

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

September 7, 2016

This special meeting of the Lady Lake Town Commission was held in the Commission Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Ruth Kussard presiding. The meeting convened at 6:00 p.m.

- A. CALL TO ORDER:** Mayor Ruth Kussard

- B. PROCEDURE:** *Citizens are encouraged to participate in the Town of Lady Lake meetings. Speakers will be limited to three (3) minutes. Additional time may be granted by the Mayor. Citizen groups are asked to name a spokesperson and the Mayor, at his/her discretion, may allow longer than three minutes. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.*

- C. INVOCATION:** Father Gerry Cunningham – St. Timothy’s Catholic Church

- D. PLEDGE OF ALLEGIANCE** led by Lowell Barker

- 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; Pam Winegardner, Finance Director; Wendy Then, Town Planner; C. T. Eagle, Public Works Director; Chief Chris McKinstry, Police Department; Marsha Brinson, Director of Library Services; Tia O’Neal, Human Resource Director; Julia Harris, Administrative Assistant to Town Manager; and Nancy Slaton, Deputy Town Clerk

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

G. PUBLIC HEARING:

1. Resolution No. 2016-109 – First/Final Reading – Adoption of Tentative Millage Rate for FY 2016-2017 (Pam Winegardner)

Finance Director Pam Winegardner gave the background summary for this agenda item (on file in the Clerk’s Office). She stated that per State Statute Chapter 200.065, the Town of Lady Lake must hold a public hearing on the tentative millage rate and proposed budget. At this hearing, the Town Commission will discuss the tentative millage rate, and if changed, re-compute its’ tentative millage rate and publicly announce the percent, if any, by which the re-computed tentative millage is greater than or less than the rolled-back rate and approve the resolution.

Ms. Winegardner reminded the Town Commission that they can increase the millage rate at this meeting, but will not be able to increase it from what was approved at this meeting at the second public hearing on September 21st. This tentative rate plus any other rate below this rate requires an affirmation vote of three members of the Town Commission. She stated that this hearing was advertised via the TRIM Notice mailed out by the Property Appraiser.

Ms. Winegardner made the following required announcements:

- The Taxing Authority is the Town of Lady Lake;
- the tentative millage rate is equal to the current year’s rolled-back rate; and
- the tentative millage rate is 3.3962.

Ms. Winegardner then read the heading of Resolution No. 2016-109 regarding the adoption of the tentative millage rate for FY 2016-2017.

Mayor Kussard asked if there were any questions or comments from the Commissioners or the public. There were no questions or comments.

Upon a motion by Commissioner Hannan and seconded by Commissioner Holden, the Commission approved the first/final reading of Resolution No. 2016-109, which sets the FY 2016-17 tentative property tax millage rate of 3.3962 mills per \$1,000 taxable valuation which is equal to the current year’s rolled back rate, 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>

2. Ordinance No. 2016-28 – First Reading – Adoption of Operating Budget for FY 2016-2017 (Pam Winegardner)

Finance Director Pam Winegardner gave the background summary for this agenda item (on file in the Clerk’s Office). She stated that per State Statute Chapter 200.065, the Town of Lady Lake must hold a public hearing on the proposed FY2017 operating budgets. At this hearing, the Town Commission will amend and adopt the budget ordinance after adoption of the final millage rate. She stated this hearing was advertised via the TRIM notice mailed out by the Property Appraiser.

Ms. Winegardner read the ordinance title which stated the budget is setting forth anticipated revenue of \$15,736,745 and expenditures in an equivalent amount. The following amounts are appropriated for various funds: General Fund - \$10,740,320; Special Revenue (infrastructure sales surtax) - \$1,200,500; and Utilities Fund - \$3,795,925; for a total of \$15,736,745.00.

Mayor Kussard asked if there were any questions or comments from the Commissioners or the public. There were no questions or comments.

Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved the first reading of Ordinance No. 2016-28, 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>

At this time, Town Manager Kris Kollgaard asked the Mayor to allow Chief McKinstry to introduce a new police officer.

Chief McKinstry introduced Police Officer Matt Thomas, new to the Lady Lake Police Department after serving 12 years in police departments in Ohio. He stated Officer Thomas and his family moved to Florida; following his parents to this area. Chief McKinstry also presented an Exceptional Community Service Commendation to Officer Thomas for actions taken on just his second shift of duty, when he noticed a small fire at a residence on Winners Circle and took action to avert a potential tragedy. Officer Thomas was thanked and welcomed by all.

