

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

August 1, 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 Rietz presiding. The meeting convened at 6:00 p.m.

CALL TO ORDER

INVOCATION

Pastor Debbie – United Methodist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

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

STAFF PRESENT

Derek Schroth, Town Attorney; Pam Winegardner, Finance Director; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Deputy Chief Jason Brough, Lady Lake Police Department; Nancy Wilson, Town Clerk

A. ANNOUNCEMENT

1. Announcement of Qualifying Period from 12 Noon on August 15, 2022, to 12 Noon on August 19, 2022, for the Office of Town Commissioner for Wards Two and Four for the General Election on November 8, 2022 (Mayor Rietz)

B. PROCLAMATION

2. Proclaiming National Clown Week (Mayor Rietz/Doris Turlo)

Mayor Rietz read the Proclamation and presented it to Ms. Turlo. Ms. Turlo said the tradition began in 2006 and the group brings cheer to many.

C. CONSENT AGENDA

All items listed under consent are considered routine by the Town Commission and will be enacted by one motion. There will be no separate discussion of these items unless a Town Commissioner so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence.

3. July 18, 2022 Special Commission Meeting Minutes
4. July 18, 2022 Town Commission Meeting Minutes
5. Mutual Agreement for Pavement Management – Preservation Services for Budgeted FY 2021-2022 Annual Street Resurfacing Project (C.T. Eagle)

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

D. NEW BUSINESS

6. Fiscal Year 2022-2023 Benefits (Medical, Dental, Life Insurance, Long Term Disability, Short Term Disability, Critical Illness, Accident Coverage) (Tamika DeLee)

In Ms. DeLee's absence, the Town Clerk reported that the upcoming year's employee benefits did not increase over last year's rates except for medical which has increased 5%. Total anticipated cost of health, dental, life and LTD to the town is \$1,555,881.

Commission Kussard made a motion to approve the FY2022/2023 employee benefits for Medical, Dental, Life Insurance, Long Term Disability, Short Term Disability, Critical Illness and Accident Coverage; Commissioner Holden seconded. Motion carried 5-0.

E. TOWN ATTORNEY'S REPORT

7. Resolution 2022-107 — First and Final Reading — Plaza Professional Center — Variance Request for the Removal of One Live Oak Historic Tree in Accordance with the Provisions of Chapter 10, Section 10-5. C). 3). A)., of the Town of Lady Lake Land Development Regulations, On Property Located at 304-314 La Grande Blvd., owned by GTMJ Investment Group, LLC, Referenced by Alternate Key Number 3808678; within the Town of Lady Lake Limits. (Thad Carroll)

Growth Management Director Carroll said that an arborist performed an on-site tree evaluation at the Plaza Professional Center, and he found that there were a total of 22 compromised trees that needed to be removed — both non-viable and viable.

One of the viable trees is an historic 36-inch live oak that is located within a planter that it has outgrown. The tree is healthy, but it has pushed up the surrounding concrete. Currently, the area around the tree is tight and traffic must go around it. Damage to the site infrastructure, such as damaging building foundations, sidewalks and to curbing in the parking areas, are all reasons to grant tree removal. There is still a lot of plant material that will remain on the site.

Commissioner Kussard made a motion to approve Resolution 2022-107 on the first and final reading as presented; Commissioner Holden seconded.

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

Motion carried 5-0

8. Resolution 2022-108 – First and Final Reading - Variance – Jones - Pursuant to Chapter 5, Section 5-4. e).1). C.), of the Land Development Regulations (LDRs) which requires that the maximum customary accessory structure square footage within the RS-6 zoning district does not exceed 25 percent of the principal structure. The variance request is to allow a total of 960 square feet or 45 percent of the principal structure to construct a 30-foot by 32-foot garage/carport combo accessory structure at property addressed as 110 Lakeview Avenue, referenced by Alternate Key 1260558, within Lake County, Florida. (Thad Carroll)

Growth Management Director Carroll said that the variance request is to allow a total of 960 square feet or 45 percent of the principal structure to construct a 30-foot by 32-foot garage/carport combo accessory structure on the property. The detached shed and garage on the property are in poor condition and need to be replaced; they would like to replace it with a new metal building with a lean-to carport. The new structure would allow access to the home without walking in the elements. By replacing the older structures, the curb appeal of their property will be improved, and the homeowners will be able to secure their belongings. All current Florida Building Codes will be met and there are no impervious surface issues.

