

**MINUTES OF THE COMMISSION MEETING
TOWN OF LADY LAKE, FLORIDA
APRIL 4, 2022**

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

A. CALL TO ORDER

Mayor Jim Rietz

B. INVOCATION

Pastor Keith Johnson – Chapel of Christian Faith

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Commissioner (Ward)	Present
Hannan (Four)	YES
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

STAFF PRESENT

Attorney Derek Schroth, Town Attorney; Bill Lawrence, Town Manager; Thad Carroll, Growth Management Director; Wendy Then, Senior Planner; Becky Higgins, Development Coordinator; Pam Winegardner, Finance Director; Tamika DeLee, Human Resources Director; Aly Herman, Library Director; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation; Chief Rob Tempesta and Deputy Chief Jason Brough, Lady Lake Police Department; Nancy Wilson, Town Clerk

E. PROCLAMATION

1. Proclaiming April as “Water Conservation Month” in Lady Lake (Mayor Rietz)

Mayor Rietz read the proclamation and presented it to C.T. Eagle, Director of Public Works.

F. CONSENTⁱⁱ

2. Minutes — March 14, 2022 – Commission Workshop
3. Minutes - March 21, 2022 — Commission Meeting
4. Consideration of reappointments to the Police Pension Board
5. Consideration of reappointments to the Parks & Recreation Board
6. Consideration of Approval for the Lady Lake Driving Range to Host Their Annual Volunteers Luncheon
7. Consideration of Continuation of Utilizing Option B of the Interlocal Agreement with Lake County for Collection of Storm Debris from Streets and Rights of Way

Commissioner Kussard made a motion to approve the Consent Agenda as presented; Commissioner Hannan seconded. Motion carried 5-0.

G. NEW BUSINESS

8. Consideration of the Appointment of One New Member to the Town of Lady Lake's Planning and Zoning Board (Nancy Wilson)

Applicant, Ms. Dori Furch had written to each member of the Commission prior to the meeting, and she was introducing herself to them in person. She moved to Lady Lake, on Dowling Circle, five years ago. She said she is active in the community and is a realtor. Ms. Furch also attends town meetings so she can stay abreast of what is happening in Lady Lake.

Commissioner Kussard made a motion to approve the appointment of Dorylyn Furch to the Planning and Zoning Board; Commissioner Hannan seconded. Motion carried 5-0.

9. Consideration of Approval for the Lady Lake Dog Park Association to Pay for Additional Concrete Walkways at the Lady Lake Dog Park and for the Town to Cover the cost of Permitting. (Mike Burske)

Mr. Burske, Parks & Recreation Director, said the Lady Lake Dog Park is asking for permission to have Robey Concrete install additional concrete sidewalks at the Dog Park. The work would be paid for by the Lady Lake Dog Park Association. The Parks and Recreation Department would pay the \$150.00 permit fee out of the General Operating Budget. They are asking to put another 150 square feet of concrete pad along the fence.

Commissioner Kussard made a motion to approve the request for the Lady Lake Park Association to pay for additional concrete walkways at the dog park with the town covering the cost of permitting; Commissioner Hannan seconded. Motion carried 5-0.

10. Discussion and Direction Regarding Needed Roof Repairs to the Museum-Train Depot (Mike Burske)

Parks and Recreation Director Burske is seeking direction from this Commission on which avenue to take with the roof at the Historical Society. There are two options. The first option is to seal the roof at a price of around \$5,000. The second option is to replace the 40-year-old roof at an estimated price of \$35,000 to \$40,000. Mr. Burske secured around \$6,500 from Covid funds to have the roof sealed to try to stop the deterioration. There is a lot of rot that will have to be fixed. The ends of the trusses and the plywood are showing rot. Some of the metal panels are also rusting through. The last roofer from whom Mr. Burske received a quote would not quote an estimate for sealing the roof due to its condition. He has had the request to replace the roof removed from his budget over the years and is seeking which avenue the Commission wants to take for this 140-year-old building. In conclusion, he said his team has babied the roof since 2004 and they can put another band-aid on it by using the sealant, but he thinks a new roof is warranted in this case.

