

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

3 **March 15, 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 6:23 p.m. as the previous meeting ran late.

7 **A. CALL TO ORDER**

8 Mayor Ruth Kussard

9 **B. INVOCATION**

10 By Pastor Rani Abdulmasih — Hope Lutheran Church

11 **C. PLEDGE OF ALLEGIANCE**

12 **D. ROLL CALL**

Commissioner (Ward)	Present
Hannan (Four)	YES
Kussard (One)	YES
Holden (Two)	YES
Vincent (Three)	NO
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; Lori Sadler,  
16 Library Director; Becky Higgins, Development Coordinator; Deputy Chief Jason Brough, and Lt.  
17 Nelson Vargas, 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.

20 Lay Brother Steven Gerard of 2928 Tangerine Ct. spoke for three minutes regarding pro-life  
21 goals. He requested that the Commission consider drafting a resolution regarding the life  
22 peace zone information update. He passed out a hand-out regarding this.

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

1 **1. Minutes — March 1, 2021 — Commission Meeting**

2 **2. Consideration of Bid Documents to Construct Phase One of the Wastewater Treatment**  
3 **Plant Improvements Identified within the Previously Approved Wastewater Treatment Plant**  
4 **Reliability Study Findings as Presented by Jason Shepler with Mittauer and Associates, Inc.**  
5 **(C.T. Eagle)** (Background summary on file in Clerk’s Office.)

6 **3. Consideration of Proposal from Mittauer and Associates for Bidding and Construction**  
7 **Phase Services During the Wastewater Treatment Plant Improvements Project (C.T. Eagle)**  
8 (Background summary on file in Clerk’s Office.)

9 **4. Consideration of Bid Documents to Construct Well #4 at Water Treatment Plant #3 and**  
10 **Well #5 at Water Treatment Plant #1 as Previously Identified and Approved within the June**  
11 **2020 Well #4 Siting Evaluation as Presented by Jason Shepler with Mittauer and Associates,**  
12 **Inc. (C.T. Eagle)** (Background summary on file in Clerk’s Office.)

13 **5. Consideration of Proposal from Mittauer and Associates for Bidding and Construction**  
14 **Phase Services During the Well Number 4 and Well Number 5 Project (C.T. Eagle)**  
15 (Background summary on file in Clerk’s Office.)

16 **Mayor Kussard asked if there were any questions or comments from the Commissioners**  
17 **regarding the Consent items. There were no comments.**

18 **Commissioner Holden motioned to approve Consent Items F-1 through F-5. Commissioner**  
19 **Hannan seconded the motion. The motion passed by a vote of 4 to 0.**

20 **G. OLD BUSINESS**

21 No old business.

22 **H. NEW BUSINESS**

23 **6. Presentation of The Villages Public Safety Department Year-End Report FY 2019-2020**  
24 **(Chief Edmond Cain)**

25 Chief Edmond Cain presented an overview of the Fiscal Year 2019-2020 Villages Public Safety  
26 Department year-end report.

27 Commissioner Hannan stated that although this was a good presentation, in the future he  
28 would like to see a presentation showing only Lake County statistics.

29 Mayor Kussard commented that their ISO rating of 2 is very impressive. She thanked Chief Cain  
30 for his presentation.

31 **I. TOWN ATTORNEY’S REPORT**

1 Town Attorney Derek Schroth stated he had a brief update on a previous decision made by the  
2 Commission regarding a request by The Villages. He stated Mr. Glass, The Villages' attorney,  
3 reached out and requested a formal denial letter. Mr. Schroth stated this is required by state  
4 statute if requested and he will provide this before the deadline of March 18<sup>th</sup>. Thereafter, The  
5 Villages will have 30 days to file a lawsuit if they choose to, and the Commission and Town  
6 Attorney will meet in a closed session to discuss this privately should that occur.

7 **7. Resolution 2020-112 — First and Final Reading — Tabled from March 1, 2021 — Sun Water**  
8 **Oak Expansion LLC & Sun Communities Finance LP — Pursuant to Chapter 5, Section 5-**  
9 **4).h).7).D).1).d)., a Variance Request to Reduce Front Yard Setback from 25 Feet to 20 Feet**  
10 **for Residential Structures within the Water Oak Hilltop Expansion Phases 1-5 Development**  
11 **Proposed South of Griffin Avenue and East of the Water Oak Country Club Estates,**  
12 **Referenced by Alternate Keys 1238111, 1770483, and 1238277 (Thad Carroll)**

13 Town Attorney Derek Schroth read the title of the resolution.

14 Growth Management Director Thad Carroll presented the background summary of this  
15 resolution. He stated that Sun Communities representatives are present, as is Dan Gibbs with  
16 ATWELL, Inc., if there are any questions.

17 Commissioner Holden confirmed that this variance is only for the property described.

18 Mayor Kussard asked if the Commissioners or anyone from the public had any comments or  
19 questions.

20 Dr. Mahrud Paymani of 2627 Madera Ct. of the adjoining Woodgate community stated there are  
21 three properties in Woodgate that are within ten feet of the Water Oak proposed development.  
22 He said this is a very narrow space and he believes it is too close to the property line of  
23 Woodgate.

24 Sheri Woodworth, Division Vice President of Sun Communities, stated that she had a  
25 conversation with Dr. Paymani last week and Sun Communities has agreed to install a six foot  
26 wooden fence instead of a chain link fence to assist them with some privacy for the ten foot  
27 buffer.

