

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

January 4, 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. 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** – Led by Joe Quinn
- 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; John Pearl, I.T. Director; Marsha Brinson, Library Director; Chief Chris McKinstry, Captain Jason Brough, Captain Rob Tempesta, Corporal Chris Vlasto, Officer Paul Eppley, Jan Miller, Administrative Assistant; Police Department; Elvira Barrett, Police Records; Pam Winegardner, Finance Director; Wendy Then, Town Planner; Julia Wolfe, Administrative Assistant to Town Manager; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTSⁱⁱ

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

G. PRESENTATION:

1. Presentation of a Certificate of Appreciation to the Veterans Memorial Park of The Villages for the Donation of a Sound System to the Police Department (Chris McKinstry)

Police Chief Chris McKinstry stated that Richard Simpson, Cliff Robertson, and Gordon Yahr representing the Veterans Memorial Park of The Villages are present. He stated that the Town and the Police Department maintain a close relationship with this group and they are aware of the many

special events the Town's Police Department participates in and were aware of the Town's need for a sound system for these types of events. Chief McKinstry stated that the Veterans Memorial Park of The Villages has purchased a new sound system for themselves and are donating their old system to the Lady Lake Police Department to make these events more enjoyable. He presented a certificate of appreciation to the gentlemen representing the Veterans Memorial Park of The Villages for the donation of the sound system and extended an invitation to attend all events that are held.

Mayor Kussard, the Commissioners and the Town Manager thanked them for their donation.

2. Retirement of Officer Vernon Wherry (Chris McKinstry)

Police Chief Chris McKinstry stated that this is in recognition of Vernon Wherry's retirement from the Police Department. He stated that Vernon Wherry worked as a police officer with the Town for ten years and helped make the organization what it is today. He stated he will be missed, but that everyone wishes him well in the next phase of his life. Chief McKinstry presented to Mr. Wherry a retirement gift of his badge, I.D card, and service weapon displayed in a framed box. Mr. Wherry was applauded.

H. CONSENTⁱⁱⁱ:

Mayor Kussard asked if there were any questions or comments on the Consent item. She reported that a correction has been made to page 16 of 17, lines 50 and 51 at her request. The correction states that *Mayor Kussard stated she has received no complaints, and that she has always put her garbage out in the morning, rather than the residents in her area have always put their garbage out in the morning.*

3. Minutes – December 7, 2015 – Regular Commission Meeting

Upon a motion by Commissioner Richards and a second by Commissioner Vincent, the Commission approved Consent Item #H-2 with the correction as noted by a vote of 5 to 0.

Additional Presentation: Town Manager Kris Kollgaard stated that Joe and Carole Quinn commissioned two paintings (one of the Log Cabin and one of the gazebo at Heritage Park) that currently hang in the Commission Chambers. She stated that the Town wanted to recognize the donation of the paintings and a picture of Joe and Carole Quinn has been framed along with a note that states: *Artwork graciously gifted by Joe and Carole Quinn.* This was hung on the Chamber wall next to the paintings.

I. OLD BUSINESS: No old business.

J. NEW BUSINESS:

4. Water Oak Country Club Estates – Major Modification to Site Plan - MJM 09/15-002 – Proposing a 130'x90' Area for Six Pickle Ball Courts, a 50'x84' Basketball Court, a 30'x60' Volleyball Court, a 30'x50' Picnic Pavilion, Add Ten Regular Parking Spaces, 48 Golf Cart Parking Spaces, Installation of a Retention Pond Area, and Landscaping Buffer Upgrades all Along Water Oaks Boulevard at the Shady Oaks Recreation Complex – Located at 1 Shady Oaks Park (Thad Carroll)

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that Lara Parker, representing the property owner, Sun Communities Finance LP, has submitted a major modification to site plan for the Water Oak Recreation Complex Site as per Town of Lady Lake Land Development Regulations, Chapter 7, Section 11.b. He stated that the site has been developed as gated adult mobile home park community located at the intersection of County Road 25 and North Highway 27/441, also referenced as Water Oak Boulevard, and exhibits multiple active retirement lifestyle amenities including club houses, a restaurant, and golf courses. At this time, the applicant seeks to enhance and increment features and amenities for its residents.

