

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

3   **February 19, 2020**

4    The special 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   By Reverend Kerry Edwards of the Lady Lake United Methodist Church

11   **C. PLEDGE OF ALLEGIANCE**

12   **D. ROLL CALL**

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

13   **STAFF PRESENT**

14   Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth  
15   Management Director; C.T. Eagle, Public Works Director; Mike Burske, Parks and Recreation  
16   Director; Pam Winegardner, Finance Director; Chief Rob Tempesta and Lt. Nelson Vargas, Lady  
17   Lake Police Department; and Carol Osborne, Staff Assistant to the Town Clerk

18   **E. PUBLIC COMMENT**

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

1 **F. CONSENT<sup>ii</sup>**

2 **1. Minutes — February 3, 2020 — Regular Commission Meeting**

3 **2. Consideration of Approval for New Song Community Church of Lady Lake to Host Easter**  
4 **Sunday Sunrise Services at Veterans/Log Cabin Park on April 12, 2020 (Mike Burske)** (The  
5 background summary for this agenda item is on file in the Clerk's Office.)

6 **3. Consideration of Approval to Invest \$5,000.00 from the Tree Bank to Hold the Annual Tree**  
7 **Raffle for Lady Lake Residents (Mike Burske)** (The background summary for this agenda item is  
8 on file in the Clerk's Office.)

9 **4. Conveyance of Sewer, Water, and Reuse Infrastructure from Green Key Village, LLC to the**  
10 **Town of Lady Lake for Improvements Constructed within Green Key Village Phase 3 Replat —**  
11 **Located at 1298 Fiesta Key Circle (Thad Carroll)** (The background summary for this agenda  
12 item is on file in the Clerk's Office.)

13 **5. Conveyance of Sewer, Water, and Reuse Infrastructure from Green Key Village, LLC to the**  
14 **Town of Lady Lake for Improvements Constructed within Green Key Village Phase 4 —**  
15 **Located at 1298 Fiesta Key Circle (Thad Carroll)** (The background summary for this agenda  
16 item is on file in the Clerk's Office.)

17 Mayor Richards asked if any of the Commissioners had any questions regarding the consent  
18 items, and hearing none, asked for a motion.

19 **Commissioner Hannan made a motion to approve Consent Items F-1 through F-5.**

20 **Commissioner Vincent seconded the motion. The motion passed by a vote of 5 to 0.**

21 **G. OLD BUSINESS**

22 No old business.

23 **H. NEW BUSINESS**

24 **6. Consideration of Approval to Invest up to \$2,500.00 in Sod and Plant Material for the**  
25 **Butterfly Garden at Heritage Park (Mike Burske)**

26 Parks and Recreation Director Mike Burske presented the background summary for this agenda  
27 item (on file in the Clerk's Office).

1 Mayor Richards asked if there were any questions or comments from the Commissioners. There  
2 were no questions or comments.

3 **Commissioner Holden made a motion to approve investing up to \$2,500 in sod and plant**  
4 **material for the Butterfly Garden at Heritage Park. Commissioner Vincent seconded the**  
5 **motion. The motion passed by a vote of 5 to 0.**

6 **7. Discussion and Direction on How to Invest the \$120,000 Budgeted for the Pyramid Park**  
7 **Playground (Mike Burske)**

8 Parks and Recreation Director Mike Burske presented the background summary for this agenda  
9 item (on file in the Clerk's Office).

10 Commissioner Kussard stated the poured rubber mat will not last more than ten years.

11 Ms. Kollgaard stated this material will also harden due to sun exposure and any portion that  
12 hardens will need to be replaced.

13 Mr. Burske stated because of prolonged sun exposure, the playground representatives estimate  
14 the material will last approximately seven years.

15 Mayor Richards asked if there is a cost difference between the red rubber mulch and the black  
16 rubber mulch.

17 Mr. Burske stated there is not a big price difference between red and black rubber mulch.

18 Commissioner Hannan asked Mr. Burske for his recommendation.

19 Mr. Burske stated he recommends the rubber mulch ground cover. However, there are several  
20 articles online regarding toxins from roads leaching into the tires prior to recycling. Therefore,  
21 many communities use wood chips for their playgrounds and there are concerns with wood  
22 chips as well. Because he has received several phone calls regarding the risks of rubber mulch,  
23 he recommends purchasing wood chips.