Commissioner Hannan asked Mr. Burske if the sealer is the rubberized material. Mr. Burske answered that it is, and the material is very effective but not with a roof that has deteriorated to the degree as the one at the museum.

Commissioner Kussard commented that they were talking about a 140-year-old building. They can keep sealing the roof to inhibit further deterioration, but she feels it is time to put on a new roof and do it right.

Mayor Rietz asked if there is deterioration to the structure to which Mr. Burske responded that there is deterioration at the ends of the trusses and the plywood soffits in many areas of the roof, but the inside is still dry.

Commissioner Freeman was in favor of putting on a new roof. Mr. Burske said the estimate he received in 2006 was \$27,000 but now it may be over \$40,000. It will have to go out to competitive bid.

Commissioner Holden said the sealant is very good stuff and it is guaranteed if it is put on before there are leaks.

Commissioner Hannan made a motion to go out to bid for a new roof for the train depot structure; Commissioner Kussard seconded. Motion carried 5-0.

11. Consideration of Approval for the Parks and Recreation Department, the Lady Lake Area of Chamber of Commerce, and the Lady Lake Historical Society to Host Music in the Park on September 24, 2022 (Mike Burske)

Parks & Recreation Director Burske said that his department is seeking permission to host “Blues in the Park” on September 24th. The cost of the event to pay for bands, bounce houses and awards for the corn-hole tournament would be around \$3,500. Initially, Mr. Burske budgeted \$1,500 to hire two bands on two occasions. He also budgeted \$1,000 for Museum Night and this would be a Museum Night Event. He proposed to use the initial \$1,500 for the bands, the \$1,000 from the Museum Night budget and the surplus from where he came in under budget on other events, to make up the difference. After the Easter Egg Hunt, he should have around \$7,000 in his Promotional Events line Item. Even with investing the \$3,500, he should finish up the year with \$3,500 in this line item. He is looking to hire *Packrat’s Smokehouse* out of New Smyrna Beach. They are a very well know Blues Band that will cost \$2,500 and he is considering hiring *Beautiful Bobby Blackmon* as an opening act. If he hires *Beautiful Bobby Blackmon*, his performance will run around \$400.00. In addition to the bands, they are looking at having a corn hole tournament, museum scavenger hunt and bounce houses. There will be a BBQ truck and he would like to have a beer and wine vendor. Commissioner Kussard was concerned about beer and wine being served on town property. Mr. Burske said they could have a dry event.

Commissioner Hannan made a motion for the Parks and Recreation Department, the Lady Lake Area of Chamber of Commerce, and the Lady Lake Historical Society to host Blues in the Park on September 24, 2022; Commissioner Holden seconded. Motion carried 4-1 with Mayor Kussard dissenting.

12. Consideration of Approval for the Lakeview Health CR 466 — New Major Site Plan MJSP 10/21-003 – Proposing the Construction of a 9,320-square-foot Professional/Medical Office with 67 Parking Spaces including three ADA Florida Accessible Parking Spaces, Installation of Dumpster Enclosure, Landscaping, Sight Lighting and Water Retention Area, project located along Highway 466, just east of the SAP Holdings Site, a 2.42-acre parcel zoned Planned Commercial and identified by alternate key 3814747. (Thad Carroll)

Growth Management Director Carroll reported that the development proposal for Lakeview Health on CR 466 consists of constructing a 9,320-square-foot professional/medical office building with 67 parking spaces, including three ADA Accessible parking spaces, on a 2.42-acre parcel. The present use of the property is vacant commercial. This property is to the east of the proposed development site of SAP Holdings and the developer will establish access to their site via a cross-access easement from SAP Holdings, now known as The Enclaves. The site has remained undeveloped, so it is heavily wooded and since the applicant is providing about 1,261 tree caliper inches, no waiver to the town's landscaping requirements is required. Historic trees will not be removed.

The medical building is projected to generate 324 daily trips with 27 AM peak hour trips and 34 PM peak hour trips. Overall, the traffic impact analysis for the complex has been found to be minimal having little impact on CR 466 and Rolling Acres Road.

Commissioner Freeman asked if the trees south of the retention pond will remain to which Mr. Carroll answered in the affirmative.