Mr. Carroll reported that on September 15, 2015, Town staff received the application proposing substantial improvements to the Shady Oaks Recreation Complex including a 130'x90' area providing six (6) pickle ball courts, a 50'x84' proposed basketball court, a 30'x60' volleyball court, and a 30'x50' picnic pavilion. Additionally, the applicant seeks to expand the parking lot area by adding ten (10) regular parking spaces and reconditioning an existing asphalt parking lot into forty-eight (48) golf cart parking spaces. Lastly, the applicant will install a retention pond area and upgrade the landscaping buffers along Water Oak Boulevard, the east property boundary and the south property boundary lines. The Shady Oaks Recreation Complex is located within the Water Oak Estates Country Club for the exclusive use of Water Oak Residents. The parcels are identified by Alternate Key numbers 1698570 and 3011988. The site plan was reviewed to determine if it is in compliance with the Land Development Regulations (LDRs) including parking, setbacks, landscaping, engineering, and environmental protection.

The subject area reviewed is approximately 3.32 +/- acres and is located within the Water Oak Estates Country Club. The property is zoned "MH-9" (Manufactured Home High Density; which permits development and construction of the proposed improvements in accordance with the Manufactured Home Rental Park Land Use and the project adopted Development of Regional Impact (DRI). The Future Land Use Map designation for the property is Manufactured Home High Density (MH-HD). The proposed improvements are consistent with the directives of the Comprehensive Plan and adopted Land Development Regulations.

The engineering plans submitted, consisting of five sheets, are drawn on 24"x36" sheets and certified by Robert L. Rogers, Professional Engineer with Rogers Engineering, LLC, are dated December 2, 2015. Landscaping plans submitted, consisting of three sheets and certified by Andy Kesselring, Landscape Architect with Environmental Design Andy Kesselring, are dated August 2015.

Mr. Carroll reported that reviews were completed for the Town by Town staff, Neel-Schaffer Engineering, Kerry Barnett for fire, and Building Official Dallas Foss, and the following items were included in the packet:

1. Site Plan Review completed by Growth Management on 11/30/2015 (Satisfied)
2. Review No. 4 for the general site development completed by Neel-Schaffer Engineering, dated 11/30/2015 (Satisfied)
3. Review by Fire Inspector Kerry Barnett dated 09/15/2015 (Satisfied)
4. Review by Building Official Dallas Foss dated 09/23/2015 (Satisfied)
5. St. Johns Water Management District Modification Permit No. 19000-5 dated 11/03/2015 (Satisfied)

Mr. Carroll reviewed the tree requirements: He stated that in accordance with Chapter 10-Landscape and Tree Protection, the site is required to provide 531.2 tree caliper inches based on its 3.32-acre area (160'x 3.32). The landscaping tree proposal breakdown is as follows:

Existing trees to remain	2,390.0 tree caliper inches
Proposed canopy & understory trees	<u>134.5</u> tree caliper inches
Total tree caliper inches	2,524.5 tree caliper inches

He stated that the applicant is meeting required trees caliper inches with existing trees to remain on-site, and he noted that a 42" historic tree is proposed to be removed for this development. It has been identified that the tree is in decaying condition and presents a hazard if left standing in the area where the parking expansion is to take place. Mr. Carroll reviewed a tree evaluation report submitted by a certified arborist, Anastasia Zito, who agreed the tree is diseased and has potential to fail. A photo of the tree in question was shown.

Site plan drawings were shown of the proposed changes on the overhead viewer and Mr. Carroll pointed out the proposed improvements, including the additional parking and golf cart spaces around the baseball park.

Mr. Carroll reported that the Technical Review Committee members individually reviewed the application and provided comments regarding the Site Plan application on Monday, November 30, 2015. He noted that the Planning and Zoning Board does not review site plan modifications, and there were no waivers to go before the Parks, Recreation and Tree Board.

