

**MINUTES OF THE REGULAR MEETING
OF THE LADY LAKE TOWN COMMISSION
LADY LAKE, FLORIDA
April 7, 2014**

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. 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:** Mayor Ruth Kussard

- D. INVOCATIONⁱ:** Pastor James Keough – Congregational Church of The Villages

- 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; C.T. Eagle, Public Works Director; Mike Burske, Parks and Recreation Director; Chief Chris McKinstry, Police Department; John Pearl, I.T. Director; Jeannine Michaud, Finance Director; Tia O’Neal, Human Resource Director; Cindy Diemer, Senior Code Enforcement Officer; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTSⁱⁱ

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

G. PROCLAMATION:

1. Proclamation for National Library Week – April 14-20, 2014 (Mayor Kussard/Beth Maciejewski)

Mayor Kussard read the proclamation proclaiming the week of April 14-20, 2014 as National Library Week and presented it to the Town’s Library Director, Beth Maciejewski.

H. CONSENTⁱⁱⁱ:

2. Minutes – March 17, 2014 – Regular Commission Meeting

Upon a motion by Commissioner Hannan and seconded by Commissioner Richards, the Commission approved Consent Item #H-2, by a vote of 5 to 0.

I. OLD BUSINESS:

3. Consideration of Approval of the Amended and Updated Section 4.10 of the Workers Compensation Policy (tabled from 3-17-14) (Tia O'Neal)

Human Resource Director Tia O'Neal gave the background summary for this agenda item (on file in the Clerk's Office). She stated that this policy was previously brought to the Town Commission on March 17, 2014 and the Commission asked staff to revise the language for Section "F" to allow the Commission to approve or disapprove reduction of pay for an employee on workers' compensation in a light duty position. Ms. O'Neal stated the draft policy has been updated to reflect those changes and has been reviewed by the labor attorney.

Mayor Kussard stated she does not believe the Commissioners should be making the determination regarding reducing pay for an employee on a light duty assignment due to an injury. She stated the Town Manager should determine this, and that the Commissioners should not be involved with staffing issues.

Commissioner Hannan stated he agreed with the Mayor in theory, but that every case should be looked at separately and has different issues. He stated he liked the amended section proposed tonight, and the Town Manager could call a special meeting of the Commission if a case came up that needed to be looked at.

Town Manager Kris Kollgaard stated calling a special meeting for this type of issue would violate the Town's Charter. She stated she keeps the Commission apprised of things of this nature by talking to each Commissioner individually, and gives the background and reasons for her recommendations. Ms. Kollgaard stated that a Commissioner could then let her know their opinion on it.

Commissioner Richards stated that he originally brought this up because he was concerned that an employee on light duty would get less than what they would get on unemployment compensation. He stated that although the manager supervises, the Commission funds the positions, and they may have to fund another position if an employee is on light duty and a department is short-handed as a result.

Commissioner Holden stated he agreed with the Mayor and the Town Manager as there are not many cases of this nature that come about. He stated the Town Manager usually knows more about what is going on in these cases.

Commissioner Hannan stated that the Town Manager keeps the Commission apprised as to what is going on.

Commissioner Richards agreed that the Town Manager privately polls the Commission or has private meetings with each Commissioner if there is something of a sensitive nature going on.

Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved the Amended and Updated Section 4.10 of the Workers Compensation Policy, by a vote of 4 to 1 (Kussard).

4. Consideration of the Offer from Lake County to Accept 65 Acres of Property Known as Lady Lake Preserve (Kris Kollgaard)

Town Manager Kris Kollgaard read the background summary for this agenda item (on file in the Town Clerk's office). She reported that Lake County has offered to give the Town a 65-acre property located a few miles east of the town limits. The property consists of a sand-bottomed rainfall dependent lake, with associated wetlands. Eleven acres of the property are uplands containing open land, shrub/brush land, and a small forested area. Ms. Kollgaard stated the property has to be maintained solely for preservation of the existing ecosystems and associated fish and wildlife. She stated that the Land Management Plan from Lake County was provided to the Town, however none of the proposed actions have been implemented. Since acquisition of the property, Lake County has provided routine patrol and basic maintenance.

