

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

**February 22, 2017**

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 Pro Tem Ruth Kussard presiding. The meeting convened at 6:00 p.m.

- A. CALL TO ORDER:** Mayor Pro Tem 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:** Sheldon Skurow – Temple of Shalom
  
- D. PLEDGE OF ALLEGIANCE** led by Lowell Barker
  
- E. ROLL CALL:** Paul Hannan, Commissioner Ward 4  
Ruth Kussard, Mayor Pro Tem/Commissioner Ward 1  
Tony Holden, Commissioner Ward 2  
Dan Vincent, Commissioner Ward 3  
  
**ABSENT:** Jim Richards, Mayor/Commissioner Ward 5

**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; Tia O’Neal, Human Resource Director; Chief Chris McKinstry, Police Department; Pam Winegardner, Finance Director; Wendy Then, Town Planner; Debbie Rodriguez-Lopez, Senior Accounting Clerk; and Nancy Slaton, Deputy Town Clerk

- F. PUBLIC COMMENTS:** There were no comments at this time.
  
- G. CONSENT:**
  - 1. Minutes – February 6, 2017 – Regular Commission Meeting**
  
  - 2. Consideration to Host the Annual Lady Lake Easter Egg Hunt at the Junior Field at the Guava Street Athletic Complex on April 8, 2017 (Mike Burske)**

The background summary for this agenda item is on file in the Clerk’s Office. It states that last year, the Lady Lake Easter Egg Hunt volunteers counted over 2,300 people attending the event. The Parks and Recreation Director will be proposing to host this event at the Junior Baseball Field at the Guava Street Athletic Complex. The size of the field and the available parking will assist in handling a crowd of this size. As in years past, many different groups and organizations have assisted the Town

with this event; many Chamber members, businesses and churches donate their time, labor and signs. Last year, over 30 different groups supported this event and gave participants the ability to have a controlled Easter Egg Hunt. The egg hunt goes for the duration of the event and allows children of similar ages to hunt at the same time. The number of children is also controlled to make sure every child is able to get several eggs.

Some of the groups who assisted last year were the Lady Lake Library, Chamber of Commerce, Girls Scouts, Relay for Life, Steeple People, Life Family Practice, United Southern Bank, Lady Lake Area Rotary Club, First Baptist Church of Lady Lake, Crossroads Community Church, Sonic Drive Thru, Chic-Fil-A, Z88 Radio, Recreation Plantation, and the Lady Lake Historical Society. As with any event, the groups and games will change from year to year. The businesses who donate their time and efforts are able to advertise who they are and hand out coupons or literature to help support their organization. This is also the practice for the Halloween Party.

To assist with marketing, this event will appear on many different organizations' websites and gives great exposure while not having to pay to advertise. Many different churches and organizations volunteer to run the egg hunt and the front gate, and allows staffing without utilizing paid staff. Including those running games, around 100 people volunteer for this event and assist in the coordination.

The Lady Lake Kiwanis Club will be the major sponsor for this event. The Kiwanis will invest up to \$1,800.00 in Easter eggs and will also work to staff the event. In return, they will be advertising that they are partnering with the Town for the egg hunt.

**3. Consideration of a Revision of Human Resource Manual Section 10.17 Prohibiting the Use of Tobacco Products in any Town Vehicle (Tia O'Neal)**

The background summary for this agenda item is on file in the Clerk's Office. It states that staff recommends revising the language in Section 10.17 of the Human Resource Manual to prohibit the use of any tobacco product (including e-cigarettes) in any Town vehicle, including assigned vehicles.

Mayor Pro Tem Kussard ask if there were any questions or comments on the consent items, and hearing none, called for a motion.

*Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the Commission approved Consent Items #G-1 through #G-3 by a vote of 4 to 0.*

**H. OLD BUSINESS:** No old business.

**I. NEW BUSINESS:**

**4. Discussion/Direction on Loan Provision for ICMA Retirement Plans (Tia O'Neal/Pam Winegardner)**

Human Resource Director Tia O'Neal gave the background summary for this agenda item (on file in the Clerk's office). She stated that staff has done some research and recommends allowing a loan provision under the Town's current ICMA retirement plans. Employees are currently responsible for their individual retirement accounts and are able to invest and make changes as they see fit. An individual taking out a loan on their retirement account does not affect another person's account as these are individual accounts, not a shared plan.

Under the loan provision, employees will only be able to take out one loan at a time. ICMA will only loan employees up to 50% of their vested account balance. Loans from an employee's individual retirement account must be paid back in full prior to separation of employment. ICMA will notify the Town if any account becomes delinquent. If an employee's account becomes delinquent, the payments will be automatically deducted from their payroll account and sent to ICMA. The Town has a fiduciary responsibility to ensure that the plan's loan program is managed properly, and will monitor loans to ensure the Town remains in compliance with IRS guidelines and that the loans are repaid.

Ms. O'Neal stated if the Commission would like to move forward with this, it would come back before them in resolution form, as the plans were originally adopted by resolutions.

Ms. Kollgaard further clarified that the loan provision would only be for the 401 and 457 plans.

Mayor Pro Tem Kussard asked if there would be a penalty for early withdrawal from the plan even though it will be paid back, and if there would be other fees associated with the plan.

Ms. O'Neal replied that it will be considered a loan, and there will be no tax penalty if it is paid back within the timeframe set by ICMA. The tax penalty would only occur if it was not paid back; when it would then be considered as a withdrawal. She stated there will be a \$75.00 fee for the origination of the loan and a \$50.00 per year loan maintenance fee.

*It was the consensus of the Commissioners to move forward with the Loan Provision for ICMA Retirement Plans by an all in favor vote of 4 to 0.*

**5. Consideration for the Fresenius Medical Care Dialysis Clinic-Lady Lake - New Major Site Plan-MJSP 11/16-001 – Proposing 7,104 Sq. Ft. of Medical Office –Located on +/- 1.47 Acres at 310 Longview Avenue Along Morningside Avenue, Skyline Drive, and Longview Avenue, Formerly Known as the Longview Site, (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 a site plan application has been submitted by Oman-Gibson Associates, Inc. on behalf of property owner Habashy and Habashy, LLC, proposing a single use development for property located at 310 Longview Drive, approximately 350 lineal feet west of the intersection of North Highway 27/441 and Longview Avenue (identified by Alternate Key Number 3818836).

Mr. Carroll stated the plan proposes approximately 7,104+/- sq. ft. of medical office for a dialysis clinic. The site includes 32 parking spaces, including three Florida ADA accessible parking spaces. He stated the property owner has already reserved five water and sewer ERUs, and the applicant is requesting an additional 20 water and sewer ERUs, more than the required capacity by the Town's Code based on the nature and operation of a dialysis clinic. The site was originally approved under the project name of "Longview Professional Plaza," proposing 12,352 sq. ft. of medical office space, which received site plan approval on July 6, 2009.

An aerial view of the property was shown, as was the site plan and elevations of the project. A photo rendering of the finished building was also shown.

The subject parcel is 1.47+/- acres. The property is currently zoned "HC" Heavy Commercial, and the Future Land Use Map designation for the site is Commercial General- Retail Sales and Services (RET).

The site plan was reviewed to determine if it is in compliance with the Land Development Regulations (LDRs) including parking, setbacks, landscaping, engineering, environmental protection and commercial design standards. The applications were determined to be in compliance with the Land Development Regulations (LDRs) and the Comprehensive Plan.

