

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

3 **August 5, 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 By Minister Matt Malott of the New Life Christian Church

11 **C. PLEDGE OF ALLEGIANCE**

12 **D. ROLL CALL**

Commissioner (Ward)	Present
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; John Pearl, I.T. Director; Chief Rob
16 Tempesta, Deputy Chief Jason Brough, Lieutenant Nelson Vargas, Lady Lake Police Department;
17 Wendy Then, Senior Planner; Pam Winegardner, Finance Director; Maureen Gochee, Human
18 Resource Director; and Nancy Slaton, Deputy Town Clerk

19 **E. PUBLIC COMMENT**

20 Mayor Richards asked if anyone had any comments.

21 Miranda Perez of 221 Longview Avenue in Lady Lake stated she is present this evening to request
22 permission to allow her father to live with her. He is 76 years old and has had several strokes,
23 leaving him blind and unable to walk or care for himself. He must be cared for either at her

1 home with nursing assistance, or at a facility, and there are no facilities available close by. She
2 stated he is a registered sex offender, and this is her difficulty, as her home is just over a mile
3 from a daycare and school. Ms. Perez stated she has spoken with the Town Manager, the Police
4 Chief, and even with Deputy Keller of the Lake County Sheriff's office.

5 Ms. Perez stated the property owner and her neighbors do not object to her father living with her
6 since he is disabled. She presented further information and background on her family situation,
7 stating the Department of Children and Families is involved. She stated she has only 48 hours for
8 this request to be approved once she registers her father at her address. The other option is a
9 facility in Miami, which would be a hardship for her since it is so far away.

10 The Mayor and Commissioners asked Mr. Schroth for his legal opinion.

11 Town Attorney Derek Schroth stated the Town's ordinance would have to be changed to allow
12 for hardship exemptions.

13 After further discussion, Commissioner Hannan stated it will take a couple of months to change
14 the ordinance, and the Town has no way to address this immediate need.

15 Mr. Schroth asked if the Commissioners are directing that the ordinance be reviewed and
16 perhaps amended to include exemptions for hardship cases.

17 Mayor Richards directed staff to look into this to see if this has occurred in any other areas, and
18 possibly prepare an amended ordinance for the Commissions' review. The other Commissioners
19 agreed with this direction.

20 Ms. Perez thanked the Commissioners for their consideration. She stated she will keep in
21 contact with the Town Manager to see if this ordinance is amended.

22 **F. ANNOUNCEMENT**

23 **1. Announcement of Qualifying Period from 12 Noon on August 26, 2019 to 12 Noon on August**
24 **30, 2019 for the Office of Town Commissioner for Wards One, Three, and Five for the General**
25 **Election on November 5, 2019 (Mayor Richards)**

26 Mayor Richards read the announcement regarding the Qualifying Period.

27 **G. CONSENT**

28 **2. Minutes — July 15, 2019 — Regular Commission Meeting**

29 **3. Consideration of the FY 2019 — 2020 Benefits (Medical, Dental, Life Insurance, Long Term**
30 **Disability, Short Term Disability, Critical Illness, Accident Coverage) (Maureen Gochee)**

31 **4. Consideration of the Acceptance, Conveyance, and Payment of the 18-Inch Lady Lake CR**
32 **25 Sewer Line Extension Improvements Constructed from Oak Street North along County**

1 **Road 25 to Fennell Blvd., Including Utility Easement on Private Property Identified by**
2 **Alternate Key 3305451 (Thad Carroll)**

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

5 **Commissioner Kussard made a motion to approve Consent Items G-2 through G-4.**
6 **Commissioner Holden seconded the motion. The motion passed by a vote of 5 to 0.**

7 **H. OLD BUSINESS**

8 No old business.

9 **I. NEW BUSINESS**

10 **5. To Discuss the Tentative Millage Rate and Set Proposed Dates, Times and Place for the First**
11 **Public Hearing for the Tentative Millage Rate and Budget, and Set Proposed Dates, Times and**
12 **Place for the Second Public Hearing for the Final Millage Rate and Budget (Pam Winegardner)**

13 Finance Director Pam Winegardner presented the background summary for this agenda item (on
14 file in the Clerk's Office). She asked if there were any questions.