Ms. Kollgaard stated that information provided by Lake County was forwarded to the Town's engineers for evaluation as a recharge area for future CUP needs and the property would provide a potential recharge; however if reuse was used in the future, we need to be aware of the additional treatment and monitoring requirements. She stated that any recharge into the lake would likely influence surface water/lake levels on other properties.

Ms. Kollgaard stated that the Town appreciates Lake County's offer to pass on this property to the Town, however at this time, staff does not feel that the benefits to the Town would outweigh the potential costs to maintain this preserve. She reported that she and the Public Works Director, C.T. Eagle, took a four-wheeler out and viewed the property in person. Ms. Kollgaard noted that there is no public access to this property, and right of way would have to be obtained from existing surrounding property owners of a very nice residential subdivision, and the access would be right behind someone's property. She stated that allowing public access for a picnic area or fishing would create increased traffic, and purchasing the right of way and maintaining the property may be costly. Ms. Kollgaard noted that the Town's CUP is currently in good shape for another 10 to 15 years. She also stated that the property is outside of Town limits and if it was annexed in, the Town would have to provide police protection.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved staff's recommendation to reject the offer from Lake County for the 65 acre property known at the Lady Lake Preserve, by a vote of 5 to 0.

J. NEW BUSINESS:

5. Consideration to Host the Second Annual Taste of Lady Lake on May 23, 2014 at the Log Cabin/Veterans Park (Mike Burske)

Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that the Parks and Recreation Department is seeking permission to host the Town's second annual restaurant and food vendor evening event at the Log Cabin Park on May 23, 2014. Mr. Burske reported that approximately 23 vendors participated in the event last year, and about the same are expected this year. He stated that Bobby Blackmon has agreed to be the entertainer once again. Mr. Burske stated that there was discussion regarding charging the food vendors this year, but he requested that the Commission allow area restaurants and food vendor to participate at no charge again this year as the Town is able to attract more vendors by not charging. He stated the hours for the event will be from 5:00 p.m. to 7:30 p.m.

Commissioner Richards commented that he thought it was a great idea and that it ties in with the Economic Development Advisory Committee's idea to get Lady Lake's name out there and gets people used to coming into the Town area.

Commissioner Holden and Commissioner Vincent agreed, as did the Mayor, who stated that the food was very good last year and that Bobby Blackmon is a wonderful entertainer.

Upon a motion by Commissioner Hannan and seconded by Commissioner Vincent, the Commission approved the consideration to host the Second Annual Taste of Lady Lake on May 23, 2014 at the Log Cabin/Veterans Park, by a vote of 5 to 0.

6. Acknowledgement of Additional Engineering Services for the Rolling Acres Sidewalk Project (Mike Burske)

Parks and Recreation Director Mike Burske gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that the proposal from P.S.I. to cover additional engineering and additional signed and sealed plans for the current sidewalk project is included in the packet. Mr. Burske stated that currently, the Town has four areas of the project that are going to need modification:

- 1) The intersection of First Street, Second Street and Clay Avenue. The modification was needed to better tie into the existing sidewalks on CR 466. The plans fell short of the crosswalk and a better way was seen once construction was started.
- 2) Move the sidewalk on Clay Avenue closer to the road and add a curb to be compliant. The area by the water tower had a greater grade than eight percent. We have the opportunity to hug the road and separate the road and the sidewalk with a curb. This is a cost effective way to meet F.D.O.T. compliance.
- 3) Add a curb by Griffin Avenue and CR 25 to keep dirt and soil off of the sidewalk. This need was discovered once construction was started due to the slope the sidewalk is being built on. Once again, we will need the curb to be F.D.O.T. compliant.
- 4) Re-design the gravity wall and the railing near the intersection of Rolling Acres Road and CR 466 and replace with curbing. By replacing the gravity wall, we can use the savings from the wall to afford the other modifications. As this is a lump sum project, we need to substitute the expensive wall and rail and replace with a curb that will serve the same purpose.