24 Commissioner Kussard stated that many residents have told her that their children's clothes get  
25 very dirty by the rubber mulch on the playground. She stated that she prefers spending more  
26 money on playground equipment rather than ground cover. She stated that she prefers wood  
27 chips because they are inexpensive to replace.

28 Commissioner Hannan stated that he would like to have a workshop on this project.

1 Mayor Richards stated that he does not want to delay Mr. Burske installing the playground  
2 equipment. He suggested including an addendum to the plan of the cost of wood chips versus  
3 rubber mulch. He stated after reading the information that rubber mulch has been cleaned  
4 extensively, he prefers purchasing that as ground cover. He stated wood chips is constant  
5 maintenance and children can get splinters.

6 Commissioner Hannan verified with Mr. Burske that area floods during a heavy rainstorm.

7 Commissioner Kussard asked Mr. Burske the cost difference between wood chips and rubber  
8 mulch.

9 Mr. Burske stated the rubber mulch would cost approximately \$10,000; wood chips will be  
10 approximately \$5,000.

11 Commissioner Holden stated he is in favor of the wood chips and asked Mr. Burske if they are  
12 difficult to maintain.

13 Mr. Burske stated that staff has had to regrade the rubber mulch after a hard rain and believes  
14 wood chips will also need to be regraded.

15 Commissioner Kussard asked Mr. Burske if he could build up the boarder to help contain the  
16 wood chips.

17 Mr. Burske stated that he will be raising the border. He suggested to purchase the wood chips  
18 and if after a year it is evident that this is not an effective ground cover, he will come back to the  
19 commission with another option.

20 Mayor Richards asked if there were any questions or comments from the Commissioners.

21 Hearing none, he asked for a motion.

22 **Commissioner Holden made a motion to approve purchasing wood chips using the \$120,000**  
23 **budgeted for Pyramid Park. Commissioner Vincent seconded the motion. The motion passed**  
24 **by a vote of 4 to 1 (Hannan).**

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

### 26 **8. Ordinance 2020-02 (First Reading) — An Ordinance Renewing the Franchise Agreement** 27 **with Duke Energy (Pam Winegardner)**

28 Town Attorney Derek Schroth read the ordinance by title only.

1 Finance Director Pam Winegardner presented the background summary for this agenda item (on  
2 file in the Clerk’s Office).

3 Mayor Richards asked if there were any questions or comments from the Commissioners or the  
4 public. Hearing none, he asked for a motion.

5 **Upon a motion by Commissioner Kussard and a second by Commissioner Holden, the**  
6 **Commission approved the first reading of Ordinance 2020-02 by the following roll call vote:**

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES
Richards	YES

7 **J. TOWN MANAGER’S REPORT**

8 **9. Consideration of One Reappointment to the Planning and Zoning Board (Kris Kollgaard)**

9 Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the  
10 Clerk’s Office). She noted that there are no new applications to consider and there will still be a  
11 vacancy on this board.

12 **Commissioner Kussard made a motion to approve the reappointment of Regis LeClerc.**

13 **Commissioner Holden seconded the motion. The motion passed by a vote of 5 to 0.**

14 **10. Consideration of One Reappointment to the Parks, Recreation and Tree Advisory**  
15 **Committee (Kris Kollgaard)**

16 Town Manager Kris Kollgaard gave the background summary for this agenda item (on file in the  
17 Clerk’s Office). She noted that there are no new applications to consider and there will still be a  
18 vacancy on this committee.

19 **Commissioner Kussard made a motion to approve the reappointment of Betty Cantelmo.**

20 **Commissioner Hannan seconded the motion. The motion passed by a vote of 5 to 0.**

1 Ms. Kollgaard reported that she received a response from Ms. Taylor regarding the Town's offer  
2 to purchase her property. She explained that Ms. Taylor is satisfied with \$8,000 for the property,  
3 however, she is insist on the Town putting up a new fence. Ms. Kollgaard stated that the  
4 estimated cost of the fence is \$3,000.

5 Mayor Richards verified with Ms. Kollgaard that the total cost for the parcel and the fence would  
6 be approximately \$11,000.

7 Mayor Richards asked if there were any comments.

8 Commissioner Kussard stated that she is opposed to the gate. She stated that the Town made  
9 an offer and feels that Ms. Taylor is bartering.

