

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

3 **June 7, 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 Paul Spoltore of the First Baptist Church of Lady Lake

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; Bill Lawrence, Town Manager; Thad Carroll, Growth
15 Management Director; C.T. Eagle, Public Works Director; Mike Burske, Parks and Recreation
16 Director; Pam Winegardner, Finance Director; Lori Sadler, Library Director; Wendy Then, Senior
17 Planner; Becky Higgins, Development Coordinator; Chief Robert Tempesta and Lieutenant
18 Nelson Vargas, Lady Lake Police Department; and Nancy Slaton, Town Clerk

19 **E. PUBLIC COMMENT**

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

21 David Sirdar of Fruitland Park spoke about various subjects that were of interest to himself.

22 **F. PROCLAMATION**

1 **1. Proclamation Regarding the Renaming of the Lady Lake Driving Range to the “Lady Lake**
2 **Bob Johnson Legacy Driving Range” (Mayor Kussard/Bob Johnson)**

3 Mayor Kussard read the proclamation and presented it to Bob Johnson of the American Legion
4 Auxiliary Unit 347. The Commission and those in the audience gave Mr. Johnson a standing
5 ovation.

6 **G. CONSENTⁱⁱ**

7 **2. Minutes — May 17, 2021 — Commission Meeting**

8 **3. Consideration of Approval to Sign the Agreement with Duke Energy to Grant an Easement**
9 **to Set the Power Poles Back Further from U.S. 27/441 at the Log Cabin (Mike Burske)** (The
10 background summary for this item is on file in the Clerk’s Office.)

11 **4. Consideration of Approval of Revisions to the Town of Lady Lake’s Procurement Manual**
12 **Regarding Purchasing Policies and Procedures (Bill Lawrence/Pam Winegardner)** (The
13 background summary for this item is on file in the Clerk’s Office.)

14 Mayor Kussard asked if there were any questions or comments from the Commissioners
15 regarding the Consent items. There were no comments.

16 **Commissioner Holden motioned to approve Consent Items G-2 through G-4. Commissioner**
17 **Rietz seconded the motion. The motion passed by a vote of 5 to 0.**

18 **H. OLD BUSINESS**

19 No old business.

20 **I. NEW BUSINESS**

21 **5. Consideration of Approval for the Lady Lake Parks and Recreation Department and the**
22 **Lady Lake Area Chamber of Commerce to Begin Raising Funds to Host a 4th of July Fireworks**
23 **Display in 2023 (Mike Burske)**

24 Parks and Recreation Director Mike Burske presented the background summary for this item.

25 Mayor Kussard asked if there were any questions or comments regarding this item.

26 Commissioner Hannan asked where the fireworks would happen.

27 Mr. Burske replied that he has considered several locations but believes the Guava Street
28 baseball fields is centrally located and may be the best location. He stated the Town’s fire
29 inspector is receptive of this location as well.

30 Commissioner Rietz asked how contributions could be made.

1 Mr. Burske replied that the donations will be taken through the Chamber of Commerce for the
2 fireworks event.

3 Commissioner Hannan asked if it is legal to hold a raffle to raise money for the event.

4 Mayor Kussard stated fundraising will be handled by the Chamber. She stated she believes a
5 town the size of Lady Lake should have a Fourth of July celebration with fireworks.

6 Town Attorney Derek Schroth stated that technically raffles are considered as gambling, like
7 bingo, etc., but the state attorney's office usually does not prosecute on fundraising such as
8 this.

9 With no further discussion, Mayor Kussard asked for a vote.

10 **Commissioner Holden motioned to approve for the Lady Lake Parks and Recreation**
11 **Department and the Lady Lake Area Chamber of Commerce to begin raising funds to host a**
12 **4th of July fireworks display in 2023. Commissioner Rietz seconded the motion. The motion**
13 **passed by a vote of 5 to 0.**

14 **6. Discussion and Direction Regarding Allowing Alcohol on the Premises for Events at the**
15 **Community Building, and Revision of Fees for Friday and Saturday Rentals (Mike Burske)**

16 Parks and Recreation Director Mike Burske presented the background summary for this item.

17 Mayor Kussard asked if there were any questions or comments regarding this item.

18 Commissioner Hannan stated he is somewhat concerned about the alcohol issue. He asked if
19 other municipalities allowed just beer and wine. He stated it could cause trouble.

20 Mr. Burske stated that the other municipalities do not limit alcohol to beer and wine.

21 Commissioner Rietz asked for clarification on whether someone would have to be licensed to
22 serve alcohol.

23 Mr. Burske replied that only the City of Leesburg requires a licensed caterer to serve alcohol.
24 This would be more like "bring your own" to have available at the event, not selling it.

25 Commissioner Holden stated he is in favor of what is presented.

26 Commissioner Vincent stated he is concerned about the liability when alcohol is involved. He
27 asked if there is an insurance rider that could cover this.