Commissioner Holden made a motion to approve Resolution 2022-108 on first and final reading as presented; Commissioner Hannan seconded.

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

Motion carried 5-0

1. Resolution 2022-113 — A Resolution of the Town Commission of the Town of Lady Lake, Florida; Vacating The North 40 Feet Of A 75 Feet Utility Maintenance Easement Located On A Portion Of Lot 10, Of The Lee And Stevens Additions To The Town Of Lady Lake, According To The Plat Thereof As Recorded In Plat Book 8, Page 9 Through 12, Public Records Of Lake County Florida, Addressed As 175 South Rolling Acres Road (Alternate Key 3250290), Within the Town Limits Of The Town Of Lady Lake, Florida. (Thad Carroll)

Growth Management Director Carroll stated that in 2006, an easement was granted to the Town of Lady Lake for the right to construct, operate and maintain utilities for the purposes of delivering water, sewer, reclaimed water, and all surface and sub-surface utilities. Since 2006, Tree Tops Storage Holding, LLC has constructed multiple storage buildings one of which encroaches upon the seventy-five-foot utility maintenance easement. Tree Tops Storage has filed a petition to vacate the north forty feet of the easement to avoid any possibility of the Town damaging the building while performing utility maintenance in the future. Public Works has since verified that the Town has a reuse meter within the easement, but it is located on the property line. They have agreed to vacate the north forty feet of the recorded easement; this would not restrict access to any utilities on the property. If the resolution is approved, Lady Lake would have an easement of thirty-five feet by fifteen feet for access.

Commissioner Freeman asked why there was an easement granted in the first place. Mr. Carroll said that the easement was recorded prior to the completion of construction and during build-out, plans may have been modified. The easements were not necessarily needed but once recorded, there can be conflicts.

Commissioner Holden made a motion to approve Resolution 2022-113 on first and final reading as presented; Commissioner Hannan seconded.

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

Motion carried 5-0

1. Resolution 2022-115 – A Resolution of the Town Commission of the Town of Lady Lake, Florida; Relating to the Imposition of a Special Assessment for Solid Waste Collection and Disposal Services, Facilities, and Programs within the Solid Waste Special Assessment District; Providing a Description of Solid Waste Collection and Disposal Services, Facilities or Programs to be Provided within the Solid Waste Special Assessment District; Determining the Preliminary Solid Waste Cost to be Assessed; Describing the Method of Apportioning Solid Waste Assessed Costs; Establishing a Preliminary Assessment Rate for the Upcoming Fiscal Year; Establishing a Maximum Assessment Rate and Directing Preparation of the Initial Assessment Roll. (Pam Winegardner)

Finance Director Winegardner stated that for solid waste collection, Waste Management is increasing their rates on June 1, 2022 and again on October 1, 2022. Their first increase falls below our current rate but the second increase does not. Staff is suggesting that the town’s rate be increased to a maximum of \$185 which should cover any increases over the next six years.

Commissioner Hannan made a motion to approve Resolution 2022-115 on first and final reading as presented; Commissioner Holden seconded.

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

Motion carried 5-0

TOWN MANAGER'S REPORT

No report

MAYOR AND COMMISSIONER'S REPORT

No reports

PUBLIC COMMENTS

No comments

ADJOURN

There being no further business, the meeting was adjourned at 6:25 p.m.

s/ Nancy Wilson, Town Clerk

s/ Jim Rietz, Mayor