Mr. Burske stated that since F.D.O.T. paid for the original design of the sidewalk, the Town is in a situation where it will have to pay for needed design modifications, and the additional design engineering will allow the Town to continue the project and keep on schedule. He stated that he will still submit the bill to the F.D.O.T. to see if they will pay it. Mr. Burske reported that the contractor stated at the last progress meeting that the project may be completed by mid-April, although he believes it will be in May, and that his goal is to keep the project going and keep time on our side. Mr. Burske referred to the attached proposal for additional services and the e-mails and plans leading up to the need for the services.

Commissioner Hannan asked why the sidewalk on CR 25 stopped at Meredith Auto Repair. He mentioned there are school children at Smitty Road and the Lakes of Lady Lake, and residents there would like to see a sidewalk.

Mr. Burske replied that he is working with Lake County regarding the distance of the sidewalk from the road in this 35 mph area, but that it should continue on to near the Blue Parrott, but cannot continue on to Lakes of Lady Lake.

Town Manager Kris Kollgaard clarified that the Safe Routes to School project is limited to a two mile radius from the school.

Commissioner Vincent commented that the Lakes of Lady Lake children are afforded bus transportation.

Commissioner Richards stated that Neel Schafer was under contract with the Town when they did the design for this project. He asked if they had been contacted regarding reimbursing the Town for PSI's additional work as some of it was caused by Neel-Schafer not foreseeing the ADA problems on Clay Avenue regarding the percent grade.

Mr. Burske replied that he and Kris spoke to Neel-Schafer on Thursday morning and notified them of some design flaws.

Commissioner Richards stated that the Town should pay this and move on with the project, and the Town has contracts with Neel-Schafer all the time, and may be grading how well they did on the F.D.O.T. project.

Commissioner Vincent asked how many feet of sidewalk the Town is adding, if staff had taken into account the time and cost of maintaining the sidewalks, and if additional staffing may be needed.

Mr. Burske replied the project will consist of between 2.8 and 3.1 miles of sidewalk.

Public Works Director C.T. Eagle stated that the new sidewalks will significantly increase the maintenance for edging the sidewalks and may cause complications for mowing between the sidewalk and the road, etc. He stated that it will slow the current schedule down somewhat and it will be re-evaluated regarding the possible need for additional staffing as the budget is looked at for the next year.

Ms. Kollgaard agreed that it can be looked at after the project is completed in May, and it will give staff time to see how much extra work is involved before the budget is prepared for the next year.

Commissioner Richards commented that Carroll Taylor with Four Seasons Landscaping, who does the sweeping and the state maintenance, came up with a device for a tractor that does edging along the sidewalk.

7. Consideration of Approval of the Abatement Fee Reduction Procedure for Code Enforcement (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that the policy for consideration by the Town Commission for the Abatement Fee Reduction Procedure as discussed in the Special Workshop on Monday, January 13, 2014 was included in the packet. This policy will serve to guide the recommendations made by Town staff regarding fee reductions related to Code Enforcement abatement cases.

Mr. Carroll stated that going forward, the protocol of staff will be to recommend a reduction to an amount equivalent to 25% of the assessed property value, and in cases where that value exceeds \$5,000.00, the recommended reduction will be set at \$5,000.00. He stated that based upon the testimony of the property owner, the Special Magistrate will retain authority to further reduce or

increase this amount, and subsequently, the Commission will have final determination at the Commission meeting to assign the final fee.

Mr. Carroll stated that other guidelines are also being set forth by this policy for recommending daily fee accruals for code enforcement violations, as well as establishing a process by which code violators will receive 30, 60, and 90-day reminders following the recording of their lien.

Commissioner Richards thanked staff for developing this policy, saying he thought it was great, and the other Commissioners agreed.

Upon a motion by Commissioner Richards and seconded by Commissioner Hannan, the Commission approved the Abatement Fee Reduction Procedure for Code Enforcement, by a vote of 5 to 0.