The engineering plans, consisting of 19 sheets, have been submitted on 24"x36" sheets and certified by Damon R. Parrish, Professional Engineer with the Foresite Group Inc., and are dated February 13, 2017. Landscaping and irrigation plans submitted, consisting of two sheets and certified by L. Alyson Utter, Florida Registered Landscape Architect with Oman-Gibson Associates, Inc. are dated February 9, 2017. Photometric plans consisting of one sheet and certified by Kenneth Ray Gunn Jr., are dated February 9, 2017. Architectural exterior elevations consisting of one sheet are certified by Douglas C. McNab and dated February 9, 2017. Reviews were completed for the Town by Town staff, Neel-Schaffer Engineering, Fire Inspector Kerry Barnett, and Building Official Ron Rowe. The following items were included in the packet:

1. Site Plan Review completed by Growth Management on 01/17/2017 (satisfied).
2. Review No. 2 for the general site development completed by Neel-Schaffer Engineering, dated 02/01/2017(satisfied).
3. Review by Fire Inspector Kerry Barnett dated 01/24/2017 (satisfied).
4. Review by Building Official Ron Rowe dated 11/28/2016 (satisfied).
5. Review by Lady Lake Public Works dated 02/13/2017 (satisfied).
6. Lake-Sumter MPO Response dated 01/05/2017 (satisfied).
7. St. Johns Water Management District Permit No. 70276-11 dated 02/13/2016 (satisfied).
8. Florida Dept. of Environmental Protection Permit for Domestic Water and Wastewater Program Exemption dated 11/22/2016.

The traffic impacts of this proposed development have been documented through a Tier 2 Traffic Impact Study (TIS). The proposed medical office is expected to generate 76 daily trips (38 entering and 38 exiting), with 17 new AM peak hour trips (13 entering and 4 exiting), and 27 PM peak hour trips (8 entering and 19 exiting). The report providing a breakdown and percentage of trips generated along Hwy 27/441 (north and south) and Morningside Avenue was included in the packet.

Mr. Carroll noted that in response to the MPO comments, the applicant provided a statement indicating that dialysis clinics in the area and throughout the country have a layout similar to what they have proposed in which the porte cochere is only one lane wide and can serve as a loading area for para-transit vehicles. Fresenius plans to handle potential para-transit issues through the scheduling of patients' appointments. In short, the proposed project is anticipated to have a minimal impact to the local road system and surrounding transportation network.

Mr. Carroll disclosed that the applicant is requesting a waiver of 10% of the parking spaces, which will be handled administratively as permitted under the code.

Commercial Design Standards: In accordance with the Land Development Regulations, Chapter 20, Section 20-3C).3).A)., new buildings should adopt one of the four recommended architectural styles: Frame Vernacular, Craftsman/Bungalow, Mediterranean, or Mission. It was noted that no Commercial Design Standard waivers are requested at this time. The applicant is proposing the Craftsman/Bungalow Architectural Style Design for all building exterior elevations. Elements exhibited will be as follows:

- ✓ Porte cochere entrance with square columns

- ✓ Crimped metal roof coverings
- ✓ Stucco exterior wall finish
- ✓ Decorative medallions
- ✓ Decorative sconces
- ✓ Decorative shutters
- ✓ Dormers

Tree Requirements: In accordance with Chapter 10-Landscape and Tree Protection, the site is required to provide 235.2 tree caliper inches based on its 1.47-acre area (160’x 1.47). The landscaping tree proposal breakdown is as follows:

Existing trees to remain	0 tree caliper inches
Proposed canopy & understory trees	<u>240</u> tree caliper inches
Total tree caliper inches	240 tree caliper inches

Mr. Carroll reviewed the landscaping plans, noting that the applicant is providing more than the required on-site tree caliper inches. No historic trees will be removed for this development, and no landscaping waivers have been requested at this time.

Mr. Carroll reported that the Technical Review Committee members individually reviewed the application by Tuesday, December 13, 2016, and provided outstanding comments regarding the site plan application. He stated that the Planning and Zoning Board does not review site plan applications, and no meetings were scheduled before the Parks, Recreation, and Tree Advisory Committee since no landscaping waivers were proposed for this project. At the Special Conceptual Workshop Meeting held on December 19, 2016, the Town Commission voted 5-0 to move to forward with site plan application for final consideration.

Mr. Carroll stated the applicant is present if there are any questions.

The Commissioners commented that it is a great looking building.