Commissioner Holden made a motion to approve the new major site plan for Lakeview Health who is proposing the construction of a 9320 sq ft professional/medical office as presented; Commissioner Hannan seconded. Motion carried 5-0.

13. Green Key Village Subdivision — Phases 5 & 6-Preliminary Plat Plan — Proposing 93 single family residence lots on the remainder area of the parent parcel consisting of approximately 24.11 +/- acres of land, zoned RS-6, within the Green Key Village Development, located on the north side of Lake Ella Road approximately ½ mile east of Rolling Acres Road, addressed as 1635 Lake Ella Road (Alternate Key 3903749). (Thad Carroll)

Growth Management Director Carroll reported that the present use of the property is vacant residential. He then described the previous phases and indicated that phases 5 & 6 will complete the subdivision with 93 single-family residence lots (45 lots in Phase 5 and 48 lots in Phase 6) with typical lots measuring 75 feet wide by 120 feet deep.

Construction of a sidewalk was deferred during previous phases. The plan was circulated to Lake County and at this point the developer will be required to construct a sidewalk along Lake Ella Road.

The commission will see this plan again at final plat.

Commissioner Freeman commented that there is a lot of construction going on in the same area as the proposed phases of Green Key Village. Mr. Carroll told the Commissioner that he is referring to the construction of Lake Ella Estates which is the subdivision to the east of Green Key Village though there are a couple of sites under construction in the earlier phases of the Green Key subdivision.

Commissioner Hannan made a motion to approve the Phases 5 & 6 Preliminary Plat Plan for Green Key Village Subdivision; Commissioner Holden seconded. Motion carried 5-0.

14. Consideration of Release of a Utility Lien for Property Recently Purchased by Amos Baptiste and located at 811 Summit Street, Lady Lake, Florida. (Nancy Wilson)

Town Clerk Wilson said this was a request by a gentleman who had purchased property at a tax deed sale. When he visited Town Hall to establish utilities in his name, he was told that there was an unpaid balance for utilities in the amount of \$1,284.77 that would have to be paid prior to establishing service in his name. Finance Director Winegardner previously submitted to the Clerk of Circuit Court a claim to receive surplus proceeds from the tax deed sale of the property.

Commissioner Kussard said it is seldom if ever that utility liens are waived. Mr. Baptiste did purchase the property at a tax deed sale and should have checked prior to purchase if there were liens against it. She said the Town will work with the new resident to set up a payment schedule.

Commissioner Kussard made a motion to deny waiver of the utility lien against property at 811 Summit Street; Commissioner Hannan seconded. Motion carried 5-0.

15. Consideration of a Release of Lien Settlement for Code Enforcement Case Numbers 06-0291, 08-1105, and 12-3803, in the amount of \$5,000 for Property owned by Adam Richard Dahl, located at 207 Skyline Drive, Lady Lake, Florida. (Lori Crain)

Code Enforcement Officer Crain said she is presenting a request for a reduction of a large accumulation of liens against a property located at 207 Skyline Drive. There is a long history of neglect in maintaining the property and previous efforts to have the owner bring the property into compliance have failed. Foreclosure was not an option because the property was homesteaded. The total accumulation of fines to date totals \$872,167 and it is staff's belief that a reduction of the liens will allow the property to be sold in anticipation of a future owner maintaining it and complying with Town Codes. The Special Magistrate heard the case on March 22, 2002, and issued a Reduction of Lien Order based on a recommendation by

Town Staff which was to set the reduction to 25% of the value of the property if the liens have exceeded that amount or to \$5,000, whichever was less.

Commissioner Kussard made a motion to approve the recommended order to reduce the lien amount for code enforcement case numbers 06-0291, 08-1105, and 12-3803, to \$5,000 for property owned by Adam Richard Dahl, located at 207 Skyline Drive - payable in 30 days; Commissioner Holden seconded. Motion carried 5-0.

16. Consideration of Approving the Interlocal Agreement for Fire Protection Services with the Village Center Community Development District (Bill Lawrence)

Town Manager Lawrence said the current interlocal agreement has expired. A new agreement was drafted, and the changes are as follows:

Page 2, Section b – number of full-time employees increasing from 3 to not less than 5

Page 4, Section c - agreement on any special assessment change increasing from 5 days to 45 days from the date of submittal

Page 6, Section 5 - level of service average response time increasing from 4 minutes to 5 minutes, 30 seconds after an emergency call is received

Page 9, Section f - a new section added in the event that an independent fire control district is formed.