Mr. Carroll stated that Lara Parker representing Water Oak is present, as is the engineer of record, Bob Rodgers.

Commissioner Hannan confirmed with staff that the tree in question is not the same one that came before the Special Magistrate recently.

Commissioner Vincent stated he had several questions. He stated the owner's affidavit states that Justin Wolcott is the simple fee owner of this property, and asked if this is correct.

Mr. Rodgers replied that Mr. Wolcott is a representative of Sun Communities.

Mr. Carroll stated that the owner's affidavit appoints Justin Wolcott as an agent to act on behalf of the Water Oak Recreation Complex, not as the owner.

Lara Parker of Water Oak Country Club introduced herself. She confirmed that Mr. Wolcott was appointed to act as agent only.

Commissioner Vincent asked how Mr. Wolcott will be involved; whether he will be involved in any of the construction.

Ms. Parker stated that Mr. Wolcott will be involved in construction of the sports complex.

Commissioner Vincent reminded the Commission that Mr. Wolcott was the gentleman who failed to get permits, or worked outside of the scope of the permits, on earlier projects at Water Oak.

Ms. Parker stated there was an issue back in 2014 with Mr. Wolcott.

Commissioner Vincent stated Mr. Wolcott was involved with issues at the satellite club house when it was red tagged and a stop work order was issued in 2015.

Mr. Parker stated a stop work order was issued because the father pulled off of the job, but not because there was no permit.

Mr. Carroll stated the Town did put a halt to construction, but as he did not have the documents in front on him, he could not elaborate on why it was tagged.

Commissioner Vincent stated he thought it was due to an additional porch being installed without a permit.

Mr. Carroll stated there was an addition to the pool as well as a retaining wall, but that he could not verify this without the information before him.

Mr. Rodgers stated that the only thing Mr. Wolcott will be involved with is the picnic cabana. He stated most of the work will be with GWP Construction for paving and pouring concrete.

Commissioner Vincent asked about the rock perimeter going around the baseball field, and the purpose of 36' foot extension of this rock.

Mr. Rodgers stated that the gravel is being put down to allow golf carts to park closer to the field, and the gravel will outline the area where they can park to view the games, rather than someone having to park in the paved parking lot and walk all the way to the field.

Commissioner Vincent asked if there will be any provisions for a dog run in this area, as he has noticed people taking dogs back there.

Mr. Rodgers stated that there will be no provision for dogs. He stated that people are using the woods to walk their dogs now, but once the improvements are made, this will not be an option.

Upon a motion by Commissioner Holden and a second by Commissioner Richards, the Commission approved the Water Oak Country Club Estates – Major Modification to Site Plan - MJM 09/15-002 by a vote of 5 to 0.

4 ½. Consideration to Replace the 15 Ton Condensing Unit at the Library (Marsha Brinson)

Library Director Marsha Brinson gave the background summary for this agenda item (on file in the Clerk's office). She stated that the current 15 ton air conditioning condensing unit needs to be replaced. Since this is a capital equipment line item, it requires Town Commission approval for transfer of funds. Ms. Brinson stated that monies from the library's budget has been set aside to cover this.

Ms. Brinson reported that the unit will be purchased from Carrier and installed by Munn's, with whom the Town has a HVAC service agreement. A proposal from Munn's Air Conditioning & Heating was obtained in the amount of \$9,627.00 for the Carrier condensing unit, with an additional \$2,975.00 for a 10 year parts and labor extended warrant for the unit.

Commissioner Richards asked if this is for the old part of the library.

Ms. Brinson replied that it is for the new part of the library.

Commissioner Holden asked how long the unit has been in use and if it was new when it was put in.

Ms. Brinson replied that the unit was put in new and the building will be five years old this next May.

Commissioner Hannan asked if the new unit will be bigger than the current unit.