28 Dr. Paymani agreed they had this conversation, but he stated that ten feet does not seem to be  
29 enough of a buffer between the two properties.

30 Mr. Carroll noted that this variance has nothing to do with the ten foot buffer; it is only  
31 regarding the front setback.

32 Mayor Kussard suggested that the Woodgate representatives meet further with Sun  
33 Communities and try to come to an agreement on the buffer.

1 Ed Freeman of 147 Evergreen Lane reminded the Commission that each variance request  
2 should be reviewed on its own merits and previously approved variances do not control case  
3 law.

4 Mr. Carroll stated the precedent of the 20- foot setback was part of the DRI agreement itself  
5 and was not based on a previous variance.

6 Mr. Schroth stated that the Commission has total discretion to approve or deny this variance.

7 Mayor Kussard reported that the Commissioners received a copy of a letter from the Water Oak  
8 Homeowners Association stating that they had come to an agreement with Sun Communities  
9 regarding these variance requests.

10 **Upon a motion by Commissioner Holden and a second by Commissioner Hannan, the**  
11 **Commission approved the first and final reading of Resolution 2020-112 by the following roll**  
12 **call vote:**

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

13 **8. Resolution 2020-113 — First and Final Reading — Tabled from March 1, 2021 — Sun Water**  
14 **Oak Expansion LLC & Sun Communities Finance LP — Pursuant to Chapter 15, Article II).**  
15 **Section 15-52).D).3), a Variance Request to Allow the Construction of Internal Private Roads**  
16 **within the Water Oak Hilltop Expansion Phases 2 through 5 to be 20-Foot Paved Roads to**  
17 **Keep Consistency with the Construction and Layout of the Existing Water Oak Country Club**  
18 **Estates, Referenced by Alternate Keys 1238111, 1770483, and 1238277 (Thad Carroll)**

19 Town Attorney Derek Schroth read the title of the resolution.

20 Growth Management Director Thad Carroll presented the background summary of this  
21 resolution. He stated that the Water Oak Homeowners Association and Sun Communities  
22 recently met and came to an agreement of changing this variance request from 20-foot wide  
23 paved roads to 24-foot wide paved roads for the Hilltop Expansion Phases to through 5. This  
24 will provide areas on the shoulders for residents to walk around since there are no sidewalks,  
25 and to allow greater distance so vehicles can pass when there are service vehicles parked.

1 Mayor Kussard asked if the Commissioners and then the public had any comments.  
2 Ron Auger of 801 Stadler St. stated his concerns about the possibility of increased traffic that  
3 will be moving through Water Oak after the Hilltop expansion is built.  
4 **Upon a motion by Commissioner Holden and a second by Commissioner Rietz, the**  
5 **Commission approved the first and final reading of Resolution 2020-113 with the**  
6 **amendment of 24 foot paved road width instead of 20 foot, by the following roll call vote:**

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

7 **J. TOWN MANAGER’S REPORT**

8 Interim Town Manager Thad Carroll reminded everyone that the Lady Lake Easter Egg Hunt will  
9 be held on March 27<sup>th</sup> at the Junior baseball field behind the fire station and the library. He  
10 stated the Historical Society will be holding their annual craft sale at the Log Cabin on March  
11 20<sup>th</sup>, from 9 a.m. to 2 p.m.

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

13 Mayor Kussard asked if any of the Commissioners had anything to report.

14 Commissioner Holden questioned Mr. Carroll about an ordinance that was passed  
15 approximately three years ago requiring developers to set aside three percent of their  
16 development for recreational purposes for their residents.

17 Mr. Carroll stated that in most PUD zoning designations, there must be 25% open space, with  
18 five percent to be designated as active open space such as benches, playground area, etc.

19 Commissioner Holden clarified that retention ponds are not part of this active open space.

20 Mr. Carroll confirmed this.

21 Commissioner Holden asked for an update on the Taylor property the town was proposing to  
22 purchase about a year ago.

23 Mr. Schroth stated that Mr. Eagle met with Ms. Taylor multiple times regarding the location of a  
24 fence to be installed and finally reached an agreement. A survey is now needed to ensure the

1 boundaries are as represented before a fence is installed and to create a legal description so  
2 that the town may purchase the property.

3 Mayor Kussard spoke about an email she received from the Florida League of Mayors regarding  
4 legislative bills being introduced for preemptions which will strip the local municipalities of  
5 powers regarding local issues of public concern. She asked that the Commissioners whether  
6 they would like to show their support of the Florida League's concerns by adopting resolutions  
7 in this regard.

8 The Commissioners were in favor of drafting resolutions in support of the Florida League of  
9 Mayor's concerns regarding bills infringing on local decision-making.

10 Mayor Kussard reported that she toured the community building and it is coming along and  
11 should be completed within a month. She stated it looks very nice.

12 Public Works Director C.T. Eagle confirmed that interior build-out is being completed at this  
13 time.

14 **L. PUBLIC COMMENTS**

15 Mayor Kussard asked if there were any comments from the audience.

16 Mr. Gerard asked about leaving hand-outs for the citizens and was told he could lay them on  
17 the conference table.

18 **M. ADJOURN**

19 There being no further business, the meeting was adjourned at 7:07 p.m.

20 \_\_\_\_\_  
21 Nancy Slaton, Interim Town Clerk

22 \_\_\_\_\_  
23 Ruth Kussard, Mayor

24 Minutes transcribed by Nancy Slaton, Interim Town Clerk