10 Commissioner Holden asked if the fence would run parallel with the parcel the Town offered to  
11 purchase.

12 C.T. Eagle clarified the location of the fence would be parallel with the new road extension on  
13 the east side. He will clarify with Ms. Taylor that this is the only section of fence she is requesting.

14 Commissioner Hannan stated that he is not in favor of purchasing the fence.

15 Commissioner Holden verified with Mr. Eagle that the property interconnects with the street on  
16 the other side; he stated that he is in favor of purchasing the property and the Town putting up a  
17 fence.

18 Commissioner Vincent agreed.

19 Ms. Kollgaard stated it will be a much safer; for emergency vehicles especially.

20 Mayor Richards verified with Ms. Kollgaard that the property purchase, along with the fence  
21 specifications, will be presented to the commission when finalized.

22 Ms. Kollgaard clarified for the commission that the part time employees are eligible to earn  
23 wellness days and a safety day. These employees earn four hours; fulltime employees earn ten  
24 hours. The Town receives a reduction in the insurance premium by doing this because it  
25 advocates the health of our employees.

26 Ms. Kollgaard stated that Mr. Burske has discussed with her having a one-day July 4 celebration,  
27 concluding with fireworks. This would take place in 2021. She explained that they have  
28 discussed this with the fire marshal who verified that it can be done. She stressed that it would  
29 be expensive and would be included in the 2021 budget. She stated this would be held at the

1 ball field on Clay Avenue; the fireworks will be in a restricted area and would be specifically  
2 skyrockets.

3 It is the consensus of the commission not to pursue this event.

4 Ms. Kollgaard stated Lake County advised her that they foreclosed on the property at 209  
5 Longview Avenue; the mobile home on the property is condemned. She stated that she  
6 contacted Habitat for Humanity to see if they were interested in this property. Ms. Kollgaard  
7 explained that the county will convey the property to the Town at no cost, the Town will quit  
8 claim the property to Habitat for Humanity who will remove the structure at their cost and  
9 construct a habitat home.

10 It is the consensus of the commission to direct the town manager to move forward with this  
11 matter.

12 Ms. Kollgaard asked the commission if they are in favor of purchasing folding chairs to give to all  
13 of the volunteers at the volunteer dinner, at a cost of approximately \$900, which is included in  
14 the budget.

15 It is the consensus of the commission to purchase 50 folding chairs for Town volunteers, at a  
16 cost of approximately \$900.

#### 17 **K. MAYOR AND COMMISSIONER'S REPORT**

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

19 Commissioner Kussard asked if the commissioners know of anyone who has been nominated for  
20 the Community Service Award. She stated there is a \$75 fee to attend the award dinner and, if  
21 any of the commissioners attend, this should not be paid by the Town. None of the  
22 commissioners knew of anyone who has been nominated for this award.

23 Commissioner Vincent referred to an email on his cell phone from the Florida League of Cities  
24 regarding short-term rentals.

25 Commissioner Hannan stated that he believes using a cell phone at a Commission meeting is a  
26 violation of the Sunshine Law.

27 Ms. Kollgaard clarified that texting amongst commissioners during a meeting is violation;  
28 reading an email or information aloud from a cell phone is not a violation.

1 Commissioner Vincent stated he will not read from his cell phone. He stated that the state  
2 legislature is considering regulating short-term rental homes and if the legislation passes it will  
3 take home rule away from the Town. The Town will no longer be able to regulate short-term  
4 rentals and it will affect our zoning.

5 Mayor Richards stated short-term rentals has been a common practice in The Villages.

6 Mr. Schroth clarified that the state legislature will preempt all of the local regulations. The state  
7 will decide which short-term rentals are permitted and how they are regulated. The Town will  
8 lose all authority regarding short-term rentals.

9 Ms. Kollgaard stated many coastal cities passed ordinances preventing short-term rentals.  
10 Those ordinances will be void should this legislation pass.

11 Mr. Schroth clarified that Commissioner Vincent did not violate the Sunshine Law by reading  
12 information from his cell phone.

13 **L. PUBLIC COMMENTS**

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

15 **M. ADJOURN**

16 There being no further business, the meeting was adjourned at 6:46 p.m.

17 \_\_\_\_\_  
18 Kristen Kollgaard, Town Clerk

19 \_\_\_\_\_  
20 Jim Richards, Mayor

21 Minutes transcribed by Carol Osborne, Staff Assistant to Town Clerk