Ms. Brinson replied that the new unit is the same size but is a different type and will better handle the library's air conditioning capability needs.

Town Manager Kris Kollgaard asked Public Works Director C.T. Eagle if he could expand on this.

Mr. Eagle stated the current unit is the wrong SEER rating for the library's need and was not installed correctly. He stated it is out of warranty.

Commissioner Holden asked what the current SEER rating is.

Mr. Eagle replied that the new unit will be a SEER rating of 15 to 16, and the current one is only about a 12. He stated the handling capacity for the current unit was not installed correctly.

Commissioner Hannan confirmed that the current unit is still operational, but is not doing the job.

Ms. Brinson replied that it is still operational, but has needed repairs on and off every couple of months.

Commissioner Holden asked what the brand is on the current unit.

Mr. Eagle replied he did not know the brand of the current unit, and Ms. Brinson stated the new unit will be a Carrier.

Commissioner Holden remarked that Carrier is a good brand.

Upon a motion by Commissioner Hannan and a second by Commissioner Richards, the Commission approved the interdepartmental transfer of funds in the amount of \$12,700 from the Library's Repair and Maintenance line item to the capital equipment line item, for the purchase of a 15 ton a/c condensing unit by a vote of 5 to 0.

K. TOWN ATTORNEY'S REPORT:

5. Resolution No. 2015-113 – First Reading – Variance Request by SRK Lady Lake 43 Associates, LLC for the Verizon Store to Allow a Secondary Wall Sign to be Placed on the Northwest Elevation of an Outparcel Building – Located at 472 N. US Hwy 27/441 (Thad Carroll)

Town Attorney Derek Schroth read the resolution by title only.

Growth Management Director Thad Carroll gave the background summary for this agenda item (on file in the Clerk's office). He stated that on November 16, 2015, Town staff received a variance application from applicant Jennifer Ronneburger with Atlas Sign Industries for secondary wall signage to be placed on the northwest elevation of the outparcel building along North Highway 27/441 located within the Lady Lake Crossing Plaza. He stated that the applicant, Atlas Sign Industries, has filed the variance application for the Verizon Store, located in the Lady Lake Crossing Plaza, property addressed as 472 North Highway 27/441. Mr. Carroll stated that the variance request has been made pursuant to the provisions of Chapter 17, Section 17-4).b).1).A)., of the Town of Lady Lake Land Development Regulations, which only allows single use developments to place wall signage where the building fronts a public street. He stated the proposed sign would be approximately 15'2" x 3' 1/2 in copy area; mirroring the other two wall signs already mounted on the east and south façades. The combined wall copy area of all three signs would amount to 139.5 sq. ft., which meets sign code regulation of not exceeding the maximum 200 sq. ft. of wall sign copy area allowed.

Aerial views of the site, zoning of the property and adjacent parcels, a rendering of the proposed sign on the building, and photos of the building in its current state and postings were shown.

Mr. Carroll reported that as required of this application, a justification statement has been submitted. In it, the applicant stated that having the channel letter signs facing this elevation will assist the southbound traffic to identifying the store's location from the northwest. Additionally, the applicant indicated that drivers going southbound on Highway 27/441 would be better directed to the store thus providing advanced direction to prepare them to make an upcoming right into the Lady Lake Crossing Plaza. Without it, many people may pass by missing the location. Lastly, the way the building exterior elevation was designed incorporates three red bands along the top suitable for signage a wall signage; on which two bands have signs already installed, and the third one looks empty and unbalanced.

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:

1. No diminution in value of surrounding properties would be suffered.
2. Granting the permit would be of benefit to the public interest.
3. Denial of the permit would result in unnecessary hardship to the owner seeking it.
4. The use must not be contrary to the spirit of this Code.
5. 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.
6. 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 08, Township 18 South, Range 24 East, Lady Lake, Florida. The property is zoned "PUD" Planned Unit Development, which permits the development in existence. The Future Land Use Map designation for the site is RET (Commercial General-Retail Sales and Services). The requested use is consistent with the adopted Memorandum of Agreement of Ordinance 2006-04 for the Lady Lake Crossing Plaza and the directives of the Comprehensive Plan and adopted Land Development Regulations.

