

**MINUTES OF THE COMMISSION MEETING
TOWN OF LADY LAKE, FLORIDA**

July 6, 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 6:00 p.m.

CALL TO ORDER

INVOCATION

Moment of silence

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioner (Ward)	Present
Hannan (Four)	NO
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

STAFF PRESENT

Derek Schroth, Town Attorney; John Pearl, IT Director; Pam Winegardner, Finance Director; Thad Carroll, Growth Management Directory; Wendy Then, Senior Planner; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; Aly Herman, Library Directory; Chief Rob Tempesta and Lt. Nelson Vargas, Lady Lake Police Department; Nancy Wilson, Town Clerk

A. PRESENTATION

1. Presentation and Consideration of Fiber Wide Area Network Master Plan by Magellan Advisors (John Pearl)

This item was tabled to a date in the future not yet determined.

B. PUBLIC HEARING

2. The Town of Lady Lake plans to apply to the Florida Department of Economic Opportunity (DEO) for a FFY 2021-22 Small Cities Community Development Block Grant (CDBG) of \$750,000.00 in the Neighborhood Revitalization category. If not funded under the initial FFY 2021-22 combined cycle, this notice and public hearing will be used for a subsequent FFY 2022 cycle. For each activity that is proposed, at least 70% of the funds must benefit low- and moderate-income persons. (Fox Enterprises)

Mr. Fox reported that this is the second Public Hearing for the FFY 2021-22 CDBG application cycle. There are two service areas for the current application. One area is the Morningside Avenue and Longview Avenue sidewalk improvements service area. The project calls for the installation of 1,900 linear feet of new sidewalks at a CDBG cost of \$524,800 with no matching funding. Service area two is for sanitary sewer collection improvements at lift station number 12. Included would be sewer line replacements at a CDBG cost of \$100,000. The Town is committing \$50,000 as leverage and it will be used toward engineering as local match points in the application.

If sufficient CDBG funds remain after addressing the above work, the Town of Lady Lake would utilize these funds to address two unmet needs that include more sidewalk improvements.

The Public Hearing was opened for public input

There were no comments

The Public Hearing was closed

Commissioner Kussard made a motion to approve the CDBG service area projects as described by Mr. Fox; Commissioner Holden seconded. Motion carried 4-0.

C. CONSENT AGENDA

- 3. Special Commission Meeting Minutes – June 20, 2022**
- 4. Regular Commission Meeting Minutes – June 20, 2022**
- 5. CDBG Public Hearing Meeting Minutes – June 20, 2022**
- 6. CDBG Fair Housing Workshop Minutes – June 20, 2022**
- 7. Interlocal Agreement Amendment between Lake County and Lady Lake relating to the provision of library services.**

Commissioner Kussard made a motion to approve the Consent Agenda; Commissioner Freeman seconded. Motion carried 4-0.

D. NEW BUSINESS

8. Discussion of Bid received for the Installation and Repair of the Train Depot-Bath House Roof (Mike Burske)

Parks & Recreation Director Burske said that he put the replacement and repair of the Train Depot-Bath House and rot repair out for bid. The only bid received was in the amount of \$52,841 and was submitted by Lewis Roofing, Inc. The bid was significantly higher than what he was comfortable with. This is the new normal with high bids yet fewer of them.

There was consensus that the project should be rebid.

Commissioner Kussard made a motion to reject and rebid the project for the Train Depot-Bath House Roof; Commissioner Holden seconded. Motion carried 4-0.

9. Consideration for the Water Oak Country Club Estates New Maintenance Operations Building Major Modification to Site Plan MJM 02/21-002 – Proposing the Construction of a one-story 1,680-square-foot Operations by the Golf Course Restaurant, featuring nine Parking Spaces, Constructing a 840-square-foot of Covered Area for three parking spaces, Proposing a Dumpster Enclosure and Perimeter Fencing , within the Water Oak Estates Country Club, located just west of the Golf Cart Garage, along Hickory Hill, identified by Alternate Key Number 1584809. (Thad Carroll)

Growth Management Director Carroll summarized the application. He explained that the major project scope of work consists of the construction of 1,680-square-foot maintenance operations building, construction of an 840-square-foot covered area for three parking spaces, construction of a dumpster enclosure and perimeter fencing. Other improvements on the vacant property include the construction of underground utilities and more parking spaces, a double gate, a new fire hydrant and a 36-inch Nyoplast Basin with an infiltration trench. Most of the site will be stabilized with gravel.

