rezoning applications have been submitted concurrently with this Small Scale Future Land Use Amendment Application.

Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016, and the properties were posted this same date. No written objections or letters of support have been received.

Ms. Then reported the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-31, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the October 10, 2016 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-31 to the Town Commission with the recommendation of approval. The Local Planning Agency considered Ordinance 2016-31 on November 7, 2016 and approved it by a vote of 5-0. At the November 7, 2016 meeting, the Town Commission voted 5-0 for approval of Ordinance No. 2016-31 upon first reading.

Ms. Then stated that Mr. Schimerhorn is present if there any question.

Mayor Richards asked if the Commissioners or members of the audience had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Kussard and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-31, by the following roll call vote:

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

9. Ordinance No. 2016-32 – Second/Final Reading – Rezoning – Schimerhorn/Hall – from Lake County Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5) – Two Lots Located at the Corner of Lakeview Drive and Griffinview Drive, within Lake County, FL (Alternate Keys 1770971 & 3868840) (Wendy Then)

Attorney Sasha Garcia read the ordinance by title only.

Town Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk’s office). She stated that the property owners, Douglas Schimerhorn and BJ Hall, have filed applications to rezone properties consisting of two lots located at the corner of Lakeview Drive and Griffinview Drive, approximately 3,000 lineal feet east of the intersection of South Highway 27/441 and Griffinview Drive, within Lake County, Florida. The rezoning application involves 0.95 +/- acres of property proposing a change from unincorporated Lake County into the Town of Lady Lake. Ms. Then stated this is the third in the series of applications and involves rezoning from Lake County Estate Residential (R-2) to Lady Lake Mixed Low Density Residential (MX-5). She stated that staff recommends approval of the second/final reading of this ordinance.

Currently, there is an existing manufactured home placed on Parcel 1, addressed as 38521 Lakeview Drive, and identified by Alternate Key #1770971. This property is currently serviced by Town of Lady Lake potable water. As a condition for the Town to service water at this property under in-town limits customer rates, Mr. Schimerhorn and Ms. Hall signed a Covenant to Annex on June 9, 2016. The property owners are now fulfilling their requirement by submitting the annexation, small scale, and rezoning applications. Parcel 2 is currently vacant, and the applicant has not provided any specific plans or time frame if or when this parcel will be developed.

A map of the property was shown, as were maps showing the zoning of the subject parcel and adjoining properties.

Based on the dimensions and lot size, Parcel 2 is buildable and meets the minimum design guidelines of the MX-5 Zoning District to place a single family dwelling unit. Unless central sewer becomes available at this location, the property cannot be split and will be required to be developed as one parcel allowing a maximum of one single family dwelling unit per parcel (per the MX-5 Zoning District, parcels with septic systems are required to be a minimum of 12,500 sq. ft. in size).

The subject properties lie in Section 21, 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.

Zoning

Subject Property	Lake County Estate Residential (R-2)
Zoning of Adjacent Properties	
West	Lady Lake- Mixed Residential Medium Density (MX-8)
East	Lake County Rural Residential (R-1)
North	Lake County Rural Residential (R-1)
South	ROW/Lady Lake- Mixed Residential Medium Density (MX-8)

The rezoning application was received on Monday, August 30, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required 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.

Notices to inform the surrounding property owners (11) within 150 feet of the properties proposed by annexation request were mailed Monday, September 26, 2016, and the properties were posted this same date. No objections or letters of support have been received.

Ms. Then reported that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-32, provided comments by September 26, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the October 10, 2016 meeting, the Planning and Zoning Board voted 3-1 to forward Ordinance No. 2016-32 to the Town Commission with the recommendation of approval. At the November 7, 2016 meeting, the Town Commission voted 5-0 for approval of Ordinance No. 2016-32 upon first reading.

Ms. Then stated that Mr. Schimerhorn is present if there are any questions.

Mayor Richards asked if the Commissioners or members of the audience had any questions or comments, and hearing none, asked for a motion.

Upon a motion by Commissioner Holden and seconded by Commissioner Kussard, the Commission approved the second/final reading of Ordinance No. 2016-32, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>HANNAN</i>	<i>YES</i>

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

O. TOWN MANAGER’S REPORT:

Town Manager Kris Kollgaard stated she has no report this evening and wished everyone a Happy Thanksgiving.

P. MAYOR/COMMISSIONER’S REPORT:

Commissioner Hannan commented that the Town’s Planning and Zoning Board is not functioning as it should, and has not for the last two years, in his opinion. He stated that the board’s attorney, Sasha Garcia, gave a presentation to educate and refresh the board members on their role and meeting protocol prior to this month’s meeting, and that it did not appear to correct the issue. He stated that although he is thankful for the service provided by the volunteer board members, he feels the chairman is allowing the public to control the meeting without restrictions regarding time constraints on comments or any similarities to Roberts Rules. He stated another member wanted to discuss unrelated past ordinances and did not understand the protocol. Commissioner Hannan stated he feels something should be done.