28 Mr. Schroth stated that he believed the town would be listed as an additional insured.

29 Mr. Burske stated that Eustis charges renters an additional \$165.00 if they plan to serve alcohol
30 at their event to pay the cost of the insurance rider.

1 Town Manager Bill Lawrence stated there would be a rider on the Town’s insurance called a
2 “Tulip” rider that costs an additional \$175.00. This stands for a Tenants’ and Users’ Liability
3 Insurance Policy. It is used by municipalities that permit other parties to use their facilities for
4 specific events.

5 Commissioner Vincent stated he would like the Town Attorney to review any legal
6 ramifications that may occur if alcohol was allowed at the facility.

7 Mayor Kussard stated she is concerned about serving alcohol at the community building and is
8 opposed to it.

9 Commissioner Hannan clarified that the party giver would be the one to supply the alcohol,
10 not guests bringing their own.

11 Mr. Burske confirmed this.

12 Commissioner Rietz asked how much of an issue is allowing alcohol in order to be competitive.

13 Mr. Burske replied that if the Town wants to compete in the wedding market, most people
14 would like to serve champagne.

15 After discussion, the Commissioners stated they would like more information regarding
16 liability insurance, etc., regarding allowing alcohol to be served at the community Building.

17 **It was the consensus of the Commission to move forward with this item, by a vote of 4 to 1**
18 **(Kussard).**

19 **J. TOWN ATTORNEY’S REPORT**

20 Mayor Kussard requested that Item J-11, the first reading of Ordinance 2021-08, be heard first.

21 **7. Ordinance 2021-05 (First Reading) — Annexation — North Lake Presbyterian Church —**
22 **Voluntarily Annexing Property Being Approximately 2.79 Acres Owned by North Lake**
23 **Presbyterian Church, Inc.; Referenced by Alternate Key Number 1629586; within Lake**
24 **County, Florida (Thad Carroll)**

25 Town Attorney Derek Schroth read the title of the ordinance.

26 Growth Management Director Thad Carroll presented the background summary for this
27 ordinance. He stated Mike Rankin of LPG Urban & Regional Planners is present if there are any
28 questions.

29 Mayor Kussard asked if the Commissioners or anyone from the public had any comments or
30 questions. Hearing none, she asked for a motion.

1 **Upon a motion by Commissioner Vincent and a second by Commissioner Holden, the**
2 **Commission approved the first reading of Ordinance 2021-05 by the following roll call vote:**

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

3 **8. Ordinance 2021-06 (First Reading) — Small Scale Comp Plan Amendment — North Lake**
4 **Presbyterian Church — Change from Lake County Urban Medium Density (2.50 Acres) and**
5 **Town of Lady Lake Single-Family Low Density (2.66 Acres) to Town of Lady Lake Commercial**
6 **General - Retail Sales & Services (RET) for Property Owned by North Lake Presbyterian**
7 **Church, Inc.; within Lake County, Florida (Thad Carroll)**

8 Town Attorney Derek Schroth read the title of the ordinance.

9 Growth Management Director Thad Carroll presented the background summary for this
10 ordinance. He stated Mr. Rankin is available to answer any questions.

11 Mayor Kussard asked if the Commissioners had any comments or questions.

12 Mayor Kussard asked if the Commissioners or anyone from the public had any further
13 comments or questions. Hearing none, she asked for a motion.

14 **Upon a motion by Commissioner Hannan and a second by Commissioner Rietz, the**
15 **Commission approved the first reading of Ordinance 2021-06 by the following roll call vote:**

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

16 **9. Ordinance 2021-07 (First Reading) — Rezoning — North Lake Presbyterian Church —**
17 **Redesignating Zoning Classification for Certain Property Being Approximately 8.47 Acres**

1 **Owned by North Lake Presbyterian Church, Inc.; Referenced by Alternate Key Numbers**
2 **1629586, 2689552, 3539605, and 2830476; within Lake County, Florida (Thad Carroll)**

3 Town Attorney Derek Schroth read the title of the ordinance.

4 Growth Management Director Thad Carroll presented the background summary for this
5 ordinance. He stated Mike Rankin is present if there are any questions.

6 Mayor Kussard asked if the Commissioners or anyone from the public had any comments or
7 questions.

8 Mayor Kussard asked if any uses other than what is shown as a permitted use in the
9 Memorandum of Agreement (MOA) would be allowed. She asked if any of these uses include
10 church uses, as she stated that according to the property appraiser, they would lose a large tax
11 exemption if this went through.