Commissioner Freeman asked why they are downsizing the maintenance building; the community will be underserved.

Jose Manent – Maintenance at Water Oak

Mr. Manent explained that the new building will be laid out better and though it is smaller, the space will be used much more efficiently and will provide plenty of operational space.

Commissioner Freeman made a motion to approve the new Maintenance Operations Building modification to site plan MJM 02/21-002 at Water Oak Country Club Estates; Commissioner Holden seconded. Motion carried 4-0.

10. Consideration of Approval to distribute a Request for Proposal for Building Official Services, Plan Review, Building Inspections and Related Support Services. (Thad Carroll)

Growth Management Director Carroll said that six years have passed since the Town has gone out to bid for building services such as building inspections, plan reviews, building inspections and building official services. Since 2016, the Town has contracted with M.T. Causley to provide necessary services to the Planning Department. Because budget preparations are underway it may be a good time to circulate a Request for Proposal to ensure we are paying the going rate for the services mentioned above. The plan would be to advertise the RFP in July, review submittals in August, chose a service provider in September and contract with them beginning October 1, 2022.

Commissioner Kussard made a motion to approve the request to advertise an RFP for Building Official Services; Commissioner Freeman seconded. Motion carried 4-0.

E. TOWN ATTORNEY'S REPORT

11. Ordinance 2022-04 — Annexation — Smith-Anderson — An Ordinance Voluntarily Annexing Three Vacant Parcels Being Approximately 24.75 Acres, owned by William Mason Anderson and Alfreida Anderson and Carl A. Smith Trustee of the Carl A. Smith Family Trust, property being approximately a mile south of the intersection of Rolling Acres Road and Highway 466, and just over 5/6 of a mile north of the intersection of Rolling Acres Road and Lake Ella Road, southeast corner of Sunshower Lane and Rolling Acres Road, Referenced by Alternate Key Numbers 3907338, 1283264, and 1283329, within Lake County Florida. (Thad Carroll)

Growth Management Director Carroll gave an overview of the project. The application was filed by Chuck Hiott from HALFF Associates on behalf of the property owners who want to annex the property. The property consists of three vacant parcels located approximately a mile south of the intersection of Rolling Acres Road and Highway 466 and about 5/6 of a mile north of the intersection of Rolling Acres Road and Lake Ella Road at the southeast corner of Sunshower Lane and Rolling Acres Road, the property is contiguous with the existing municipal boundary. The parcels would be served by the Town's water, sewer and reuse facilities.

Commissioner Kussard made a motion to approve Ordinance 2022-04 as presented; Commissioner Holden seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 4-0

12. Ordinance 2022-05 — Small Scale Future Land Use Comprehensive Plan Amendment — Smith-Anderson — Change the future land use designation from Lake County Urban Low Density to Lady Lake Single Family Medium Density for property owned by William Mason Anderson and Alfreida Anderson and Carl A. Smith Trustee of the Carl A. Smith Family Trust; being approximately 24.75 acres; Referenced by Alternate Key Numbers 3907338, 1283264, and 1283329, within Lake County, Florida. (Thad Carroll)

Growth Management Director Carroll said this follows the previous request for annexation. This is a request to change the future land use designation from Lake County Urban Low Density to Lady Lake Single Family Medium Density referred to as a Small-Scale Future Land Use Comprehensive Plan Amendment. The property totals 24.75 acres and the proposed Future Land Use designation allows residential development at a maximum density of six dwelling units per acre. Multi-family, industrial or commercial uses will not be permitted though a mixed-use PUD will be allowed. The applicant stated in his application that the proposal of a mix of single-family residences and townhomes is a much-needed housing option in the area that would make it more affordable for families.

Adjacent properties include the Lake County Transfer Station that provides limited recycling and waste disposal services.

Mr. Carroll explained the impact on Town services and traffic, school seat requirements, and environmental considerations. The proposed development will consist of 49 single family detached and 80 townhome/single family attached dwellings.

