

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

April 18, 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**

- D. INVOCATIONⁱ:** Reverend Dan Burgess, Lady Lake Wesleyan Methodist Church

- E. ROLL CALL:** Tony Holden, Commissioner Ward 2
Dan Vincent, Commissioner Ward 3
Paul Hannan, Commissioner Ward 4
Jim Richards, Commissioner Ward 5
Ruth Kussard, Mayor/Commissioner Ward 1

STAFF MEMBERS PRESENT: Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C. T. Eagle, Public Works Director; Mike Burske, Parks and Recreation Director; Chief Chris McKinstry and Captain Jason Brough, Police Department; Pam Winegardner, Finance Director; and Nancy Slaton, Deputy Town Clerk

F. PUBLIC COMMENTSⁱⁱ

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

G. ANNOUNCEMENT: Mayor Kussard stated there is an announcement regarding the designation of the Town of Lady Lake as a Tree City USA; she turned the podium over to Parks and Recreation Director Mike Burske.

Mr. Burske announced that this is the 11th year that Lady Lake has made Tree City USA. He stated that he handed in all the documentation for it, and they reviewed Chapter 10 of the Town's Land Development Regulations to insure the Town is responsible in development; making sure developers plant and replace the proper amount of trees, and that the historic trees are being saved whenever possible. He stated that the Town will be celebrating Arbor Day on April 28, 2016 at 10:00 a.m. at the Library and will include refreshments; he invited all to attend.

Town Manager Kris Kollgaard reported that last year, Commissioner Holden suggested the Town sponsor a free tree-giveaway at this year's Arbor Day celebration. She stated he recently reminded her of this and apologized that this was overlooked. Instead, Ms. Kollgaard stated if the Commission approves, staff will arrange a drawing at the Light Up Lady Lake ceremony to give away Live Oak trees.

H. PROCLAMATION:

1. Proclaiming the Month of April 2016 as Children and Youth Month (Mayor Kussard/Donna McGlone, American Legion Auxiliary Unit 347)

Mayor Ruth Kussard read the proclamation proclaiming the month of April 2016 as Children and Youth Month and presented it to Donna McGlone of the American Legion Auxiliary Unit 347.

2. Proclaiming April 28, 2016 as Arbor Day in Lady Lake (Mayor Kussard/Mike Burske)

Mayor Ruth Kussard read the proclamation proclaiming April 28, 2016 as Arbor Day in the Town of Lady Lake and presented it to Parks and Recreation Director Mike Burske.

I. PRESENTATION:

3. Presentation of Certificate of Completion to Commissioner Dan Vincent for Completion of the Institute for Elected Municipal Officials III: The Leadership Challenge Held on March 11-12, 2016 (Kris Kollgaard/Commissioner Dan Vincent)

Town Manager Kris Kollgaard stated this certificate was sent to her from the Florida League of Cities for presentation to Commissioner Vincent. She presented the Certificate of Completion of the Institute for Elected Municipal Officials III: The Leadership Challenge held on March 11-12, 2016 to Commissioner Vincent.

J. CONSENTⁱⁱⁱ:

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

4. Minutes – April 4, 2016 – Regular Commission Meeting

5. Consideration of Approval of the Renewal of the MOA with Lake-Sumter Children's Advocacy Center (Chris McKinstry)

The background summary for this agenda item is on file in the Clerk's Office. It states that this is a renewal of an existing MOA with Lake Sumter Children's Advocacy Center (CAC). The Lady Lake Police Department and the Lake Sumter Children's Advocacy Center recognize the strength of a multidisciplinary team is the varied training and expertise that each member contributes when conducting child sexual abuse and/or child criminal physical abuse. The renewal of this MOA has been expanded to include the services of the Child Protection Team because the CAC now holds that contract from the Florida Department of Health. Town Attorney Derek Schroth has reviewed this MOA.

Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved Consent Items #J-4 and #J-5 by a vote of 5 to 0.