Officer Thomas stated he was proud and happy to be a part of the Lady Lake Police Department.

H. CONSENT:

3. Minutes – August 15, 2016 – Regular Commission Meeting

4. Consideration of Approval to Renew the Memorandum of Agreement (MOA) with the Haven of Lake & Sumter Counties, Inc. (Chris McKinstry)

The background summary for this agenda item is on file in the Clerk’s Office. It states that renewal of the existing Memorandum of Agreement with the Haven of Lake & Sumter Counties, Inc. originally approved by the Town Commission on November 3, 2014. Town Attorney Derek Schroth reviewed and approved the original MOA.

5. Consideration of Approval of the FY 2016-17 Public Risk Management Renewal (Tia O’Neal)

The background summary for this agenda item is on file in the Clerk’s Office. It states that staff received the 2016-2017 PRM/WRM renewal for property, workers’ comp, general liability, and pollution insurance coverage for the upcoming fiscal year. The grand total is \$466,834, which included an \$18,673 preferred member participation credit. There was an estimated 15% increase proposed in the 2016-2017 budget. The total increase is 10.4% for property, casualty, liability and workers’ compensation.

6. Consideration of a Request by the Lady Lake Historical Society (Chris McKinstry)

The background summary for this agenda item is on file in the Clerk’s Office. It states that the Lady Lake Historical Society is hosting an exhibit named “Florida Crackers and Cow Hunters”. They wish to display a vintage shotgun from the early 1900’s. LLLPD has a vintage shotgun in its evidence room that meets that description and is scheduled for destruction. The vintage shotgun came into LLLPD possession as a voluntary surrender and not as a result of criminal activity. The shotgun has no monetary value. Loaning the shotgun to the Historical Society will simply delay the destruction by the timeframe of the Historical Society event schedule. If this request is approved, the shotgun will be disabled prior to loan.

Mayor Kussard asked if there were any questions or comments on the Consent items.

Commissioner Hannan asked that Item H-6 be pulled.

Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved Consent Items #H-3 through #H-5 by a vote of 5 to 0.

Commissioner Hannan asked Chief McKinstry if the shotgun will be marked as disabled if it is loaned to the Historical Society.

Chief McKinstry replied that the weapon could be marked as not functional or disabled.

Commissioner Holden asked how old the shotgun is, and if it is to be destroyed, could it be donated permanently to the Historical Society instead.

Chief McKinstry replied that the gun is from the 1920's or 30's, but that they cannot donate it.

Ms. Kollgaard agreed, stating that per state statute, it must be destroyed.

Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the Commission approved Consent Item #H-6 by a vote of 5 to 0.

I. OLD BUSINESS: No old business.

J. NEW BUSINESS:

7. Recommendation to Award the Service Contract for Building Official Services, Plan Review, Inspections and Related Support Services for the Town of Lady Lake (RFP No. 2016-0005) to M.T. Causley, Inc. (Wendy Then/Kris Kollgaard)

Town Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated that on Friday June 23, 2016, the advertisement of RFP No. 2016-0005 ran in the Legal Advertisements section of the Lake Sentinel to solicit firms to provide Building Inspection Services, Building Plan Review Services and Building Official Services for the Town of Lady Lake. On Thursday, July 21, 2016, the bid period was closed at 10 a.m., and the bids were opened in a public meeting held in the Town Hall Commission Chambers. In response to the advertised RFP, five proposals were received. The respondents were as follows:

- Bureau Veritas
- Charles Abbott Associates, Inc.
- Joe Payne, Inc.
- M.T. Causley, Inc.
- Nova Engineering & Environmental, LLC

Ms. Then stated the RFP evaluation committee was comprised of three staff members; one from Growth Management, one from the Town Clerk's Office, and another from the Public Works Department, who were assigned to score the respondents based upon the matrix included in the packet. Committee discussion of the proposals was held on Monday, August 9, 2016 at 10 a.m. in a public meeting, at which time the ratings were read into the record. Based upon the ratings as evaluated under the matrix, Nova Engineering and Environmental, LLC obtained the highest rating with 285 points; M.T. Causley, Inc. received the second highest score with 281 points; and one firm was disqualified for not having a certified building official. Although Nova did receive the highest

score; two of the three members of the panel selected M.T. Causley due to the lower hourly fee rate and the ability to more adequately provide backup inspection coverage. Town staff recommends the award of the 24-month contract be given to M.T. Causley, Inc.