8. Update on Priority Projects Submission to Lake County Regarding Transportation Impact Fee Projects (C.T. Eagle)

Public Works Director C.T. Eagle gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that as seen in the attached email included in the packet, Lake County Public works recently held kick-off meetings with the municipalities to discuss impact fee eligible transportation projects. Mr. Eagle stated they requested that a list of potential projects be submitted for further discussion, and the potential project forms for submission are attached as an update and for any related discussion. He reviewed the list of potential projects for the audience:

- 1) Rolling Acres Road - A PD&E study performed by GMB Engineers in 2009 on behalf of the Town of Lady Lake and Lake County recommended widening Rolling Acres Road from two to four lanes, along with other safety and pedestrian use improvements. Since then traffic counts and safety concerns have continued to increase and will continue to do so. A comprehensive improvement project is requested that would account for traffic patterns relating to the intersections of Rolling Acres Road at US 27/441, CR 466, and also Lake Ella Road; all of which have seen and will continue to see increased usage due to large residential development in the area.
- 2) Lake Ella Road - Lake County has existing plans to improve/realign Lake Ella Road with Eagles Nest Road at the intersection of US 27/441. Along with the realignment of that area, the entire length of Lake Ella Road should be studied and redesigned for improvements. Traffic has continually increased on the section of Lake Ella Road between Rolling Acres Road and Micro Racetrack Road. Lake Ella Road is increasingly utilized as a connector between, CR 466, CR 466A, Rolling Acres Road, and US 27/441. Some potential safety issues on Lake Ella Road may also need to be remedied such as a limited sight distance issue when traveling west on Lake Ella Road approaching Rolling Acres Road due to a steep hill, a sharp S-Turn on the eastern section, and a possible three way stop intersection at Rolling Acres Road.
- 3) Oak Street - Construction of the unimproved portion of Oak Street from Rolling Acres Road to Clay Avenue would open up a new alternative route for vehicles traveling to and from CR 25 to Rolling Acres Road allowing traffic to bypass the already busy intersection of US 27/441 and Rolling Acres Road. It would also open a new route for traffic to bypass the busy intersection of US 27/441 and CR 466. Recommend investigating improvements on the existing portion of Oak Street from the intersection of Clay Avenue to CR 25 due to increased traffic.

- 4) Abeble Road - Construction of the unimproved portion of Abeble Road, which is currently a dirt road and is used by the local residents as alternative access between Rolling Acres Road and US 27/441. New large scale residential developments will/do have direct access to this road. Town of Lady Lake main utility lines run parallel with the undeveloped portion of Abeble Road that connect Rolling Acres Road to the Town of Lady Lake Public Works Complex on Skyline Drive. Construction of this new roadway would alleviate a portion of the east-west traffic on CR 466 and on Lake Ella Road, while also allow local residents an alternate route as well.

Commissioner Richards asked if there has been any more action on extending Clay Street.

Mr. Eagle stated the Town ran into property acquisition issues with the property owner on the northern-most area to the west.

Ms. Kollgaard stated that she believes the Town will be able to require the easement on the other side to offset the connection when Hwy 27/441 is widened and the bridge is taken down, after the property is sold for development.

K. TOWN ATTORNEY'S REPORT:

9. Resolution No. 2014-102 – First/Final Reading (tabled from 3-17-14) – Plaza Professional Center – Variance Request to Authorize the Removal of a 38” Historic Live Oak Tree to Accommodate a New Office Building on the Last Remaining Parcel at the Plaza Professional Center – Located at 302 La Grande Blvd. (Thad Carroll)

Derek Schroth, Town Attorney, stated that it was his understanding that the applicant requested that this reading be postponed. He asked if any members of the audience would like to speak regarding the postponement. There was no response.

Town Manager Kris Kollgaard requested that this reading be postponed to a date and time certain.

It was the consensus of the Commission to postpone the final vote on this resolution to the Commission meeting scheduled for April 21, 2014 at 6 p.m.