K. OLD BUSINESS: No old business.

L. NEW BUSINESS:

6. Consideration of the Purchase of One Portable Radar Speed Display and Message Sign (Chris McKinstry)

Police Chief Chris McKinstry gave the background summary for this agenda item (on file in the Clerk's office). He stated that portable, variable message signs are devices that can be temporarily installed along roadways to display messages relating to everything from speed violations to traffic conditions to community events. The Lady Lake Police Department currently has one large message board and trailer in its inventory. He stated that although it is extremely beneficial, positioning a large message board in certain congested locations can be problematic. Since a common concern from residents relates to vehicles exceeding the speed limit in residential neighborhoods with limited parking availability, this portable model can be mounted to existing street signs so as not to create an additional obstruction. The portable message sign recommended by staff weighs only 26 pounds and has an integrated radar connected to the sign display, allowing the PD to utilize the message sign for multiple purposes, including speed awareness.

Chief McKinstry stated that he contacted several companies, Traffic Safety Corp., Traffic Calm Systems, and Traffic Logix, and none were able to provide this equipment as described. All Traffic Solutions was the only company found that was able to provide the equipment as requested. He stated that Town Auditor Chet Ross has confirmed that this request complies with the provisions of Section 932.7055, Florida Statutes (LETF). If this purchase is approved, the remaining balance in the Town Forfeiture/Law Enforcement Trust Fund account will be \$1,171.00.

Commissioner Hannan commented that he saw one of these portable message signs coming into The Villages from Oxford, and thought then that the Town should get one of these.

Upon a motion by Commissioner Holden and a second by Commissioner Vincent, the Commission approved the purchase of one portable radar speed display and message sign, utilizing the Town Forfeiture/Law Enforcement Trust Fund account, by a vote of 5 to 0.

7. Discussion of Advertising in the Special Conference Issue of "Quality Cities" for the 2016 Florida League of Cities Conference (Kris Kollgaard)

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk's office). She stated that Florida League of Cities has sent out information announcing the 90th Annual Conference which will be held in the City of Hollywood on August 18-20th. For the annual conference, they prepare a special conference issue of "Quality Cities" and the municipalities can purchase an ad for this special issue. Examples of previous ads from different cities along with the cost information were included in the packet. She stated that if the Commission is interested in purchasing an ad, staff will prepare one for the Commission's review, and the cost ranges up to \$625.

Commissioner Hannan stated he thought the Town should purchase at least a half page ad for all that the Florida League of Cities does for the Town.

After further discussion, and upon a motion by Commissioner Holden and a second by Commissioner Vincent, the Commission approved the purchase of a quarter page ad in the

Special Conference Issue of “Quality Cities” for the 2016 Florida League of Cities Conference by a vote of 4 to 1 (Hannan).

M. TOWN ATTORNEY’S REPORT: No report.

N. TOWN MANAGER’S REPORT:

8. Consideration of Extension of Terms for Two Members of the Police Pension Board (Kris Kollgaard)

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk’s office). She stated that the terms of two current Police Pension Board members expire this month, Pete Chiasson and John Schmied. One member has requested that the consideration of appointments/reappointments be extended until after the June 2016 Police Pension Board meeting is held. She stated staff has no objections to this request.

Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved the extension of terms of Peter Chiasson and John Schmied, members of the Police Pension Board, until the end of June, 2016 by a vote of 5 to 0.

9. Discussion/Direction Regarding Lumen Park Project’s Request for a Resolution (Kris Kollgaard)

Town Manager Kris Kollgaard reported she had sent information about Lumen Park’s request to hold the TEFRA hearing to the Commissioners earlier. She stated that she, the Growth Management Director, and the Town Attorney participated in a conference call with Darren Azdell, representing Lumen Park, Ed Gray with Capital Trust Agency- issuer of the bonds, and Karin Spratling (sp?) with the bond review council. She reported they are requesting that the Tax, Equity and Fiscal Responsibility Act (TEFRA) hearing be held in Lady Lake. It is a public hearing required by the IRS before the bonds can be issued, and the hearing gives the public an opportunity to comment on the use of the tax exempt bond funds by the borrowing institution to finance its capital needs.