Commissioner Kussard stated that she met with Chief Cain prior to the meeting to go over some of the changes that had been made to the previous agreement. She asked him about the new fire assessment for the residents in Lady Lake.

Chief Edmund Cain – Villages Department of Public Safety - Fire Chief

Chief Cain responded to Commissioner Kussard's question by saying that residential structure assessments will remain at \$124 per parcel. He also clarified that the staffing level at the station is at 6 and will remain at that level.

Commissioner Kussard made a motion to approve the Interlocal Agreement for Fire Protection Services with the Village Center Community Development District with changes; Commissioner Holden seconded. Motion carried 5-0.

17. Consideration of Merit Performance Adjustment for Town Manager (Bill Lawrence)

Town Manager Lawrence said his contract states that a performance adjustment will be considered annually on April 1st; he has completed his first year of employment.

Commissioner Kussard believes that Bill Lawrence has met the many challenges a new Town Manager meets in order to do a good job. He works well with town staff and that is important to her since the town has excellent, professional employees who know their jobs and do them well. He is willing to listen and not make rash decisions until he has heard all the facts and he has no difficulty addressing and solving any problems that may occur. He is willing to meet with any resident who have concerns and the same holds true with those in surrounding communities. He is interested in development in Lady Lake but only smart development. He realizes that development is what keeps the tax base low for residents while still providing the services that residents expect. Mr. Lawrence keeps the commissioners up to date on what is happening in the town and is always willing to listen to their concerns. Commissioner Kussard's recommendation was to give Mr. Lawrence a 2% raise and a 3% performance increase for a total of 5%.

Finance Director Winegardner said that in previous years, she and the Town Manager estimated what would be brought before the commission regarding employee increases but that has not yet been done this year since Town Manager Lawrence's review date is earlier in the year than the previous Manager's review date. Because of that, it is up to the commission to set the increase for the Town Manager.

There was further discussion regarding raises versus merit increases versus bonuses to which Ms. Winegardner added that one amount is a cost-of-living adjustment that is applied across the board to all employees and the other amount can be in the range of 1% - 3% depending on performance; neither is a bonus.

Commissioner Kussard made a motion to approve a merit performance adjustment for the Town Manager of 5% consisting of a 2% raise and a 3% performance increase; Commissioner Holden seconded. Motion carried 5-0.

H. TOWN ATTORNEY'S REPORT

Town Attorney Schroth announced that Tabitha Taylor signed the deed for the property on Caroline Avenue. Once the deed is recorded, C.T. Eagle will do the work that he said he would do regarding the fence and then the road will be opened.

18. Ordinance 2021-30 – Second and Final Reading – Consideration of Approval to Create a Community Development District (CDD) for the Hammock Oaks Development on Highway 466, encompassing approximately 378 acres, and providing for 1,156 residential dwelling units. (Thad Carroll)

Growth Management Director Carroll said there was a recent annexation that added more area to what we have referred to as the Meucci Development but is now referred to as Hammock Oaks. The Community Development District (CDD) will be put in place for that development. The 378 acres does not include the multi-family portion nor the commercial properties of the development, but it does include the 1,156 residential units which is the area to be governed by the CDD. The entire project is approximately 420 acres.

The applicant contends that there is no downside for the town, only positive benefits based upon the following:

- CDD has limited authority
- Town retains permitting and zoning authority
- No debts of the CDD can be a debt of the town
- No administrative costs to the town
- CDD assessments do not impact town millage caps
- CDD debt is not disclosed on the town's financial statements
- Less likely for default or complaints as with a homeowner's association

Mr. Carroll said there have only been two changes since the first reading of the ordinance. The first change was in Section 6 where some of the language was made more concise in referencing some of the statutory powers but does include the services that were in the first version. The second change was the addition of Section 10 which simply says that corrections of typographical and/or scrivener's errors in the Ordinance that do not affect the intent may be authorized by the Town Manager without the need for a public hearing.