10. Resolution No. 2014-104 – First/Final Reading – Grand Oaks Holding, LLC – Variance for Off-Site Premises Sign – Proposed New Freestanding Sign to be Located at the Southeast Corner of County Road 25 and Marion County Road (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Town Clerk's office). He stated that the applicant, Greg Beliveau with LPG Urban & Regional Planners, Inc., on behalf of Grand Oaks Holding, LLC, has submitted an application for a variance from Chapter 17, Section 17-7).a).16) which prohibits off-premises signs. The applicant is requesting to allow an off-premise freestanding sign to be erected on the property owned by Grand Oaks Holding, LLC, located at the southeast corner of County Road 25 and Marion County Road (AK #1237530), within the town limits of Lady Lake, Florida. The proposed monument sign is designed to be 8' high by 15' wide with a 5 foot setback along County Road 25 and 58 foot setback along Marion County Road, which meets sign code requirements. Mr. Carroll noted that the present use of the 9.2 +/- acre property is vacant Commercial/Mixed Use and that the Town approved a planned unit development on this property in 2008, and adopted it in 2009. He stated that staff recommends approval of this variance.

Views of the property and the proposed sign location on the property were shown on the overhead viewer along with the posting of the property.

Mr. Carroll stated that as required of the application, a Justification Statement has been submitted. It states that the Grand Oaks Resort is home to one of the most exquisite carriage museums in the country, with over 175 carriages, open to the public seven days a week. The applicant has indicated within the Justification Statement that the main purpose for the sign is to notify the public of the museum and special events held at Grand Oaks. Many of these events are in sponsorship of non-profit organizations as Grand Oaks coordinates with numerous non-profit organizations by allowing them to utilize the museum facilities to hold fund raisers at no cost. The applicant has stated that the museum and associated facilities are located on parcels with rural land use due to the equestrian and agricultural nature, which also poses a disadvantage in regards to signage. For identification and exposure purposes, erecting a sign along County Road 25 would make it easier for attendants to find the facility, of which the main entrance is located off of Marion County Road. Lastly, the applicant has pointed out that the off-premises sign should be considered temporary in that when the site is developed, the sign would become an on-premises sign for the development; however, the sign may still be used in some capacity by the Grand Oaks Resort for their events as well after the property has been sold. The applicant has included a draft Easement Maintenance Agreement which would be executed prior to any sale of the subject parcel to retain the right for Grand Oaks Resort to utilize the off-site sign.

Mr. Carroll showed a proposed rendering of the sign and stated that the applicant would also like to incorporate an electronic message board on the proposed freestanding sign, so a Special Permit Use application has been submitted concurrently with the variance application.

When reviewing an application for a variance, the Planning and Zoning Board and the Town Commission shall consider the following requirements and criteria according to Chapter 3, Section 14 f) – Review criteria for variances in the Land Development Regulations:

- No diminution in value of surrounding properties would be suffered.
- Granting the permit would be of benefit to the public interest.
- Denial of the permit would result in unnecessary hardship to the owner seeking it.
- The use must not be contrary to the spirit of this Code.
- Financial disadvantages and/or inconveniences to the applicant shall not of themselves constitute conclusive evidence of unnecessary and undue hardship and be grounds to justify granting of a variance.
- Physical hardships such as disabilities of any applicant may be considered grounds to justify granting of a variance at the discretion of the Town Commission.

The subject property lies in Section 05, Township 18, South Range 24 East, in Lady Lake Florida. The Future Land Use Map designation for the site is Commercial General-Retail Sales & Services (RET) and is zoned Mixed-Used Planned Unit Development (PUD). Resolution No. 2014-104 was reviewed by Town Attorney Derek Schroth on Tuesday, March 4, 2014, and was determined to be correct in form.

Mr. Carroll stated that notices to inform the surrounding property owners (14) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014. The property was posted on Tuesday, February 25, 2014.

Mr. Carroll reported that the Technical Review Committee (TRC) reviewed the application for Resolution No. 2014-104 at their regular meeting on Tuesday, March 4 2014, and determined the application complete and ready for transmittal to the Planning and Zoning Board by a vote of 5-0. At the March 10, 2014 meeting of the Planning and Zoning Board, the board recommended approval of Resolution No. 2014-104 by a vote of 4-0.