Ms. Kollgaard stated they are requesting that the Town Commission consider providing its TEFRA approval by resolution. According to what Town staff has been advised by the owner and their attorney, it will not affect the Town’s bond rating or borrowing ability. However, she stated she believes it would be prudent to have the Town Attorney contact an independent bond attorney to verify that the Town would have no liability whatsoever if it were to proceed with this. She stated representatives from Lumen Park are present in the audience if there are any questions.

Town Attorney Derek Schroth stated that the Town Manager and the Commission should receive some assurances before proceeding with this request. Those assurances would best come from a bond council that is experienced in this type of work, and the County has separate bond council that they use outside of the County Attorney’s office; the Town Manager has already spoken with the County Manager regarding this. He stated another issue for consideration is that Lumen Park has offered to reimburse the Town for legal expenses up to \$5,000 as part of the review. He stated that if the Commission approves moving forward, the Town would need to draw up some type of agreement where Lumen Park would agree to reimburse the Town for its legal expenses on this issue, regardless of the legal advice given – even if the advice given to the Town is to not proceed.

Mayor Kussard agreed that this is new territory and they will need more advice on this.

Commissioner Richards and Commissioner Holden agreed.

Darren Azdell, architect with OutsideIn Architecture, representing the owner of Lumen Park property, stated this is a tax exempt bond, although they will still pay taxes as a private entity; it has nothing to do with the actual assisted living facility paying taxes. He stated it gives people in the community or elsewhere the opportunity to purchase bonds and benefits them with a tax-free status on the bonds. Mr. Azdell stated the purpose for doing this in Lady Lake is that several residents, who have been part of this process from the beginning, have asked why go through the County when they could go through the Town. He stated they are not asking the Town of Lady Lake to provide the bond issuance as this is something the County normally would have done. In this instance, they are using the Capital Trust Agency (CTA), a completely independent agency. Therefore, there is no effect or liability on the Town of Lady Lake, as council will find.

Commissioner Hannan asked the Town Attorney if he has seen this done in other municipalities before.

Mr. Schroth replied that yes, it has been done before, although he is not prepared to provide the assurances the Town Manager is asking for without spending a lot of time researching, or by reaching out to a bond attorney for advice on the IRS code.

It was the consensus of the Commission to move forward with this request and have the Town Attorney prepare a contract for the Town Manager's signature and contact bond council.

Ms. Kollgaard reported that the qualifying period for Wards Two and Four are coming up in June; she will have the resolution at the next meeting and will be sending out some information on it.

Ms. Kollgaard reported she has met with Driving Range officials and they have finally come to an agreement on terms after 10 to 12 years. She stated she will prepare the documentation and bring it to the next Commission meeting.

O. MAYOR/COMMISSIONER'S REPORT:

Commissioner Richards reported that he had a pleasant experience with the Lady Lake Police Department last weekend. He stated he had called the non-emergency line regarding concern over a man who had been parked in the neighborhood for some time and was walking up and down the street writing on a pad, thinking he may be casing the neighborhood. It turned out that the man was reviewing the status of the lawns in the neighborhood, hoping to contact them regarding lawn services. He stated the officer was prompt, pleasant and professional and he gave kudos to the Police Department.

Commissioner Holden stated that Chief McKinstry was good enough to attend his neighborhood's local association meeting and he was well received and professional, and it was much appreciated.

P. PUBLIC COMMENTS^{iv}

Mayor Kussard asked if anyone in the audience would like to speak on any item.

- Bob Sullivan, Commander of the Disabled American Veterans Chapter, reported that the DAV sponsored the Traveling Vietnam Wall to come to Lady Lake last November 9th-12th. He stated they received \$67,000 in donations at the wall and through the mail as a result. He thanked the

Town for their support and assistance in bringing the wall to Lady Lake, and presented a plaque in thanks to the Town, and Parks and Recreation Director Mike Burske and staff, in particular.

The Commissioners and Town Manager thanked Mr. Sullivan for his presentation of the plaque to the Town.

Q. ADJOURN: The meeting was adjourned at 6:30 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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