Vance Jochim – Fiscal Rangers (fiscalrangers.com) - Tavares

Mr. Jochim has been following the tremendous onslaught of annexations and developments in Lake County. He talked about the concurrency review that is performed by the school board once a year. A chart is created showing all the developments that are in process now in Lake County that are getting school concurrency consideration. Some have hit the point where there is no longer capacity in the schools.

Mr. Jochim's concern is that this development is being done without any consideration given to the traffic gridlock that is building. Because of legal challenges and regulations, building is not slowing down, and the traffic problems will only get worse. Growth should be slowed

down unless the traffic capacity is below 70% on all the roads. Communities need to find a way to slow growth. He mentioned a report that states every time a home is built, services will cost about 140% more than actual tax revenues, in other words, services will cost more than revenues. Why are we being asked to approve something where we don't know where we will be in 5 years. Pressure is so high from developers and realtors to develop in order to maximize profits without considering traffic impacts.

Mayor Rietz asked Mr. Jochim if what he is reporting is general information regarding Lake County or is it specific to Lady Lake to which Mr. Jochim responded that it is information from Lake County and added that traffic engineers are generally loose with their standards.

Mr. Carroll said once we get applications from developers, we circulate the plans to the school board and the developer must mitigate, and in some cases, even build schools. School capacity is dwindling, and transportation is an issue countywide. We work with the county and circulate all traffic study plans to ensure that the developer complies with our level of service.

Commissioner Hannan made a motion to approve Ordinance 2021-30 on second and final reading; Commissioner Holden seconded the motion. The motion passed by a roll call vote of 5-0.

Commissioner (Ward)	Present
Hannan (Four)	YES
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

19. Ordinance 2022-01 — Conditional Use Permit (CUP) — Second and Final Reading — Church at the Springs, Inc. — To allow for the placement of two RV Trailers in front of the Children's Ministry Building for a period not to exceed 12 months at 1055 Teague Trail, the northeast corner of County Road 25 and Hood Avenue, on a 1.11-acre parcel zoned light commercial, owned by Church at the Springs, Inc., and identified by alternate key 1449588. (Thad Carroll)

Mr. Carroll gave a summary of the Conditional Use Permit that the Church at the Springs is requesting. The Commission voted 5-0 to approve this ordinance on first reading at the March 21, 2022 meeting.

Commissioner Holden made a motion to approve Ordinance 2022-01 on second and final reading; Commissioner Hannan seconded the motion. The motion passed by a roll call vote of 5-0.

Commissioner (Ward)	Present
Hannan (Four)	YES
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

I. TOWN MANAGER'S REPORT

Mr. Lawrence gave a shout out to Sergeant Tom Sarakinis and Officer Robert Chase for their actions on March 21, 2022, when they were traveling on I-95 and noticed that the vehicle in front of them was on fire. As a result of their efforts, the occupants were pulled to safety before the vehicle became fully engulfed in flames.

J. MAYOR AND COMMISSIONER'S REPORT

Commissioner Hannan said the article in Villages-News said the Commission was deeply divided regarding livestreaming and social media. He read some of the comments that were posted, most of which thought the town should be livestreaming and utilizing social media platforms.

Commissioner Holden commented that the Commission recently approved a development on County Road 25 where the houses would only be 10 feet apart. He suggested that for future projects, we increase the minimum distance between houses to 25 feet.

Commissioner Freeman thanked John Pearl and staff for their work on the livestreaming presentation; saying that John went above and beyond.

Mayor Rietz welcomed new employee Jackie Schilling who has replaced Carol Osborne in the Clerk's office.

K. PUBLIC COMMENTSⁱ

Vance Jochim – Fiscal Rangers – Tavares

Mr. Jochim agrees that we should provide livestreaming of our Commission and Planning & Zoning meetings, otherwise, people wonder what decisions are being made.

He also encouraged the Commission to contain their spending; he feels the economy is going to get worse than expected; he also said we should keep the rollback rate.

Mayor Rietz commented that Mr. Jochim said we should provide livestreaming then said we should contain our spending.

L. ADJOURN

There being no further business, the meeting was adjourned at 7:18 p.m.

s/ Nancy Wilson, Town Clerk

s/ Jim Rietz, Mayor