Mr. Carroll stated that Greg Beliveau is present to answer any questions on behalf of the applicant.

Commissioner Holden commented that a five foot setback seems too close to the highway.

Mr. Carroll stated the setback is five feet off of the right of way.

Mr. Beliveau stated that it is approximately 35 feet from the edge of the pavement.

Mayor Kussard asked if anyone in the audience had any comments regarding this resolution. There were no comments.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden the Commission approved Resolution No. 2014-104 – First/Final Reading – Grand Oaks Holding, LLC – Variance for Off-Site Premises Sign – Proposed New Freestanding Sign to be Located at the Southeast Corner of County Road 25 and Marion County Road, 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. Resolution No. 2014-105 – First/Final Reading – Grand Oaks Holding LLC – Special Permit Use Request for an Electronic Message Board/Marquee Sign to be Located at the Southeast Corner of County Road 25 and Marion County Road (Thad Carroll)

Derek Schroth, Town Attorney, read the ordinance by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Town Clerk’s office). He stated that the applicant, Greg Beliveau with LPG Urban & Regional Planners, Inc., on behalf of Grand Oaks Holding, LLC, has submitted a Special Permit Use application concurrently with the sign variance request proposing the installation of an electronic message board/marquee sign on a proposed monument sign to be erected on the property owned by Grand Oaks Holding, LLC, located at the southeast corner of County Road 25 and Marion County Road (AK #1237530).

The proposed monument sign is designed to be 8’ high by 15’ wide with a five foot setback along County Road 25 and a 58 foot setback along Marion County Road, which meets sign code requirements (sign renderings attached). A statement of adherence to the guidelines of the electronic message board/marquee sign has been submitted indicating that the applicant will follow all standards outlined under the provisions of the Town of Lady Lake Land Development Regulations, Chapter 17, Section 17-3).e).(4)., including dimming features and capabilities for the LED sign.

The electronic message board/marquee sign is proposed to be placed on an approved freestanding sign (pending Resolution 2014-104) and will display a copy area of 14 sq. ft.. The future land use and zoning designations of the adjacent properties are:

Future Land Use

Subject Property	Lady Lake- Commercial Retail Sales & Services (RET)
Future Land Use of Adjacent Properties	
West	ROW/Lady Lake Single Family – Low Density (up to 3 du/acre)
East	Lake County – Urban (up to 7 du/acre)
North	Lake County – Urban (up to 7 du/acre)
South	Lake County – Urban (up to 7 du/acre)

Zoning

Subject Property	Lady Lake-Mixed Use Planned Unit Development (PUD)
Zoning of Adjacent Properties	
West	Lady Lake Agricultural Residential (1 du/acre)
East	Lake County – Agriculture (1 du per 5 acres)
North	Lake County - Rural Residential (R-1), Lake County – Agriculture (1 du per 5 acres)
South	Lake County – Agriculture (1 du per 5 acres)

The zoning of the subject site allows for development and construction of freestanding signs, on which the applicant can install an electronic message boards/marquee sign upon Town Commission approval; therefore, the requested permit is consistent with the directives of the Land Development Regulations and Comprehensive Plan. Resolution No. 2014-105 was reviewed by Town Attorney Derek Schroth on Tuesday, March 4, 2014, and was determined to be correct in form.

Applications for Special Permit Use (SPU) must be made to the Town in accordance with the procedures established for Electronic Message Boards pursuant to Chapter 17, Section 17-3, (e). (4).

Chapter 17, Section 17-3,(e), (4) Review Criteria. When reviewing an application for a special permit use for electronic message boards, the Town Commission shall consider the following:

Electronic message boards must adhere to the following guidelines:

- a. Shall only be placed on approved freestanding signs.
- b. Maximum copy area shall not exceed fourteen (14) square feet per each side.
- c. Flashing, scintillating, beacon or running lights or movement or which gives the visual impression of such flashing, scintillation, or movement shall not be allowed.
- d. Shall only display text. The text shall be amber-colored or similar lettering with black background.
- e. All electronic message boards/marquee signs are required to incorporate dimming features and capabilities. These features will be reviewed concurrent with the permitting process.

