

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

3 **January 4, 2021**

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

7 **A. CALL TO ORDER**

8 Mayor Ruth Kussard

9 **B. INVOCATION**

10 By Reverend Tom Ash of the New Song Community 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
Rietz (Five)	YES

13 **STAFF PRESENT**

14 Derek Schroth, Town Attorney; Thad Carroll, Interim Town Manager/Growth Management
15 Director; C.T. Eagle, Public Works Director; Pam Winegardner, Finance Director; John Pearl, I.T.
16 Director; Wendy Then, Senior Planner; Chief Rob Tempesta and Lieutenant Nelson Vargas,
17 Lady Lake Police Department; and Nancy Slaton, Interim Town Clerk

18 **E. PUBLIC COMMENT**

19 Mayor Kussard asked if there were any comments from the audience. There were no comments
20 at this time.

21 **F. CONSENTⁱⁱ**

22 **1. Minutes — December 21, 2020 — Regular Commission Meeting**

1 Mayor Kussard asked if there were any questions or comments from the Commissioners
2 regarding the Consent items. Hearing none, she asked for a motion.

3 **Commissioner Holden motioned to approve the December 21, 2020 meeting minutes.**
4 **Commissioner Vincent seconded the motion. The motion passed by a vote of 5 to 0.**

5 **G. OLD BUSINESS**

6 No old business.

7 **H. NEW BUSINESS**

8 **2. Consideration of Amendment to Interlocal Agreement for Disbursement of Cares Act**
9 **Funds (Thad Carroll)**

10 Interim Town Manager Thad Carroll presented the background summary for this agenda item
11 (on file in the Clerk's Office).

12 Mayor Kussard asked if there were any questions or comments from the Commissioners.
13 Hearing none, she asked for a motion.

14 **Commissioner Rietz motioned to approve the Interlocal Agreement for Disbursement of**
15 **Cares Act Funds. Commissioner Vincent seconded the motion. The motion passed by a vote**
16 **of 5 to 0.**

17 **I. TOWN ATTORNEY'S REPORT**

18 **3. Ordinance 2020-11 (First Reading) — An Ordinance Annexing Property being**
19 **Approximately 1.26 Acres Owned by M & L Lady Lake, LLC; Referenced by Alternate Key**
20 **Number 1237998 (Thad Carroll)**

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

22 Growth Management Director Thad Carroll presented the background summary for this
23 agenda item (on file in the Clerk's Office).

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

26 **Upon a motion by Commissioner Holden and a second by Commissioner Hannan, the**
27 **Commission approved the first reading of Ordinance 2020-11 by the following roll call vote:**

Commissioner	Vote
Hannan	YES
Kussard	YES

Commissioner	Vote
Holden	YES
Vincent	YES
Rietz	YES

1 **4. Ordinance 2020-12 (First Reading) — An Ordinance Amending the Lady Lake Future Land**
2 **Use Comprehensive Plan of Property Being Approximately 1.26 Acres from Lake County**
3 **Urban Medium to Lady Lake Commercial General (Retail Sales & Services) (RET), Owned by**
4 **M & L Lady Lake, LLC, Referenced by Alternate Key Number 1237998 (Thad Carroll)**

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

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

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

10 **Upon a motion by Commissioner Hannan and a second by Commissioner Holden, the**
11 **Commission approved the first reading of Ordinance 2020-12 by the following roll call vote:**

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES
Rietz	YES

12 **5. Ordinance 2020-13 (First Reading) — An Ordinance Rezoning Property being**
13 **Approximately 1.26 Acres Owned by M & L Lady Lake LLC, from Lake County Planned**
14 **Commercial (CP) to Lady Lake Planned Commercial (CP), Referenced by Alternate Key**
15 **Number 1237998 (Thad Carroll)**

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

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

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

1 Upon a motion by Commissioner Holden and a second by Commissioner Hannan, the
2 Commission approved the first reading of Ordinance 2020-13 by the following roll call vote:

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES
Rietz	YES

3 **6. Ordinance 2020-15 (First Reading) — An Ordinance Voluntarily Annexing Property Being**
4 **Approximately 0.25 Acres Owned by Richard R. and Edith C. Rollins; Lots 34 & 42 of Orange**
5 **Blossom Gardens Unit 3, Within Lake County, Florida; Referenced by Alternate Key Numbers**
6 **1483549 and 1200458 (Thad Carroll)**

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

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

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

12 Upon a motion by Commissioner Holden and a second by Commissioner Hannan, the
13 Commission approved the first reading of Ordinance 2020-15 by the following roll call vote:

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES
Rietz	YES

14 **7. Ordinance 2020-16 (First Reading) — An Ordinance Amending the Lady Lake Future Land**
15 **Use Comprehensive Plan from Lake County Medium Urban Density to Town of Lady Lake**
16 **Manufactured Home High Density (MH-HD) for Property Being Approximately 0.25 Acres**
17 **Owned by Richard R. and Edith C. Rollins; Lots 34 & 42 of Orange Blossom Gardens Unit 3,**