Mr. Carroll reported that notices to inform the surrounding property owners (6) within 150' of the

subject property of the proposed variance were mailed by certified mail return receipt on Monday, November 23, 2015 and the property was also posted this same date. He stated that all the return receipts have been received and there has been no objections or letters of support to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Resolution No. 2015-113 and provided comments on November 30, 2015 that determined the application complete and ready for transmittal to the Planning and Zoning Board and Town Commission. The Planning and Zoning Board heard the application for Resolution No. 2015-113 at their regular meeting on Monday, December 14, 2015, and recommended approval with a 4-0 vote.

Mayor Kussard asked if anyone from the Commission or the audience had any questions or comments.

Commissioner Hannan commented that the photos show that the large trees are somewhat covering the signs, and this should be kept in mind when reviewing these items for approval. He stated perhaps the applicants should have lower landscaping so the building can be more visible.

Commissioner Richards commented that there is a monument sign right out front that is not obscured.

Commissioner Hannan asked if the ordinance for signs is being changed as had been discussed previously, and if so, is there a time frame for the changes to occur.

Town Manager Kris Kollgaard confirmed that this is an item that will be revised the next time a change is made to the Land Development Regulations. She stated that staff tries to do as many revisions at one time to keep the cost down for codifying the changes. She stated that now would be the time for the Commissioners to bring up any changes they want made to the LDRs.

Commissioner Richards asked how many signs is enough, as there is a sign on the south and east sides, with a monument sign in front.

Mayor Kussard stated that by the time you come up on the monument sign from the north, you may have bypassed the driveway to turn into the Verizon Store. She stated she thinks it is a good location for the sign.

Commissioner Richards stated the monument sign is almost 50 feet north of the building and should be visible up to 100 feet away.

Commissioner Holden agreed with Commissioner Richards that everyone should be able to notice the Verizon Store is there.

Commissioner Vincent commented that the Commission did not approve the church's request to put a sign on their building off of Highway 466.

Commissioner Hannan stated that he went by that church yesterday and you cannot tell what type of church it is. He stated he would like to see the church bring their request back to the Commission.

Commissioner Hannan made a motion to approve Resolution No. 2015-113, but the motion died for lack of a second.

Mr. Carroll stated that the applicant, Jennifer Ronneburger, is present if there are any questions before a second motion is made.

Ms. Ronneburger introduced herself and stated that the reasons Verizon has their building set up like this with the sign on all three sides is for visibility, obviously, and also to complete the aesthetic look of the building as the north side is just a blank area which calls for a sign. She stated the proposed sign would be the same size, and the proposed square footage all together would still not exceed the allowable. She stated the only issue with this site is that there is no street frontage. Ms. Ronneburger requested that the Commission approve this request based on everything else that has been granted, especially within the shopping center across the street. She stated the property owner was unable to travel today due to illness, and if the Commission does not want to approve the request today, she asked that it be tabled until the property owner can attend.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission agreed to table the first/final reading of Resolution No. 2015-113 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>

6. Ordinance No. 2016-04 – First Reading – Suspension of the Supplemental Education Assistance Fee (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

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

Mr. Carroll stated that staff recommends approval of this ordinance.

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

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

Mr. Carroll reported that the Town of Lady Lake has \$1,619,676.11 in Supplemental Education Impact fees as of October 31, 2015. He stated that these fees will remain and accrue until the Town exercises its ability to spend the fees. The fees may be used for the following:

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

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

- (7) Design and construction of drainage facilities required by the construction of educational plants and ancillary plants or improvements thereto;
- (8) Relocating utilities required by the construction of educational plants and ancillary plants or improvements or additions thereto;
- (9) Acquisition of furniture and equipment necessary to accommodate students, faculty, administrators, staff and the activities of the educational programs and services at educational plants which are necessitated by growth;
- (10) Payment of principal and interest, necessary reserves and costs of issuance under any bonds or other indebtedness issued by the school board to fund growth-necessitated improvements and additions to the educational system.