Commissioner Kussard stated she has attended the Planning and Zoning meetings as well, and feels the board is necessary. She stated it is an opportunity for the public to voice their opinions and air their concerns, and oftentimes, they do not attend the Commission meetings because they have already had their questions answered at the Planning and Zoning meeting. She stated the Commission does not use Roberts Rules of Order either,

Commissioner Hannan responded that he stated *similarities* to Roberts Rules, although the Commission does use some of Roberts Rules.

Commissioner Holden stated that someone should speak with the Planning and Zoning Board members about these issues to get them worked out.

Mayor Richards stated he has not attended recent meetings of the Planning and Zoning Board meetings although he has read the minutes and noticed there has been plenty of discussions. He stated he has not noticed any strife happening in reading the minutes. He asked if there are issues other than the fact that the public is being allowed to talk longer than three minutes.

Commissioner Hannan replied that people are being allowed to get up and speak three or four times to rebut what other people have said. He stated they do not stay on subject and are asking questions that are not relevant to the ordinance. He stated the chairperson is not making good decisions or properly running the meeting.

Ms. Kollgaard stated that the Planning and Zoning Board is very important and is part of the process for the public. She stated, however, that the chairperson does need to control the meeting and keep the public on subject. She stated that staff and the attorney have both tried to assist with this. Ms. Kollgaard stated that the board members are volunteers and have occasionally had to sit through two hour meetings listening to constant repeated comments.

Mayor Richards suggested that the Commission work with staff to come up with something to resolve issues regarding the conduct of the meetings.

Ms. Kollgaard stated she would like to meet with the chairperson, and perhaps a couple of the other members, to discuss these issues.

Mayor Richards stated that he believes that the requirement of review by the Planning and Zoning Board is part of the process required either in the Town Charter or the development standards.

Attorney Sasha Garcia stated the Town established the process as part of the development code, although it is not required.

Commissioner Hannan confirmed with the Town Manager that the Planning and Zoning Board was created by ordinance and that it is pretty restrictive as far as the background of who sits on the board, including someone from real estate. He stated he would like to approach the Chamber of Commerce staff to see if the Town can get some volunteer applicants for the board.

Commissioner Kussard confirmed with Ms. Kollgaard that the applicant has to be a resident of Lady Lake.

Ms. Kollgaard agreed, stating that the Town does not currently have any applications on file.

Commissioner Vincent commented that the Water Oak community is losing many trees and they are being burned in large piles. He suggested that the Town look at developing an ordinance that would limit the amount of material that could be burned at one time over a period.

Ms. Kollgaard stated that staff can look into it, and although the Forestry Service regulates burning, perhaps the Town could put some restrictions on it in the form of an ordinance.

Mayor Richards stated he would like the Town attorney to look into whether The Villages CDD has the power to grant waivers for encroachment into easements, etc., since they have been empowered by the Town to enforce the rules and regulations by covenant of removal, etc.

Commissioner Hannan stated he is a member of the Architectural Review Board and they follow the guidelines being dictated by The Villages attorney. He stated Gary Moyer started the CDD in The Villages and should have some knowledge of it. He stated people have built additions and then had to tear them out because they built within an easement.

Q. PUBLIC COMMENTSⁱⁱ

Mayor Richards asked if there was any comments or questions by the public.

- Pierre Fortin introduced himself as a resident of Via San Polo, which is a neighborhood directly southeast of the Villages Rehab on C.R. 466. He stated he has had some on-going issues with this center since 2013 regarding dumpster emptying and delivery schedules. He stated they happen anywhere from 3 a.m. to 7 a.m. despite calls to Waste Management and to Debbie, the coordinator at the rehab center. Mr. Fortin said there was a period where it improved, but it is still happening. He stated he has complained to Mr. Carroll, the Growth Management Director, as well as Michelle, the Code Enforcement Officer. He stated they

looked into it on the specific dates and times he gave them, and Waste Management reported they had no vehicles doing dumpster emptying before 7 a.m., and he stated it is still happening.

Town Manager Kris Kollgaard stated that the Town has a contract with Waste Management and she has spoken with Doug McCoy of Waste Management who has assured her that the dumpsters are not being emptied before 7 a.m., although they admitted there was a period when they switched drivers and it was happening. Mr. McCoy informed her the drivers now have a GPS which tracks their routes and times, and it is not happening now. Ms. Kollgaard stated that she is not aware of time constraints on when deliveries can be made.

Mayor Richards stated there may be something about this included in the original Memorandum of Agreement, although he cannot remember anything about it.

Ms. Kollgaard stated staff can check on this and will contact the rehab center. She asked Mr. Fortin to contact her on Wednesday.

- Mr. Fortin stated he will call her. He stated this should have been taken into consideration when a commercial property was put in next to a residential section.

Commissioner Hannan commented that the Town has no noise ordinance.

R. ADJOURN: With no further business, the meeting was adjourned at 6:51 p.m.

Kristen Kollgaard, Town Clerk

Jim Richards, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

ⁱ *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.*

ⁱⁱ *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.*