

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

3                                   **August 19, 2019**

4    The regular meeting of the Lady Lake Town Commission was held in the Commission Chambers  
5    at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Jim Richards presiding.  
6    The meeting convened at 6 p.m.

7    **A. CALL TO ORDER**

8    Mayor Jim Richards

9    **B. INVOCATION**

10   Mayor Richards read the civility pledge in lieu of an invocation since Pastor Findlay could not  
11   attend this evening as planned.

12   **C. PLEDGE OF ALLEGIANCE**

13   **D. ROLL CALL**

Commissioner (Ward)	Present
Hannan (Four)	YES
Kussard (One)	YES
Holden (Two)	YES
Vincent (Three)	YES
Richards (Five)	YES

14   **STAFF PRESENT**

15   Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth  
16   Management Director; C.T. Eagle, Public Works Director; Chief Rob Tempesta, Deputy Chief  
17   Jason Brough, Lieutenant Nelson Vargas, Lady Lake Police Department; Pam Winegardner,  
18   Finance Director; Maureen Gochee, Human Resource Director; and Nancy Slaton, Deputy Town  
19   Clerk

20   **E. PUBLIC COMMENT**

21   Mayor Richards asked if anyone had any comments. There were no comments.

22   **F. ANNOUNCEMENT**

1 **1. Announcement of Qualifying Period from 12 Noon on August 26, 2019 to 12 Noon on August**  
2 **30, 2019 for the Office of Town Commissioner for Wards One, Three, and Five for the General**  
3 **Election on November 5, 2019 (Mayor Richards)**

4 Mayor Richards read the announcement regarding the Qualifying Period.

5 **G. CONSENT**

6 **2. Minutes — August 5, 2019 — Special (Conceptual)Commission Meeting**

7 **3. Minutes — August 5, 2019 — Regular Commission Meeting**

8 **4. Consideration of Approval of the Fiscal Year 2019—2020 Holiday Schedule (Maureen**  
9 **Gochee)**

10 **5. Consideration of the Mutual Agreement for Pavement Management—Preservation Services**  
11 **with C.W. Roberts Contracting, Inc. for the Fiscal Year 2018—2019 Annual Street Resurfacing**  
12 **Project (C.T. Eagle)**

13 Mayor Richards asked if any of the Commissioners had any concerns regarding the Consent  
14 items, and hearing none, asked for a motion.

15 **Commissioner Kussard made a motion to approve Consent Items G-2 through G-5.**  
16 **Commissioner Hannan seconded the motion. The motion passed by a vote of 5 to 0.**

17 **H. OLD BUSINESS**

18 No old business.

19 **I. NEW BUSINESS**

20 **6. Update and Direction on Potential Renovations of the Community Building (C.T. Eagle)**

21 Public Works Director C.T. Eagle presented the background summary for this agenda item (on  
22 file in the Clerk’s Office). He asked for the Commission’s direction on possible renovations after  
23 receiving reports on some inspections regarding electrical, plumbing, etc.

24 Town Manager Kris Kollgaard stated that since some of the insurance benefits are less than  
25 estimated for in the upcoming fiscal year budget, there will be more in Contingency funds that  
26 could be used for the estimated \$30,000 overage. She recommended that the renovations be  
27 started after the start of the new fiscal year (2019—2020) as the building is usually rented out  
28 quite a bit in the summer.

29 Commissioner Kussard stated that one estimate noted that more necessary improvements  
30 regarding electrical may be needed after a more thorough inspection. She also asked if the  
31 bathrooms were up to Americans with Disability Act (ADA) codes.

1 Mr. Eagle replied that once the interior is demolished and drywall removed, the electrical can be  
2 more thoroughly inspected. He stated overages on estimates are usually expected during a  
3 renovation project. He stated the bathrooms were compliant to the 1980 codes, although they  
4 may not be up to current standards of accessibility. He stated that all renovations done will be  
5 up to current codes and accessibility standards.

6 Ms. Kollgaard asked the Commissioners if they had any requests for particular renovations to be  
7 done.

8 Mayor Richards noted that almost fifty percent of the cost of the renovations was going toward  
9 the exterior of the building. He stated there may be room in those estimates for contingencies  
10 that may come up for any additional electrical work, etc.

11 The Commissioners agreed that the renovations should begin in the next fiscal year, starting in  
12 October of this year.

13 Mr. Eagle stated that he needed that commitment for a start date so that staff could block out  
14 rental time for the renovations and get contractors lined up. He asked the Commissioners to let  
15 him know of any thoughts they may have for updates such as French doors to the exterior,  
16 covered patio areas, etc. He stated the bathrooms and the kitchen area will be significantly  
17 changed.

18 Commissioner Vincent noted that a new ceiling may want to be considered, and Mr. Eagle  
19 agreed.

20 Mayor Richards asked if the tree in front of the Community Building was removed.

21 Mr. Eagle stated the tree was removed and the stump was ground. He stated it looks much  
22 different and the contractor did a good job.