Commissioner Holden made a motion to approve Ordinance 2022-05 as presented; Commissioner Kussard seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 4-0

13. Ordinance 2022-06 — Rezoning — Smith-Anderson — Change the zoning designation from Lake County Agriculture (A) to Lady Lake Residential Planned Unit Development (PUD) for property owned by William Mason Anderson and Alfreida Anderson and Carl A. Smith Trustee of the Carl A. Smith Family Trust; being approximately 24.75 acres; Referenced by Alternate Key Numbers 3907338, 1283264, and 1283329, within Lake County, Florida. (Thad Carroll)

Growth Management Director Carroll said this is the last of the three ordinances related to the 24.75-acre parcel. The request is to change the zoning designation from Lake County Agricultural to Lady Lake Residential Planned Unit Development. The proposed development will consist of 49 single family detached and 80 townhome/single family attached dwellings. The single family detached units will have a front setback with a 25-foot minimum; rear setback with a 10-foot minimum and a side yard setback with a 5-foot minimum. The single family attached units will have a front setback with a 25-foot minimum; a primary rear yard setback with a 10-foot minimum; an accessory rear yard setback with a five-foot minimum and a side setback with a zero-foot minimum. Minimum lot size for the detached units is 6,000 square feet and for the attached units the minimum lot size is 2,400 square feet.

Commissioner Holden made a motion to approve Ordinance 2022-06 as presented; Commissioner Freeman seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 4-0

14. Ordinance 2022-07 - An Ordinance of the Town of Lady Lake, Lake County, Florida; Amending the Town of Lady Lake Land Development Regulations (Ordinance No. 94-08); Amending Chapter 7, Site Development Plan Regulations; Adding Section 13, Entitled Limitation of Hours of Construction. (Thad Carroll)

Growth Management Director Carroll explained that in March 2022 at a meeting, a resident said that construction activity near her residence is occurring at all hours of the day, and she asked if the Town had a noise ordinance. Staff conducted some research about how other communities regulate similar situations and presented their findings along with proposed verbiage to the Town Commission. The Town Commission directed staff to prepare draft language to include in the Land Development Regulations. Section 7-13. Limitation of Hours of Construction would read:

Construction within Residential Districts. No person shall engage in construction, drilling, repair, alteration, or site demolition work between the hours of 8:00 p.m. and 7:00 a.m. of the following day. Work performed by a public service utility in the event of an emergency and/or work performed by a government agency for road construction performed in the overnight hours which is required by the operations plan of the project shall be exempt from this section. This prohibition does not apply to construction taking place in commercial or industrial zoning categories which do not directly abut residential zoning districts. Activities pertaining to the delivery and installation of concrete and other materials associated with residential slab installation are not subject to this prohibition, provided that the abutting property owners are given a 48-hour notice of such activity.

Commissioner Kussard made a motion to approve Ordinance 2022-07 as presented; Commissioner Holden seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 4-0

15. Resolution No. 2022-106 – Variance – Siddhi Riddhi, LLC - Pursuant to Chapter 5, Section 5-4. f).1).C.), of the Land Development Regulations (LDRs) which requires that the maximum customary accessory structure square footage within the MX-5 zoning district

does not exceed 35 percent of the principal structure. The variance request is to allow a total of 1,500 square feet or 134 percent of the principal structure to be allowed the construction of a 30-foot by 50-foot garage on property addressed as 209 Oak Hill Road, referenced by Alternate Key 1121078, within the Town of Lady Lake. (Thad Carroll)

Growth Management Director Carroll summarized the application. The request is for a motor home garage to be permitted behind the existing house. The accessory structure would total 1,500 square feet (30 feet by 50 feet) which is 134 percent of the principal structure. Our Code only allows for 35 percent of the principal structure. The house sits well back from the road and the accessory structure would not be visible from the right-of-way. The dwelling is 720 square feet and sits on .75 acre; if the code were followed, the property owner would be limited to a 252 square foot accessory structure. The applicant indicates that there is plenty of space to build the structure without interfering with any of the adjacent neighbors. All other town codes and regulations would be met.

Pushpak Narayana – property owner

Commissioner Kussard asked where Mr. Narayana is currently parking his motor home. Mr. Narayana responded that his parents drive the motor home around the country but when it is local, it is parked in Wildwood, about 45 minutes away. He added that the existing mobile home will be kept. It has 2 bedrooms and two bathrooms and is in good condition. It would be a huge expense to build something new.