12 Mr. Carroll replied that no church uses are included in the MOA, and they are aware they will
13 lose this exemption.

14 Mr. Rankin was in agreement with staff's comment that the church is aware of this issue.

15 With no further comments, Mayor Kussard asked for a motion.

16 **Upon a motion by Commissioner Holden and a second by Commissioner Rietz, the**
17 **Commission approved the first reading of Ordinance 2021-07 with the inclusion of the three**
18 **amendments as requested by the applicant above, by the following roll call vote:**

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

19 **10. Ordinance 2021-08 (Second and Final Reading) — An Ordinance of the Town of Lady Lake**
20 **Amending Chapter 2, Article VI, Division II of the Code of Ordinances for the Town of Lady**
21 **Lake, Florida, Setting Forth Procedures for the Use of Town Parks and Facilities and Terms**
22 **and Conditions of the Use of Town Parks and Facilities, Including Providing for Enforcement**
23 **and Penalties (Mike Burske)**

24 Town Attorney Derek Schroth read the title of the ordinance.

1 Parks and Recreation Director Mike Burske presented the background summary for this
2 ordinance. He stated there have been no changes to the ordinance since first reading.

3 Mayor Kussard asked if the Commissioners or anyone from the public had any comments or
4 questions.

5 Phil Mathias of Lakes of Lady Lake stated he thought this was regarding parking on Old Dixie
6 Avenue. He mentioned he saw a semi-truck parked there recently.

7 With no further comments, Mayor Kussard asked for a motion.

8 **Upon a motion by Commissioner Rietz and a second by Commissioner Holden, the**
9 **Commission approved the second and final reading of Ordinance 2021-08 by the following**
10 **roll call vote:**

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

11 **11. Resolution 2021-104 (First and Final Reading) — A Resolution of the Town of Lady Lake,**
12 **Florida, Granting A Variance to Authorize the Removal of a Historic Tree in Accordance with**
13 **the Provisions of Chapter 10, Section 10-5. C). 3). A)., of the Town of Lady Lake Land**
14 **Development Regulations, on Property Owned by M & L Lady Lake, LLC, Located at 401 US**
15 **Highway 441 (Alternate Key 1237998) (Thad Carroll)**

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

17 Growth Management Director Thad Carroll presented the background summary for this
18 ordinance. He stated the engineer of record is present if there are any questions.

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

21 Commissioner Vincent asked if there were any attempts to try to save the tree. He stated it
22 breaks his heart to lose such a large tree.

23 Mr. Carroll stated the redesign of the site plan to try to save the tree would result in worse
24 traffic flow.

1 Ed Freeman of 147 Evergreen Lane in Lady Lake stated there should be more creativity in trying
2 to save this tree. He said it is already a bad intersection.

3 Phil Mathias of Lakes of Lady Lake stated that this is a historic tree, and since Lady Lake is a
4 Tree City USA, this should be revisited, and a better solution found.

5 **Upon a motion by Commissioner Holden and a second by Mayor Kussard, the first and final**
6 **reading of Resolution 2021-104 was denied by the following roll call vote:**

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

7 **K. TOWN MANAGER’S REPORT**

8 Town Manager Bill Lawrence stated that he received a complimentary email from a resident
9 regarding what a nice job of tree trimming was done on their street by the Town’s Public Works
10 streets crew – in particular, Travis and Justin. He also congratulated Mike Burske for being
11 awarded by Melvin Jones Fellow Award by the Orange Blossom Lions Club.

12 Mr. Lawrence stated the Police Department will be hosting the quarterly meeting of the West
13 Central Florida Police Chief’s Association at the Lady Lake Library.

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

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

16 Commissioner Hannan announced that he read today that Wal-Mart is going to do away with
17 supplying bags on July 1st; you will need to bring your own.

18 **M. PUBLIC COMMENTS**

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

20 Phil Mathias of Lakes of Lady Lake asked if the Town will be ready for hurricane season with
21 the road widening project of US Highway 27/441. He noted that we do not need street flooding.

22 Public Works Director C.T. Eagle stated the Public Works Department is ready for hurricane
23 season and has everything in place such as the contract with Lake County for debris hauling,
24 with veteran staff that is experienced with cleaning up after a storm. He stated the Florida

1 Department of Transportation is in charge of the road widening project and has a storm plan of
2 their own, with retention ponds in place.

3 Commissioner Vincent stated that his community of Water Oak has a response team in place
4 and is prepared in case of storms largely thanks to two gentlemen in the audience, Bob
5 Freeman and Dave Fouse.

6 Commissioner Holden asked what will happen if traffic lights go out which has been a problem
7 in the past.

8 Mr. Eagle replied that there are some generators available for running traffic signals at
9 problem intersections, and cones and flashing beacons for others.

10 **N. ADJOURN**

11 There being no further business, the meeting was adjourned at 6:58 p.m.

12 _____
13 Nancy Slaton, Town Clerk

14 _____
15 Ruth Kussard, Mayor

16 Minutes transcribed by Nancy Slaton, Town Clerk