Ms. Then noted that complete RFP response packages as submitted by the applicants are available for review in the Town Clerk's Office.

Commissioner Hannan asked if Mr. Eagle of Public Works could explain why he scored M.T. Causley, Inc. lower than the other selection committee members.

C.T. Eagle, Public Works Director, replied that the scoring was based off the RFP matrix, and that everyone scores a little differently.

Mayor Kussard agreed with staff's recommendation as she stated it is very important to have the ability to provide back-up coverage.

Commissioner Vincent asked when this contract would be effective if approved.

Ms. Then replied it would begin October 3rd; the first Monday of the new fiscal year.

Upon a motion by Commissioner Richards and a second by Commissioner Holden, the Commission approved the Award of the Service Contract for Building Official Services, Plan Review, Inspections and Related Support Services for the Town of Lady Lake (RFP No. 2016-0005) to M.T. Causley, Inc. by a vote of 5 to 0.

8. Consideration to Approve the Contract with Kerry Barnett Fire Safety Consulting, LLC for the Provision of Fire Inspection Services and Fire Plan Review Services via "Piggyback" of Existing Contract with Avon Park, FL (Wendy Then/Kris Kollgaard)

Town Planner Wendy Then gave the background summary for this agenda item (on file in the Clerk's office). She stated the Town of Lady Lake has been utilizing Kerry Barnett Fire Safety Contracting, LLC to perform fire inspections and fire plan review since 2012 as a sub-contracted service under the agreement with Nova Engineering and Environmental, Inc. The contract with Nova is nearing expiration, and the Town would like to retain the services of Kerry Barnett to continue to provide these services to the Town through a "piggyback" of an existing contract that Mr. Barnett currently has with the City of Avon Park. The term of the agreement is valid through March 14, 2019; however, either party may terminate the contract with or without cause with a sixty (60) day notice. Should the Commission choose to seek bids prior to the expiration of the contract, the option is provided without consequence.

Ms. Then explained that Town staff did not seek to bid these services at this time due to the fact that the building services contract has changed as approved earlier, and staff did not want to undergo a change to both the building and fire services concurrently. Through retaining Mr. Barnett, staff feels that some degree of continuity could remain in place, and that Mr. Barnett could assist staff in helping to educate a new building services firm of the policies and practices of the Growth Management Department in the office as well as in the field. In addition, Growth Management staff has been very satisfied with Mr. Barnett's performance and reporting procedures over the last four years, and he is often complimented for his professionalism by contractors as well.

The current contract between Kerry Barnett Fire Safety Contracting, LLC and the City of Avon Park has been provided for the Commission’s review, and has been reviewed and approved by the Town Attorney.

Upon a motion by Commissioner Holden and a second by Commissioner Vincent, the Commission approved the Contract with Kerry Barnett Fire Safety Consulting, LLC for the Provision of Fire Inspection Services and Fire Plan Review Services via “Piggyback” of Existing Contract with Avon Park, FL by a vote of 5 to 0.

K. TOWN ATTORNEY’S REPORT:

9. Resolution No. 2016-108 – First/Final Reading – Supporting the Postponement on Bear Hunting Imposed by the Florida Fish and Wildlife Conservation Commission (Kris Kollgaard)

Town Attorney Derek Schroth read the resolution by title only.

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk’s office). She stated that this came to staff as a request from a citizen, and several other agencies such as Eustis, Clermont and Lake County have passed similar resolutions.

Commissioner Richards commented that the Florida Fish and Wildlife Commission has never needed the Town’s input or advice before, and Commissioner Vincent agreed.

Ms. Kollgaard stated that there were a lot of problems with the last bear hunt, and other agencies have also stated they are not in support of another, but it is up to the Commission.

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

Upon a motion by Commissioner Hannan and seconded by Commissioner Richards, the Commission approved the first/final reading of Resolution No. 2016-108, by the following roll call vote:

<i>HOLDEN</i>	<i>YES</i>
<i>VINCENT</i>	<i>NO</i>
<i>HANNAN</i>	<i>YES</i>
<i>RICHARDS</i>	<i>YES</i>
<i>KUSSARD</i>	<i>YES</i>

L. TOWN MANAGER’S REPORT:

10. Consideration of Switching from Vacation and Sick Time to Paid Time Off (PTO) (Kris Kollgaard)

Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the Clerk’s Office). She stated that staff was approved by the Commission in July to pass out an employee survey regarding the possibility of combining the vacation and sick time into Paid Time Off (PTO). Surveys (65) were handed out and returned; and the results showed 62 employees in favor of switching to PTO and three employees were not in favor. The completed surveys were included in the packet for the Commission’s review. Ms. Kollgaard reviewed some of the pros and cons listed below:

Pros:

PTO plans can make an employer more attractive to prospective employees and make it easier to retain current employees by increasing the control that employees have over how they use their leave.