*Upon a motion by Commissioner Holden and a second by Commissioner Hanna, the Commission approved the Fresenius Medical Care Dialysis Clinic-Lady Lake - New Major Site Plan-MJSP 11/16-001 by a vote of 4 to 0.*

#### **J. TOWN ATTORNEY’S REPORT:**

**6. Ordinance No. 2016-46 – Second/Final Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages Operating Company-Duck Lake Warehouse H – from Lady Lake Government Facility (GF) to Lady Lake Industrial (I) for a Parcel Located Along Sunbelt Road, Consisting of Approximately 0.46 +/- Acres Within the Vicinity of the Duck Lake Industrial Park, Lake County, Florida (Alternate Key 3792693) (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 applications have been filed with the Town of Lady Lake by Martin L. Dzuro with The Villages Operating Company to amend the future land use designation of one parcel approximately 0.46 +/- acres, located along Sunbelt Road, within the vicinity of the Duck Lake Industrial Park, within Lake County, Florida. The proposed small-scale comprehensive plan amendment is to change the future land use designation from Lady Lake- Government Facilities (GF)

to Lady Lake Industrial (I). The subject parcel, which is located just south of property addressed as 505 Sunbelt Road, can be identified by Alternate Key number 3792693. The parcel originally was part of the boundaries of the VCCDD District Wastewater Treatment Plant Plan; however, it is currently vacant. The applicant will be seeking approval for 4,445 square feet of warehouse with an anticipated build out year of 2017.

The subject properties lie in Section 18, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

A map and an aerial view of the subject property was shown, as were maps of the zoning and future land use for this parcel and adjacent parcels, and photos of the postings.

The small scale future land use amendment application was received on Wednesday, November 30, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Notices to inform the surrounding property owners (2) within 150 feet of the subject parcel by the Small Scale Comprehensive Plan Amendment request were mailed Monday, December 22, 2016, and the property was posted this same date.

Concurrency Determination Statement by the Applicant: The proposed small scale comprehensive plan amendment is a land use change from Town of Lady Lake Government Facilities to Town of Lady Lake Industrial to accommodate the construction of a manufacturing warehouse in the Duck Lake Industrial Center.

Mr. Carroll stated there will be no impact on Town Services as shown below:

Potable Water – No impact, parcel is served by The Village Center Community Development District.

Sewer – No impact, parcel is served by The Village Center Community Development District.

Transportation – No improvements indicated as there will be an insignificant impact of trips per the Traffic Analysis.

School – No impact as the development proposed is a commercial project, not residential.

Parks & Recreation – The small scale future land use amendment and the rezoning applications will not cause P&R Level of Service to be exceeded since the project is for an industrial site.

Stormwater – Project will be required to adhere to SJRWMD guidelines and any applicable Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas. As per FEMA FIRM MAP 12069C0165E, effective 12/18/2012, this parcel is Flood Zone X-Outside the 500-yr Floodplain.

### **Future Land Use**

Subject Properties	Lady Lake- Government Facilities (GF)
<b>Future Land Use of Adjacent Properties</b>	
West	Lady Lake- Government Facilities (GF)
East	Lady Lake – Industrial (I)
North	Lady Lake – Industrial (I)
South	Lady Lake- Government Facilities (GF)

Comments: A rezoning application has been submitted concurrently with this small scale future land use amendment application.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-46, provided comments by December 26, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 9, 2017 regular meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-46 to the Town Commission with the recommendation of approval. The Local Planning Agency considered Ordinance No. 2016-46 on February 6, 2017 at 5:30 p.m. and recommended approval by a vote of 4-1. The Town Commission considered Ordinance No. 2016-46 for first reading on February 6, 2017 and voted 4-1 for approval.

Mr. Carroll stated the applicant is present if there are any questions.