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

Mr. Carroll stated that the Town Commission will consider Ordinance No. 2016-04 for second and final reading on Wednesday, January 20, 2016.

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

Upon a motion by Commissioner Richards and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2016-04 by the following roll call vote:

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

L. TOWN MANAGER’S REPORT:

7. Consideration of One Appointment to the Economic Development Advisory Committee (Kris Kollgaard)

Town Manager Kris Kollgaard read the background summary for this item (on file in the Clerk’s Office). She stated that there is still one vacant position on the Economic Development Advisory Committee after the vote for members at the November 2nd Commission meeting resulted in a tie for the fourth position, and there are now three applications on file for consideration for this vacant position: Gil Pierson, Frank Kirschenheiter, and Amanda Walters. Ms. Kollgaard asked if any of the applicants were present to give a brief summary of why they would like to be on the board.

Mr. Gil Pierson introduced himself and stated he served on the Town’s Planning and Zoning Board until he moved out of Town. He stated he is still involved in the community and currently works

for Foxfire Realty. He stated that in his prior experience in South Florida, he also worked with Economic Development and Chambers of Commerce.

Ms. Kollgaard asked Mr. Pierson how long he was on the Planning and Zoning Board.

Mr. Pierson replied that he was on that board for over a year, almost two years.

Commissioner Hannan commented that Mr. Pierson is an excellent candidate for this position. He asked if someone can still be on this board if they do not live in town.

Ms. Kollgaard replied that the Economic Development Advisory Committee is the only committee where someone can live outside of town, but they must at least work in Lady Lake.

Commissioner Richards commented that Mr. Kirschenheiter lives in his neighborhood, and Mr. Pierson used to until he moved.

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

Frank Kirschenheiter received three votes (Commissioner Richards, Commissioner Holden and Commissioner Vincent).

Gil Pierson received two votes (Commissioner Hannan and Mayor Kussard).

Amanda Walters received no votes.

As a result, Frank Kirschenheiter was appointed as a new member of the Economic Development Advisory Committee.

8. Consideration of Changing the Meeting Dates of the Second Commission Meetings in January and February Due to the Martin Luther King Jr. and Presidents' Day Holidays (Kris Kollgaard)

Town Manager Kris Kollgaard stated that the second Commission meeting dates in January and February fall on the holidays of Martin Luther King Jr. Day (January 18th) and Presidents' Day (February 15th). She asked the Commission to approve the meeting dates of Wednesday, January 20th and Wednesday, February 17th instead.

It was the consensus of the Commissioners to approve the meeting dates of Wednesday, January 20th and Wednesday, February 17th for the second Commission meetings in January and February due to the holidays.

Ms. Kollgaard stated that she received a phone call from Mr. Hendricks who was banned from all Town facilities years ago. She stated he is requesting that the Commission consider lifting the ban. Ms. Kollgaard reminded the Commission that the Town went through quite a process and had to have a judge rule on it previously.

Commissioner Hannan asked if the court would have to rule on this if the Commission decided to lift the ban.

Town Attorney Derek Schroth replied that this ban occurred pursuant to a settlement resulting from the Town suing him for being a vexatious litigant after he brought several lawsuits against the town and several local businesses. He stated there was also an incident at the library involving a knife. Mr. Schroth stated Mr. Hendricks agreed to abide by the Town's terms that he was no longer welcome at Town facilities and a judge entered a judgement approving the agreement. He stated the judge would have discretion to amend the order to change anything that had been agreed upon.

It was the consensus of the Commission that they did not want to lift the ban for Mr. Hendricks.

M. MAYOR/COMMISSIONER'S REPORT: There were no reports or comments.

N. PUBLIC COMMENTS^{iv}

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

O. ADJOURN: The meeting was adjourned at 6:52 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk

ⁱAny 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.

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