1 **within Lake County, Florida; Referenced by Alternate Key Numbers 1483549 and 1200458**
2 **(Thad Carroll)**

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

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

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

8 **Upon a motion by Commissioner Holden and a second by Commissioner Vincent, the**
9 **Commission approved the first reading of Ordinance 2020-16 by the following roll call vote:**

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES
Rietz	YES

10 **8. Ordinance 2020-17 (First Reading) — An Ordinance Rezoning Property Being**
11 **Approximately 0.25 Acres Owned by Richard R. and Edith C. Rollins; Lots 34 & 42 of Orange**
12 **Blossom Gardens Unit 3, from “Lake County Residential Medium” (RM) to “Lady Lake Mixed**
13 **Residential Medium Density” (MX-8), Referenced by Alternate Key Numbers 1483549 and**
14 **1200458 (Thad Carroll)**

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

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

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

20 **Upon a motion by Commissioner Vincent and a second by Commissioner Rietz, the**
21 **Commission approved the first reading of Ordinance 2020-17 by the following roll call vote:**

Commissioner	Vote
Hannan	YES
Kussard	YES

Commissioner	Vote
Holden	YES
Vincent	YES
Rietz	YES

1 **9. Resolution 2020-112 (First and Final Reading) — Sun Water Oak Expansion LLC & Sun**
2 **Communities Finance LP — Pursuant to Chapter 5, Section 5-4).h).7).D).1).d)., a Variance**
3 **Request to Reduce Front Yard Setback from 25 Feet to 20 Feet for Residential Structures**
4 **within the Water Oak Hilltop Expansion Phases 1-5 Development Proposed South of Griffin**
5 **Avenue and East of the Water Oak Country Club Estates, Referenced by Alternate Keys**
6 **1238111, 1770483, and 1238277 (Thad Carroll)**

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

8 Growth Management Director Thad Carroll presented the background summary for this
9 agenda item (on file in the Clerk’s Office). He addressed the email received from Jim Bellizzi
10 regarding property he proposes to purchase from a Mr. Johnson that abuts a portion of the
11 Water Oak expansion. Mr. Carroll stated he explained that the buffer between the properties
12 are meeting the Town’s requirements, and it would be up to the developer if they wanted to
13 construct anything in excess of that. He stated that the Lara Parker, Water Oak Park Manager,
14 is present, and that Dan Gibbs, engineer, is available and listening on a cell phone as there is
15 currently no working telephone in the Chambers.

16 Mayor Kussard asked if there were any questions or comments from the Commissioners or the
17 public.

18 Commissioner Holden stated he believed that when the conceptual plans came before them a
19 couple of years or so ago, they included a dog park and a recreational gathering area, and he
20 asked if that is still the plan. He stated it looks like there is only retention areas now.

21 Mr. Carroll replied that retention ponds can be a shared use when dry. He stated there was
22 some concern that a dog park proposed for the southern end of the property may be noisy. Mr.
23 Carroll noted that this resolution is regarding the variance request only. The site plan will come
24 before the Commission for approval at a later date.

25 Commissioner Vincent stated that the existing 20-foot setback does not really work if a
26 resident has a pickup, although they are allowed. He also noted that the 20-foot wide streets
27 for the next variance request is also a problem.

1 Pete Toom of 729 Bishop Drive in Water Oak thanked the Commission for the opportunity to
2 speak. He stated there are close to 1300 homesites now in Water Oak, with another 300 or so
3 planned. He stated he would prefer the roadways to have 12-foot lanes, or 24-foot wide roads.
4 Mr. Toom noted emergency vehicles, and delivery, service and construction vehicles are a
5 common occurrence in Water Oak, and they obstruct the roadway.

6 Bob Galloway of 925 E. Norman St. agreed with Mr. Toom's statements regarding the
7 narrowness of the roads in Water Oak. He stated he was hit by a car while walking on the road
8 five houses from his home. He asked the Commission to consider extended footage for the
9 roadway.

10 Commissioner Vincent stated that just because the existing roadways were built to the 1980's
11 standards, there is no reason not to construct the new roadways to today's standards. He
12 stated the narrow roadways in Water Oak are dangerous and he also pointed out that there are
13 no sidewalks.

14 Mayor Kussard commented that she has a very similar situation where she lives; there are no
15 sidewalks in her neighborhood and the width of the road in front of her house in The Villages is
16 also 20 feet.

17 Mr. Carroll pointed out the issue for this resolution is the setback, not the width of the road.

18 Water Oak Park Manager Lara Parker provided access to Mr. Dan Gibbs of Atwell Engineering by
19 holding a cell phone to the podium microphone.