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

*Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-46, by the following roll call vote:*

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

**7. Ordinance No. 2016-47 – Second/Final Reading – Rezoning – The Villages Operating Company- Duck Lake Warehouse H – Rezone from Lady Lake Public Facilities District (PFD) to Lady Lake Industrial (I) for a Parcel Located Along Sunbelt Road, Consisting of Approximately 0.46 +/- Acres Within the Vicinity of the Duck Lake Industrial Park, Lake County, Florida (Alternate Key 3792693) (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 applications have been filed with the Town of Lady Lake by Martin L. Dzuro with The Villages Operating Company to rezone zoning district designation for one parcel approximately 0.46+/- acres, located along Sunbelt Road, within the vicinity of the Duck Lake Industrial Park, within Lake County, Florida. The applicant is seeking to rezone the property from Lady Lake Public Facilities District (PFD) to Lady Lake Industrial (I). The subject parcel, which is located just south of property addressed as 505 Sunbelt Road, can be identified by alternate key number 3792693. The parcel originally was part of the boundaries of the VCCDD District Wastewater Treatment Plant Plan; however, it is currently vacant, and the applicant will be seeking approval for 4,445 square feet of warehouse with an anticipated build out year of 2017.

The subject properties lie in Section 18, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions, a location map, and a sketch of the property have been included with the submitted application.

A map and an aerial view of the subject property was shown, as were maps of the zoning on this parcel and adjacent parcels, and photos of the postings.

**Zoning**

Subject Property	Lady Lake - Public Facilities District (PFD)
<b>Zoning of Adjacent Properties</b>	
West	Lady Lake - Public Facilities District (PFD)
East	Lady Lake - Industrial (I)
North	Lady Lake - Industrial (I)
South	Lady Lake - Public Facilities District (PFD)

The rezoning application was received on Wednesday, November 30, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Notices to inform the surrounding property owners (2) within 150 feet of the subject parcel were mailed Monday, December 22, 2016, and the property was posted this same date. One phone inquiry was received, but there have been no objections.

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-47, provided comments by December 26, 2016, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 9, 2017 regular meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-47 to the Town Commission with the recommendation of approval. The Town Commission considered Ordinance No. 2016-47 for first reading on February 6, 2017 and voted 4-1 for approval.

Mr. Carroll stated the applicant is present if there are any questions.

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

*Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the Commission approved the second/final reading of Ordinance No. 2016-47, by the following roll call vote:*

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

**8. Ordinance No. 2016-48 – Second/Final Reading – Annexation – The Villages of Lake-Sumter, Inc. – of Three Lots Located Within Orange Blossom Gardens Units 1 and 3, Referenced by Alternate Key Numbers 1482062, 1732468, and 2686758 (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 the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed applications to annex properties consisting of three lots located within Orange Blossom Gardens Units 1 and 3. The annexation application involves 0.45 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. Mr. Carroll stated this is the tenth phase of annexations by The Villages, and staff recommends approval. The lots are addressed as follows:

- 1024 Vermont Avenue
- 1004 Aloha Way
- 820 Truman Avenue

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. An appropriate legal description, a location map, and a sketch of the properties were included with the submitted application. The lots will be served by the Village Center Community Development District Central Water and Sewer System, as well as the District's Fire Department.

A map and an aerial view of the subject properties were shown, as were maps of the zoning on these and adjacent parcels, and photos of the postings.

In accordance with the provisions of Florida Statute 171.205, and the Interlocal Service Boundary Agreement executed September 4, 2013 between Lake County, Florida and the Town of Lady Lake, Florida, the Town may annex property into the Town which are non-contiguous to the existing municipal boundary. The proposed properties under this application exist as both contiguous and non-contiguous lots.

The annexation application was received on Wednesday, November 30, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required for annexation under statutory requirements. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

Mr. Carroll reported that notices to inform the surrounding property owners (59) within 150 feet of the property proposed by the annexation request were mailed Thursday, December 22, 2016, and the properties were posted this same date. There has been one phone inquiry, but no objections or statements of support to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-48 and determined it to be complete and ready for transmittal to the Planning and Zoning Board. At the January 9, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-48 to the Town Commission with the recommendation of approval. The Town Commission considered Ordinance No. 2016-48 at first reading on February 6, 2017 and voted 5-0 for approval.