15 Mayor Richards asked if there were any questions, and hearing none, asked for a motion.

16 **Commissioner Vincent made a motion to set the Fiscal Year 2019-2020 tentative millage rate**
17 **of 3.3962; and to set the proposed, date, time and place of the first public hearing as**
18 **September 4th, 2019 at 6 p.m. in the Town Hall Commission Chambers, and to set September**
19 **18th, 2019 at 6 p.m. for the second public hearing adopting the final millage rate and budget.**
20 **Commissioner Kussard seconded the motion. The motion passed by a vote of 4 to 1 (Hannan).**

21 **6. Consideration of Metric Engineering Proposal to Design Fiber Optic Infrastructure (John**
22 **Pearl)**

23 Information Technology Director John Pearl presented the background summary for this
24 agenda item (on file in the Clerk's Office).

25 Mayor Richards asked if there were any questions.

26 Commissioner Hannan confirmed with Mr. Pearl that this proposal was for installing conduit
27 only.

28 **Commissioner Kussard made a motion to approve the Metric Engineering Proposal to Design**
29 **Fiber Optic Infrastructure to be installed during the upcoming Hwy 27/441 road widening**
30 **project. Commissioner Holden seconded the motion. The motion passed by a vote of 5 to 0.**

31 **7. Consideration of Mutual Agreement with Danella Construction to Provide Fiber Optic**
32 **Infrastructure Services at Multiple Town of Lady Lake Locations (John Pearl)**

1 Information Technology Director John Pearl presented the background summary for this
2 agenda item (on file in the Clerk's Office).

3 Mayor Richards asked if there were any questions, and hearing none, asked for a motion.

4 **Commissioner Holden made a motion to approve the Mutual Agreement with Danella**
5 **Construction to Provide Fiber Optic Infrastructure Services at Multiple Town of Lady Lake**
6 **Locations. Commissioner Kussard seconded the motion. The motion passed by a vote of 5 to**
7 **0.**

8 **8. Consideration for Heartland Dental New Major Site Plan– Outparcel C — MJSP 04/19-001 —**
9 **Proposing a 4,483 Square-Foot Dental Office Building within the Lady Lake Commons Site on**
10 **Approximately .76 Acres, Addressed as 625 N. Highway 27/441, Identified by Alternate Key**
11 **Number 3305451 (Thad Carroll)**

12 Growth Management Director Thad Carroll presented the background summary for this agenda
13 item (on file in the Clerk's Office). He stated the applicant is present if there are questions.

14 Mayor Richards asked if there were any questions, and hearing none, asked for a motion.

15 **Commissioner Kussard made a motion to approve the Heartland Dental New Major Site Plan–**
16 **Outparcel C — MJSP 04/19-001 with requested waivers as presented. Commissioner Hannan**
17 **seconded the motion. The motion passed by a vote of 5 to 0.**

18 **9. Consideration for Pine Brook Master Mobile Home Park Plan – MJSP 03/19-002 — Proposing**
19 **40 Units on Approximately 7.58 Acres along Griffin View Drive, Just North of the Lady Lake**
20 **Mobile Home Park, Identified by Alternate Key Number 1584922 (Thad Carroll)**

21 Growth Management Director Thad Carroll presented the background summary for this agenda
22 item (on file in the Clerk's Office). He stated the applicant is present if there are questions.

23 Mayor Richards asked if there were any questions.

24 Commissioner Kussard asked if the two mobile home parks (Lady Lake Mobile Home Park and
25 the proposed Pine Brook Mobile Home Park) are owned by the same people.

26 Rick Horton, Planning Project Manager with Wick's Engineering, stated the properties are owned
27 by the same people, although they are under different licensed liability corporations (LLCs).

28 Commissioner Kussard asked if their wastewater treatment facility has the capacity to handle
29 this new project.

30 Mr. Horton replied that they are well within the capacity range with the addition of 40 units.

1 **Commissioner Kussard made a motion to approve the Pine Brook Master Mobile Home Park**
2 **Plan – MJSP 03/19-002 as presented. Commissioner Hannan seconded the motion. The**
3 **motion passed by a vote of 5 to 0.**

4 **10. Consideration of the Water Oak Estates Entryway Improvements — Major Modification to**
5 **Site Plan 09/18-002 — Proposing Upgrades to Entryway Landscaping and Hardscaping,**
6 **Addition of Turning Lane and Relocation of Parking Spaces and Connecting Sidewalks, within**
7 **the Water Oak Estates Country Club (Alternate Key 3538951) (Thad Carroll)**

8 Growth Management Director Thad Carroll presented the background summary for this agenda
9 item (on file in the Clerk’s Office). He stated the applicant is present if there are questions.