23 **The Commissioners agreed that the renovations of the Community Building should begin**  
24 **after the start of the next fiscal year (October 2019).**

#### 25 **J. TOWN ATTORNEY'S REPORT**

26 Town Attorney Derek Schroth stated he had no report.

27 Mayor Richards stated he received the email from Mr. Schroth regarding the structure setback  
28 for agricultural zoning. The memo noted that State law says that if the property is zoned  
29 agricultural, a municipality cannot limit the property owner from putting a barn anywhere on  
30 the property. He stated the Town's Land Development Regulations will need to be updated.

31 Ms. Kollgaard noted that the Town cannot require a variance for this now.

32 Mr. Schroth agreed; stating the statutory amendment was fairly recent and is very broad.

1 **K. TOWN MANAGER'S REPORT**

2 **7. Consideration of Appointing a Replacement Ward One Representative to the Charter**  
3 **Review Committee (Kris Kollgaard)**

4 Town Manager Kris Kollgaard presented the background summary for this item (on file in the  
5 Clerk's Office. She stated Ms. Davis is a past member of the Town's Planning and Zoning Board  
6 and is familiar with the Town and the Charter. She stated Ms. Davis is present if there are any  
7 questions.

8 Mayor Richards and other Commissioners agreed they were pleased that Ms. Davis was willing to  
9 serve on this committee.

10 **The Commissioners approved the appointment of Lynn Davis to the Charter Review**  
11 **Committee by an All in Favor vote of 5 to 0.**

12 Ms. Kollgaard stated that the cost of the marquee sign at the Chamber was previously approved  
13 to come out of the Capital Asset fund; however, there is enough left in this year's Contingency  
14 fund (balance of \$130,000) to take the \$40,574 cost from there if the Commissioners agreed.  
15 They were in favor of it.

16 Ms. Kollgaard stated that the Town Attorney drew up a waiver regarding the residency  
17 requirements for a sexual predator or offender for the Commissioners' consideration. She read  
18 the proposed language for the waiver as follows:

19 "The Town may waive the prohibitions set forth in this Ordinance and allow a sexual offender or  
20 sexual predator to reside in a prohibited area of the Town upon a good cause shown at an  
21 evidentiary hearing proven by clear and convincing evidence. Good cause means the sexual  
22 predator or sexual offender will most likely not repeat the unlawful act for which they were  
23 previously convicted because of a permanent infirmity, disability or debilitating medical  
24 condition. "

25 Ms. Kollgaard stated staff has checked with all other agencies and they do not provide waivers.  
26 Only Ocala has in their Ordinance that the Police Chief may allow an offender to reside closer  
27 than the 2,500 feet restriction although they would still have to adhere to the 1,000 feet  
28 restriction which is by Florida statute. Ocala's exemption or waiver is only for offenders who  
29 were 18 or under at the time of the offense, and they have other provisions as well. If the Town  
30 decided to use this waiver, an offender would still have to maintain the 1,000 feet restriction and  
31 there would be a cost for each evidentiary hearing held. The Commission would also have to  
32 decide how often to hold a hearing depending on the medical conditions involved with a case.

1 Mayor Richards commended Mr. Schroth for thinking of everything to include in the waiver  
2 verbiage. He stated there could be a lot of cost involved depending on the applications received  
3 for this waiver.

4 Mr. Schroth agreed; stating there could also be a lot of opposition.

5 Commissioner Kussard, Commissioner Hannan and Commissioner Holden were not in favor or  
6 changing the ordinance to address this issue.

7 Mayor Richards stated that the ordinance will not be changed with three votes already against  
8 it. He thanked Mr. Schroth for his work on this and asked the Town Manager to contact the  
9 resident who requested the Town look into this on her behalf.

10 **L. MAYOR AND COMMISSIONER'S REPORT**

11 Mayor Richards asked if any of the Commissioners had anything to report.

12 With no others having anything to report, Mayor Richards stated that he was invited to  
13 groundbreaking on a home being built in Carlton Village this past Friday. Villages Charter School  
14 children involved in a program at school were helping Habitat for Humanity with the  
15 construction of this home.

16 Mayor Richards also reported on the American Legion Riders legacy run this past weekend  
17 where they raised \$89,000 in pledges and donations for a scholarship fund for children. He  
18 stated it was a lot of fun.

19 **M. PUBLIC COMMENTS**

20 Mayor Richards asked if there were any comments from the audience. There were no comments.

21 **N. ADJOURN**

22 There being no further business, the meeting was adjourned at 6:18 p.m.

23 \_\_\_\_\_  
24 Kristen Kollgaard, Town Clerk

25 \_\_\_\_\_  
26 Jim Richards, Mayor

27 Minutes transcribed by Nancy Slaton, Deputy Town Clerk