Comments:

- The applicant submitted an Off-Premises Sign Variance application concurrently with this Special Permit Use application.

- The application meets the above requirements for review criteria for the installation of an electronic message board on a freestanding sign. Additionally, the proposed freestanding sign will meet the height, size, copy area, and setback requirements as per Chapter 17-Sign Regulations.
- Contingent upon approval of the above Special Permit Use, the applicant will be required to secure a building permit for the erection of the monument sign.

Views of the property and the postings were shown along with the rendering of the proposed sign. Mr. Carroll stated that the electronic marquee area is limited to 14 sq. ft. per the Town's Code, with a single amber colored display. He stated no animated, flashing or scintillating graphics are allowed per Code, and the sign will have the required dimming capability. Mr. Carroll stated that the Town has several of these signs around the community, including MMD Computers, the First Baptist Church of Lady Lake, and Lady Lake Family Medicine. He stated the applicant is requesting the same in their justification statement as they have many events and shows, and the ability to change the message on the marquee sign is desired.

Notices to inform the surrounding property owners (14) within 150' of the subject property of the proposed variance were mailed by certified mail return receipt on Monday, February 24, 2014 with 10 of the 14 return receipts received. The property was posted on Tuesday, February 25, 2014.

Mr. Carroll reported that the Technical Review Committee (TRC) reviewed the application for Resolution No. 2014-105 at their regular meeting on Tuesday, March 4, 2014, and determined the application complete and ready for transmittal to the Town Commission by a vote of 5-0. He noted that the Planning & Zoning Board does not review Special Permit Use applications.

Mr. Carroll stated that Greg Beliveau is present to answer any questions.

Commissioner Hannan commented that this is a very rural area and having an electronic sign in this area will be distracting at night.

Mayor Kussard noted that the sign will have a dimming feature which should help.

Mr. Beliveau stated that the applicant really needs the electronic marquee feature to direct people to where they are and the many functions that are held at Grand Oaks. He stated that many of them are non-profit functions, including Special Olympics. Mr. Beliveau stated he is sad that they will not be able to include special effects such as horses and carriages going across the sign, but they will be happy to have the electronic feature. He stated that Grand Oaks has gone from a seasonal facility to a 12 month resort and they want the public to be aware of what is going on there. Mr. Beliveau stated the dimming will be in effect at night.

Commissioner Hannan clarified that Grand Oaks is not in Lady Lake.

Mr. Beliveau confirmed that, and stated when the property is sold in the future, the sign will become a directional sign only for Grand Oaks. He also stated that they have been talking to staff about available options such as annexation.

Commissioner Hannan stated that annexation would be nice.

Dr. Paul Harsh, Senior Pastor of the First Baptist Church, stated that their electronic sign has been incredibly useful to them in many ways. He stated the ability to change the message via computer

very quickly is useful and practical, although they would also like to be able to use features that are not currently allowed by Code.

Mr. Carroll clarified that there is one other electronic marquee sign in this rural area belonging to the Lady Lake Assembly Church, although this is not in the Town's jurisdiction.

Upon a motion by Commissioner Richards and seconded by Commissioner Vincent, the Commission approved Resolution No. 2014-105 – First/Final Reading – Grand Oaks Holding LLC – Special Permit Use Request for an Electronic Message Board/Marquee Sign to be Located at the Southeast Corner of County Road 25 and Marion County Road, 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>

L. TOWN MANAGER'S REPORT:

12. Consideration of Appointment of the Lady Lake Liaison to the Lake County Library Board (Kris Kollgaard)

Town Manager Kris Kollgaard read the background summary for this agenda item (on files in the Town Clerk's office. She stated that Mr. William Stokes served as the liaison to the Lake County Library Advisory Board since January of 2012, but resigned in December 2013 due to an injury/illness. Ms. Kollgaard stated that the liaison is responsible for attending the Lake County Library Board meetings that are held monthly in Tavares and then reports back to the Lady Lake Library Board on the issues that were discussed. She stated that Mr. Frank Kirschenheiter has recently submitted an application and is willing to serve as the liaison representative to fill this vacancy. Ms. Kollgaard stated that this is the only application on file and the Lady Lake Library Board recommended approval of this applicant for the appointment at their meeting on March 13, 2014.