10 Mayor Richards asked if there were any questions, and hearing none, asked for a motion.

11 **Commissioner Vincent made a motion to approve the Water Oak Estates Entryway**
12 **Improvements — Major Modification to Site Plan 09/18-002 as presented. Commissioner**
13 **Holden seconded the motion. The motion passed by a vote of 5 to 0.**

14 **J. TOWN ATTORNEY’S REPORT**

15 **11. Ordinance 2019-10 — (First Reading) An Ordinance Providing for a Text Amendment to the**
16 **Town of Lady Lake Land Development Regulations (Ordinance No. 94-08) Chapter 5, Section**
17 **5-4, “Zoning District Uses”; Amending the Minimum Setback Requirements to Fifty Feet for**
18 **Accessory Structures and Uses Incidental to Agricultural Activities (Thad Carroll)**

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

20 Growth Management Director Thad Carroll presented the background summary for this agenda
21 item (on file in the Clerk’s Office).

22 Mayor Richards asked if there were any questions or comments.

23 Commissioner Kussard asked if this property is on septic and well.

24 Mr. Carroll stated he is not sure if this property has either; it could just be pasture land. There are
25 no Town utilities close to the property.

26 Commissioner Holden stated the current setback is 200 feet. He clarified that the agricultural
27 structure could be within 50 feet of the road if this amendment is approved. He suggested that
28 the same 200 feet setback from road frontage be kept, while allowing a 50 foot setback on the
29 other three sides of the property.

30 Mr. Carroll replied that per this text amendment, the structure could be setback 50 feet from the
31 road but centered in the property. He stated the road setback is based on the type of road;
32 whether it is a local, collector, or arterial. Mr. Carroll stated it would be a rare instance for a

1 structure to be that close to the road. He stated there could be a provision in the ordinance
2 stating that a structure be no closer than x amount to the road.

3 Mayor Richards stated his concern with this text amendment was that a house could be 35 feet
4 from the setback, and then a barn could be put 50 feet back and be close to the house. He
5 suggested that a variance be requested instead of this text amendment so issues of this type
6 could be considered on a case by case basis.

7 Commissioner Holden suggested that the text amendment could include keeping the structure
8 200 feet back from the road.

9 After further discussion, and hearing no other comments or questions, Mayor Richards asked for
10 a motion.

11 **Ordinance 2019-10 was not approved due to lack of a motion.**

12 **12. Resolution 2019-107 — First and Final Reading — Qualifying Dates for Office of Town**
13 **Commission for Wards One, Three, and Five for November 5, 2019 Election (Kris Kollgaard)**

14 Town Attorney Derek Schroth read the resolution by title only.

15 Town Manager Kris Kollgaard presented the background summary for this agenda item (on file
16 in the Clerk's Office).

17 Mayor Richards asked if there were any questions or comments, and hearing none, asked for a
18 motion.

19 **Commissioner Kussard made a motion to approve the First and Final Reading of Resolution**
20 **2019-107 as presented. Commissioner Hannan seconded the motion. The motion passed by**
21 **the following roll call vote:**

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

22 **Commissioner Kussard made a motion to authorize the Town Clerk to request that the Lake**
23 **County Supervisor of Elections conduct the general election for the Town. Commissioner**
24 **Hannan seconded the motion. The motion passed by the following roll call vote:**

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

1 **K. TOWN MANAGER’S REPORT**

2 Town Manager Kris Kollgaard reported that the tree by the Community Building will be removed
3 this Friday morning.

4 **L. MAYOR AND COMMISSIONER’S REPORT**

5 Mayor Richards asked if any of the Commissioners had anything to report. There were no
6 reports.

7 **M. PUBLIC COMMENTS**

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

9 **N. ADJOURN**

10 There being no further business, the meeting was adjourned at 6:55 p.m.

11 _____
12 Kristen Kollgaard, Town Clerk

13 _____
14 Jim Richards, Mayor

15 Minutes transcribed by Nancy Slaton, Deputy Town Clerk