20 Mr. Gibbs pointed out that even if there were sidewalks, service vehicles parking in the street
21 would block them. He stated there will be the same problems even if the streets were wider. He
22 stated by keeping the setbacks and streets at the same 20-foot width as the original park, they
23 are trying to keep the density up to make this project feasible. Mr. Gibbs stated that Sun
24 Communities is putting a lot of money into this project for all the residents of Water Oak, not
25 just residents of the new portion. He noted the plans include new amenities such as pools and
26 cabanas that all residents will be able to utilize. They will also include a dog park but have not
27 decided on the best location yet.

28 Commissioner Holden suggested that this resolution be tabled until the design is amended.

29 Mayor Kussard clarified that the resolution is being tabled because of the variance request for
30 the front setback.

31 Mr. Carroll asked if the Commissioners will table to a date certain to avoid having to re-
32 advertise and re-post the property.

1 Ms. Parker asked for clarification as to what the Commission was wanting the engineer to
2 change. She reiterated that a dog park is slated for the expansion.

3 Commissioner Holden stated the Commission would like to see a new design.

4 Commissioner Vincent replied they would like to see new engineering drawings without
5 variances for the front setback and roadway width.

6 **Upon a motion by Commissioner Holden and a second by Commissioner Vincent, the**
7 **Commission tabled the first and final reading of Resolution 2020-112 to February 1, 2021 by**
8 **the following roll call vote:**

Commissioner	Vote
Hannan	NO
Kussard	NO
Holden	YES
Vincent	YES
Rietz	YES

9 **10. Resolution 2020-113 (First and Final Reading) — Sun Water Oak Expansion LLC & Sun**
10 **Communities Finance LP — Pursuant to Chapter 15, Article II). Section 15-52).D).3), a**
11 **Variance Request to Allow the Construction of Internal Private Roads within the Water Oak**
12 **Hilltop Expansion Phases 2 through 5 to be 20-Foot Paved Roads to Keep Consistency with**
13 **the Construction and Layout of the Existing Water Oak Country Club Estates, Referenced by**
14 **Alternate Keys 1238111, 1770483, and 1238277 (Thad Carroll)**

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

16 Growth Management Director Thad Carroll did not present the detailed background summary
17 for this agenda item (on file in the Clerk's Office) as the Commissioners proposed to table this
18 request.

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

21 **Commissioner Hannan motioned to approve the first and final reading of Resolution 2020-**
22 **113. The motion died for lack of a second.**

23 **Upon a motion by Commissioner Holden and a second by Commissioner Vincent, the**
24 **Commission tabled the first and final reading of Resolution 2020-113 to February 1, 2021 by**
25 **the following roll call vote:**

Commissioner	Vote
Hannan	NO
Kussard	NO
Holden	YES
Vincent	YES
Rietz	YES

1 **11. Resolution 2020-114 (First and Final Reading) — Knights Real Estate Inc. — Pursuant to**
2 **Chapter 15, Article II). Section 15-52).a).2)), a Variance Request to Request a Minimum**
3 **Driveway Setback of 67 Feet from the Intersection of North US Highway 27/441 and West**
4 **Guava Street, Located at 135 North Highway 27/441, Referenced by Alternate Key 2933224**
5 **(Thad Carroll)**

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

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

9 Mayor Kussard asked if there were any questions or comments from the Commissioners or the
10 public.

11 Roger Beyers of Beyers Funeral Home stated his business is nearly across the street and he
12 stated his concern that the access to this property was changed from Hwy 27/441 to Guava
13 Street.

14 Mr. Carroll stated the applicant has chosen to close off their access from Hwy 27/441. It will not
15 impact Mr. Beyer’s entrance to his business off Hwy 27/441.

16 Upon a motion by Commissioner Hannan and a second by Commissioner Rietz, the
17 Commission approved the first and final reading of Resolution 2020-114 by the following roll
18 call vote:

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES

Commissioner	Vote
Rietz	YES

1 **J. TOWN MANAGER’S REPORT**

2 Interim Town Manager Thad Carroll reported that there was an article in one of the papers
3 about Wildwood’s and Lady Lake’s Arbor Day celebrations. He stated the Town just recently
4 completed the tree give-away for last year’s Arbor Day. Mr. Carroll stated that Florida
5 celebrates Arbor Day in January and April, and Parks and Recreation Director Mike Burske
6 would like to wait until April 22nd to tentatively hold the celebration in Heritage Park.

7 **K. MAYOR AND COMMISSIONER’S REPORT**

8 Mayor Kussard asked if any of the Commissioners had anything to report. There were no other
9 reports.

10 **L. PUBLIC COMMENTS**

11 Mayor Kussard asked if there were any comments from the audience. There were no
12 comments.

13 **M. ADJOURN**

14 There being no further business, the meeting was adjourned at 7:02 p.m.

15 _____
16 Nancy Slaton, Interim Town Clerk

17 _____
18 Ruth Kussard, Mayor

19 Minutes transcribed by Nancy Slaton, Interim Town Clerk