Ms. Kollgaard reported that Mr. Kirschenheiter attended the last Library Board meeting where they recommended his appointment, and intended to attend this meeting, but was unable to make it back in time from a meeting in Tampa this afternoon.

Ms. Kollgaard asked the Commissioners to make their selection. The following results were read into the record and tallied:

Mr. Frank Kirschenheiter received affirmative votes by all five Commissioners and was appointed as the Lady Lake Liaison to the Lake County Library Board.

13. Consideration of Appointments/Reappointment to the Police Pension Board (Kris Kollgaard)

Town Manager Kris Kollgaard read the background summary for this agenda item (on files in the Town Clerk's office. She stated that currently, the Police Pension Board has two members whose terms are expiring this month. Mr. William Reed has served for many years and wishes to retire from the Board and Ms. Connie Merrell-Kasch wishes to be re-appointed.

Ms. Kollgaard stated that there are also currently three applications on file for this board for consideration. The applicants are Frank Kirschenheiter, Van Reynolds, and John Schmied. She stated that Mr. Schmied intended to attend this meeting, but contacted staff that he had a dental problem and was unable to attend as he wished.

Mayor Kussard noted that Van Reynolds is present in the audience as an applicant for this board.

Mr. Reynolds introduced himself, stating he is a retired lawyer from Georgia. He stated that he served as a part-time municipal court judge for 23 years, and as a city attorney for another municipality for 13 years. Mr. Reynolds stated he has had the opportunity to view the workings of a police department from two different angles.

The Commissioners stated that he had an impressive resume.

Ms. Kollgaard asked the Commissioners to make their two selections. The following results were read into the record and tallied:

- Commissioner Holden voted for the appointment of Van Reynolds and John Schmied.
- Commissioner Vincent voted for the appointment of Van Reynolds and John Schmied.
- Commissioner Hannan voted for the appointment of Van Reynolds and John Schmied.
- Commissioner Richards voted for the reappointment of Connie Merrell-Kasch and the appointment of Van Reynolds.
- Mayor Kussard voted for the appointment of Van Reynolds and John Schmied.

Mr. Van Reynolds and Mr. John Schmied were appointed as new members.

Ms. Kollgaard reported that she signed the contract for the Wildflower property today and turned over the check to Town Attorney Derek Schroth and it will be finalized tomorrow.

Ms. Kollgaard stated that the Special Commission meeting is coming up for the Comprehensive Annual Financial Report. She asked if the Commission would be available to meet at 5:30 p.m. on April 21, 2014, just prior to the regular Commission meeting at 6 p.m. She stated Chet Ross will be present to give the audit report for fiscal year ending September 30, 2013, and the presentation of the Certificate of Achievement for Excellence in Financial Reporting.

The Commissioners replied that they would be able to attend the Special Commission meeting at 5:30 p.m. on April 21, 2014.

Ms. Kollgaard stated that staff is working on the online permitting with HTE and SunGard which is included in this year's budget. She stated that it is a long process and John Pearl and Aubrey Cash are working very hard on it. Ms. Kollgaard stated that the Town has had this software since 1997 or 1998, and during that time, some of the staff that was trained on it has since left and some of the shortcuts they learned were not passed on. She stated that staff has found that the software has more capabilities than the Town is currently using, and thus, each department head is formulating a step by step operating manual for their department. Ms. Kollgaard thanked staff for all their hard work on this project.

Ms. Kollgaard thanked the Clerk's Office staff for working with Staples to get the price down on the new chairs for the Commission Chambers.

M. MAYOR/COMMISSIONER'S REPORT:

There were no reports.

N. PUBLIC COMMENTS^{iv}

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

O. ADJOURN

There being no further discussion, the meeting was adjourned at 6:55 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

ⁱ *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.*

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.*

ⁱⁱⁱ *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.*

^{iv} *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.*