Mr. Carroll stated the applicant is present if there are any questions.

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

*Upon a motion by Commissioner Vincent and seconded by Commissioner Holden, the Commission approved the second/final reading of Ordinance No. 2016-48, by the following roll call vote:*

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

**9. Ordinance No. 2016-49 – Second/Final Reading – Small Scale Future Land Use Comprehensive Plan Amendment – The Villages of Lake-Sumter, Inc. – from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density – for Three Lots Located Within Orange Blossom Gardens Units 1 and 3, Referenced by Alternate Key Numbers 1482062, 1732468, and 2686758 (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 the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to amend the future land use comprehensive plan designation for properties consisting of three lots located within Orange Blossom Gardens Units 1 and 3, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density. The application involves 0.45 +/- acres of property from unincorporated Lake County into the Town of Lady Lake. Mr. Carroll stated staff recommends approval. The proposed properties are addressed as follows:

- 1024 Vermont Avenue
- 1004 Aloha Way
- 820 Truman Avenue

The small scale future land use map amendment application was received on Wednesday, November 30, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

A map and an aerial view of the subject properties were shown, as were maps of the zoning on these and adjacent parcels, and photos of the postings.

Concurrency Determination Statement: A Concurrency Determination Statement has also been included as part of the small scale comprehensive plan amendment application, which the applicant submitted to explain expected impacts on Town services. The Villages has removed the existing manufactured homes on two of the lots to date to construct conventional built homes on the lots. There will be no increase in utility services, traffic, population, or recreation use.

Mr. Carroll reported there will be no impact on Town services, as shown below:

Potable Water – No impact, lot is served by the Village Center Community Development District Central Water System.

Sewer – No impact, lot is served by the Village Center Community Development District Central Sewer System.

Schools – Not factored for project – no foreseen impact of students as the project is located within an active adult retirement community.

Transportation – No impact, the existing home will be replaced with a new home. There will be no change in average daily trip generation.

Parks & Recreation – The small scale future land use amendment will not cause P&R Level of Service to be exceeded since the project is for the replacement of existing homes. Additionally, the Villages provides its residents with all Park and Recreation Amenities.

Stormwater – Project will be required to adhere to SJRWMD guidelines and of Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

The subject property involves approximately 0.45 ± acres lie in Section 06, Township 18 South, Range 24 East in Lake County, Florida. The Future Land Use of the adjacent properties is as follows:

**Future Land Use**

Subject Properties	Lake County Medium Urban Density
<b>Future Land Use of Adjacent Properties</b>	
West	Lake County Medium Urban Density
East	Lake County Medium Urban Density
North	Lake County Medium Urban Density
South	Lake County Medium Urban Density

Comments:

1. Annexation and rezoning applications have been submitted concurrently with this small scale future land use amendment application.
2. In accordance to the Interlocal Agreement for Building Permits & Inspections Section 2).A)., executed on June 23, 2015, if The Villages has applied for annexation, then the Town can issue building permits located within the unincorporated area.
3. Project will be required to adhere to St. John’s River Water Management District guidelines and the Town of Lady Lake Floodplain Management Ordinance for parcels within Special Flood Hazard Areas.

Mr. Carroll reported that notices to inform the surrounding property owners (59) within 150 feet of the property proposed by the SSFLUM Amendment request were mailed Thursday, December 22, 2016, and the properties were posted this same date. No objections or letters of support have been received to date.

Mr. Carroll stated that the Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-49, and determined the application to be complete and ready for transmittal to the Planning and Zoning Board. At the January 9, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-49 to the Town Commission with the

recommendation of approval. The Local Planning Agency considered Ordinance No. 2016-49 on February 6, 2017 at 5:30 p.m. and voted 5-0 for approval. The Town Commission considered Ordinance No. 2016-49 at first reading on February 6, 2017 and voted to approve by a vote of 5-0.

Mr. Carroll stated the applicant is present if there are any questions.