PTO is easier to administer by eliminating the need to track different classifications of leave.

PTO programs tend to address the basic needs for employers and employees in that they meet a common need for employees to strike a better work/life balance, which results in more productivity for the employer.

By allowing the employee to sell back up to 80 hours of PTO as long as they meet the criteria, it helps the Town because the employees are paid out time at their current rate and, financially, it is less liability on the books for the Town.

Cons:

Some employees may tend to use all of their PTO time and not reserve time for unforeseen illnesses or injuries.

With the freedom of not having to explain their reasons for using PTO, employees may be absent more frequently without notice. This will be controlled by still requiring prior approval for time off for PTO except when calling in sick.

Commissioner Holden asked what will happen if someone is out for a couple of weeks, but has no time available.

Ms. Kollgaard replied that they will not get paid if they have no PTO time accrued.

Commission Hannan commented that each family is different and may have backup by another family member to cover them if they are out.

Ms. Kollgaard stated that there are many advantages to PTO such as the ability to cash in 80 hours, and that call-ins at the police department have decreased since they implemented PTO.

Upon a motion by Commissioner Hannan and a second by Commissioner Richards, the Commission approved Switching from Vacation and Sick Time to Paid Time Off (PTO) as Shown in Exhibit "A" Effective October 1, 2016, by a vote of 5 to 0.

Ms. Kollgaard reported that staff has just received the third quote for the security/camera systems for Town facilities, and this item will be brought back for the Commission's consideration at the next meeting.

Ms. Kollgaard stated that Tavares Middle School has contacted her requesting that their Civics class be allowed to conduct another mock Commission meeting as they did last January. She asked if the Commissioners are in favor of this, and they agreed it was a good experience.

M. MAYOR/COMMISSIONER'S REPORT:

Commissioner Hannan suggested that the Town come up with a plan to expand the Lady Lake Historical Society Museum as they are running out of room, and proposed changing the name to the “Shirley Kimmons Memorial Museum” since founding member Shirley Kimmons is retiring.

Commissioner Holden stated he is not in favor of naming places and streets after people.

Mayor Kussard agreed, stating it should remain the Lady Lake Historical Museum. She stated the museum just underwent remodeling a few years ago.

Commissioner Richards stated expansion or relocation of the museum should be discussed at budget time as it could be costly, and that it should be discussed in a public forum as well.

Ms. Kollgaard stated she will make a note to bring this up before next year’s budget and get some input beforehand. She stated the Town will be presenting a plaque to Ms. Kimmons at the next Commission meeting to honor her for her work with the Lady Lake Historical Society.

Mayor Kussard reported that she presented a Mayoral Citation to Ms. Kimmons at a recent meeting of the Lady Lake Historical Society.

N. PUBLIC COMMENTS:

Mayor Kussard asked if there were any further questions or comments.

- Mark Rodriguez of Mark Rodriguez Construction stated he has worked in the Town since 2000 and has enjoyed it. He stated his plans and inspections were getting done quickly with Nova, and he voiced his concern whether the service and turn-around time would be as good with M.T. Causley, Inc.

Ms. Kollgaard replied that he should get comparable service with M.T. Causley, Inc., and that they also work closely with Nova. She stated if the services provided by M.T. Causley, Inc. are not up to par, the contract provides for an out and the Town maintains a good relationship with Nova.

- Raymond Russomano, the current Vice President and next year’s President of the Lady Lake Historical Society, introduced himself. He stated they will label the shotgun appropriately to show it is disabled. He also reported the Historical Society applied for a state program, and they were one of ten locations in Florida that was awarded funds by the Florida Humanities Council for their proposal. It allows for payment of four outstanding speakers this year; with the first one being “Florida Crackers and Cowhunters” regarding cattle ranching in Florida, coming up in September. He stated they have had a big response, and thanked the Town for all the support and considerations they have been given.

O. ADJOURN: Their being no further business, the meeting was adjourned at 6:37 p.m.

Kristen Kollgaard, Town Clerk

Ruth Kussard, Mayor

Minutes transcribed by Nancy Slaton, Deputy Town Clerk