Mayor Rietz commented that a provision should be made in the Code to give weight to the size of the lot when granting this type of variance; it makes a difference. Mr. Carroll said that is something the Town may want to consider.

Commissioner Holden made a motion to approve Resolution 2022-106 as presented; Commissioner Freeman seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 4-0

16. Resolution No. 2022-109 – A Resolution of the Town of Lady Lake authorizing the implementation of the long term and short-term objectives of the Town of Lady Lake Community Development Plan (Fox Enterprises)

Commissioner Holden asked if other projects could be considered other than the ones proposed. He does not feel that sidewalks will be utilized on the two streets. Mr. Fox said the projects have been determined for this round of funding.

Commissioner Kussard made a motion to approve Resolution 2022-109 as presented; Commissioner Holden seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 4-0

17. Resolution No. 2022-110 – A Resolution authorizing the use of fifty thousand dollars (\$50,000.00) of Town of Lady Lake funding as leverage for the Small Cities Neighborhood Revitalization Community Development Block Grant application the Town is submitting to the Florida Department of Economic Opportunity for federal fiscal year 2021-22 (Fox Enterprises)

Commissioner Freeman made a motion to approve Resolution 2022-110 as presented; Commissioner Holden seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 4-0

18. Resolution No. 2022-111 – A Resolution authorizing the submission of an application for the Small Cities Community Development Block Grant to the Florida Department of Economic Opportunity for federal fiscal year 2021-22 (Fox Enterprises)

Commissioner Freeman made a motion to approve Resolution 2022-111 as presented; Commissioner Kussard seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Holden (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 4-0

TOWN MANAGER’S REPORT

Town Manager Lawrence announced that a budget workshop is scheduled for July 20th at 2pm. The Town will set the millage rate at the first budget hearing on Wednesday, September 7, 2022 with the final budget hearing scheduled for Monday, September 19, 2022.

LEAD, Lake Economic Area Development Partnership sent a FY 2023 budget request to form a partnership among the private sector, Lake County Government and the municipalities within Lake County. They are asking for \$1.00 per resident in exchange for the Town to receive benefits such as help with business expansion, new business recruitment and entrepreneurship assistance. The Town Manager does not feel this is anything that the Town needs and the Commission agreed.

During the budget hearings a balanced budget will be presented with the same millage rate that the Town has had for years. One item added to the budget is a proposed Communications Department that has been discussed previously at a workshop. The Town Manager asked if they would like to have a separate workshop to discuss the matter or just discuss it at the budget meeting. Commissioner Kussard said she does not want to discuss the establishment of a Communications Department because the Town already has so many projects on the table. She does not want to burden the Town with more expenses.

Commissioner Holden also wants to put the brakes on new projects; the Town cannot justify the expense.

Mayor Rietz said they are commenting on something they know nothing about.

Commissioner Freeman said the budget meeting is where this should be discussed so the commission can talk about where the Town’s money is going to be spent.

Town Manager Lawrence said the money for the Communications Department is currently in the budget which is balanced. It can be removed from the budget like any other item in the budget. The question is if there is a need for a workshop to discuss that line item separately.

The consensus among the commission members is that they will have only one workshop to discuss the budget that will include the communications line item.

The Town Manager then raised the issue of compression. Compression is when new employees are starting out with a salary that is not much less than a longtime employee for the same job. The balanced budget has included the compression issue which would total about \$300,000.

The commission also decided to talk about the compression issue at the one workshop.

MAYOR AND COMMISSIONER'S REPORT

Commissioner Kussard said that prior to each commission meeting she contacts staff for clarification related to agenda items. She appreciates the time and effort spent to explain and clarify matters of concern to her.

Commissioner Holden said the CDBG money that is being spent on sidewalks is a waste since nobody will walk on them. He would rather have the money spent on sewer utility projects.

Commissioner Freeman commented that Town staff is excellent, and they do everything to help the Commission do their jobs.

Mayor Rietz attended the ribbon cutting at Ye Olde Thrift Store. A lot of people attended, and he said the store and the volunteer opportunities are good for the Town.

PUBLIC COMMENTS

No public comments

ADJOURN

There being no further business, the meeting was adjourned at 7:04p.m.

s/ Nancy Wilson, Town Clerk

s/ Jim Rietz, Mayor