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

*Upon a motion by Commissioner Holden and seconded by Commissioner Vincent, the Commission approved the second/final reading of Ordinance No. 2016-49, by the following roll call vote:*

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

**10. Ordinance No. 2016-50 – Second/Final Reading – Rezoning – The Villages of Lake-Sumter, Inc. – from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8) – for Three Lots Located Within Orange Blossom Gardens Units 1 and 3, Referenced by Alternate Key Numbers 1482062, 1732468, and 2686758 (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 the applicant, Martin L. Dzuro, on behalf of The Villages of Lake-Sumter, Inc., has filed an application to rezone property consisting of three lots located within Orange Blossom Gardens Units 1 and 3. The application involves rezoning 0.45 +/- acres of property from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8). The MX-8 designation is consistent with the other lots in The Villages which are presently in the Town of Lady Lake’s jurisdiction. Mr. Carroll stated staff recommends approval. The proposed properties are addressed as follows:

- 1024 Vermont Avenue
- 1004 Aloha Way
- 820 Truman Avenue

The rezoning application was received on Wednesday, November 30, 2016, and has been reviewed and determined to be complete, satisfying the necessary criteria as required to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan, and is ready for consideration by the Town Commission.

A map and an aerial view of the subject properties were shown, as were maps of the zoning on these and adjacent parcels, and photos of the postings.

Mr. Carroll stated that notices to inform the surrounding property owners (59) within 150 feet of the property proposed by the rezoning request were mailed Thursday, December 22, 2016, and the properties were posted this same date. No objections or letters of support have been received to date.

The subject properties lie in Section 06, Township 18 South, Range 24 East, in Lake County, Florida. Appropriate legal descriptions and survey information have been included with the submitted application. The zoning designation of the subject properties and adjacent properties are as follows:

**Zoning**

Subject Property	Lake County Residential Medium (RM)
<b>Zoning of Adjacent Properties</b>	
West	Lake County Residential Medium (RM)
East	Lake County Residential Medium (RM)
North	Lake County Residential Medium (RM)
South	Lake County Residential Medium (RM)

The Technical Review Committee (TRC) members individually reviewed the application for Ordinance No. 2016-50, and determined it to be complete and ready for transmittal to the Planning and Zoning Board. At the January 9, 2017 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance No. 2016-50 to the Town Commission with the recommendation of approval. The Town Commission considered Ordinance No. 2016-50 at first reading on February 6, 2017 and voted 5-0 for approval.

Mr. Carroll stated the applicant is present if there are any questions.

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

*Upon a motion by Commissioner Holden and seconded by Commissioner Hannan, the Commission approved the second/final reading of Ordinance No. 2016-50, by the following roll call vote:*

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

**11. Resolution No. 2017-101 – First/Final Reading – Commending the Florida Association of City Clerks (FACC) for its 45<sup>th</sup> Anniversary (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 the Florida Association of City Clerks (FACC) sets the professional and educational standards for city clerks, and this resolution recognizes their 45<sup>th</sup> anniversary.

*The Commissioners approved Resolution No. 2017-101 by an all in favor vote of 4 to 0.*

**K. TOWN MANAGER’S REPORT:**

**12. Consideration of One Appointment to the Police Pension Board (Kris Kollgaard)**

Town Manager Kris Kollgaard gave the background summary for this agenda item. She stated that there has been a vacancy on the Police Pension Board for several months since a board member

resigned. An application by William Farley has recently been submitted for consideration of appointment to this board. Mr. Farley was not present.

Ms. Kollgaard passed out the voting forms and asked the Commissioners to complete them and turn them in to the Deputy Town Clerk.

The Deputy Town Clerk reported that the Commissioners voted unanimously to appoint Mr. Farley to the Police Pension Board.

**13. Consideration of Three Reappointments to the Parks, Recreation and Tree Advisory Committee (Kris Kollgaard)**

Town Manager Kris Kollgaard gave the background summary for this agenda item. She stated that the terms of three members of the Parks, Recreation & Tree Advisory Committee expire at the end of this month (February 2017). She stated that Richard Jones, Doris Turlo, and Chryle Lowery are current members and they wish to be reappointed, and there are no new applications on file for this committee at this time.

Richard (Doc) Jones was present and commented that he has enjoyed being a member of this board this past year, as it has been a learning experience for him. He stated that he would like to remain on the board and thanked the Commissioners for their consideration.

Ms. Kollgaard passed out the voting forms and asked the Commissioners to complete them and turn them in to the Deputy Town Clerk.

The Deputy Town Clerk reported that the Commissioners voted unanimously to reappoint Mr. Jones, Ms. Turlo and Ms. Lowery to the Parks, Recreation and Tree Advisory Committee.

**14. Consideration of Three Reappointments/Appointments to the Planning and Zoning Board (Kris Kollgaard)**

Town Manager Kris Kollgaard gave the background summary for this agenda item. She stated that the terms of three members of the Planning and Zoning Board expire at the end of this month (February 2017). John Gauder, William Sigurdson and Robert Conlin are current members and they would like to be reappointed.

There are also three other applications on file for consideration of appointment to this board from Jeremiah Delgado, Phil Mathias, and Henryka Presinzano. No members or prospective members were present in the audience.

Ms. Kollgaard passed out the voting forms and asked the Commissioners to complete them and turn them in to the Deputy Town Clerk.

The Deputy Town Clerk read the votes into the record as follows:

- Mr. Gauder received three votes by Commissioner Holden, Commissioner Vincent, and Mayor Pro Tem Kussard.
- Mr. Sigurdson received four votes by Commissioner Hannan, Commissioner Holden, Commissioner Vincent, and Mayor Pro Tem Kussard.
- Mr. Conlin received four votes by Commissioner Hannan, Commissioner Holden, Commissioner Vincent, and Mayor Pro Tem Kussard.

➤ Mr. Delgado received one vote by Commissioner Hannan.

As a result, John Gauder, William Sigurdson and Robert Conlin were reappointed to the Planning and Zoning Board.

Ms. Kollgaard stated that change orders for the Guava Street Concession Stand were not received in time to place them on the agenda for this meeting, but the information was emailed to the Commissioners. Two change orders came in; the first for higher bathroom partitions (at Ms. Kollgaard's request for privacy and safety issues) at \$300.45; and the second change order is for installing an additional six feet of storm drainage pipe at the northwest retention pond with additional grading for \$414.17. The two change orders total \$714.62. She asked for approval to go ahead with these change orders.

*It was the consensus of the Commissioners by a 4-0 vote to approve these change orders.*

Ms. Kollgaard stated there will be change orders for the sidewalk project totaling a little more than \$7,000.00 presented at the March meeting. She asked the Commission to keep in mind that the Town has put very little money into this project as it is mostly funded by the FDOT (over a \$1,000,000.00 project).

**L. MAYOR/COMMISSIONER'S REPORT:**

Mayor Pro Tem Kussard read two thank you letters received from residents of the Town regarding the tree raffle for the Arbor Day celebration.

**M. PUBLIC COMMENTS<sup>i</sup>**

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

- Lowell Barker of 1570 W. Schwartz Blvd. thanked Ms. Kollgaard for looking into his previous complaint about late garbage pick-up on days after holidays. He also mentioned that Wales Plaza has terrible pot holes, and he has contacted both Lake County and The Villages, and neither is taking responsibility. He asked Ms. Kollgaard to check into it, stating he understands it is not Lady Lake's jurisdiction.

Ms. Kollgaard stated she will be happy to make some calls, although it is her understanding that supposedly The Villages deeded it to the county, but the county is saying they have no record of it. She will let them know it is getting to be a safety issue.

Commissioner Hannan stated this also came up a few years ago, and he believes that The Villages took care of it.

**N. ADJOURN:** There being no further business, the meeting was adjourned at 6:32 p.m.

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Kristen Kollgaard, Town Clerk

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Ruth Kussard, Mayor Pro Tem

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Minutes transcribed by Nancy Slaton, Deputy Town Clerk