

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

3 **August 1, 2022**

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

7 **CALL TO ORDER**

8 **INVOCATION**

9 Pastor Debbie – United Methodist Church

10 **PLEDGE OF ALLEGIANCE**

11 **ROLL CALL**

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

12 **STAFF PRESENT**

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

16 **A. ANNOUNCEMENT**

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

20 **B. PROCLAMATION**

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

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

3 **C. CONSENT AGENDA**

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

7 3. July 18, 2022 Special Commission Meeting Minutes

8 4. July 18, 2022 Town Commission Meeting Minutes

9 5. Mutual Agreement for Pavement Management – Preservation Services for Budgeted FY
10 2021-2022 Annual Street Resurfacing Project (C.T. Eagle)

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

13 **D. NEW BUSINESS**

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

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

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

22 **E. TOWN ATTORNEY'S REPORT**

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

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

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

6 **Commissioner Kussard made a motion to approve Resolution 2022-107 on the first and**
7 **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

8 **Motion carried 5-0**

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

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

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

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

1 Motion carried 5-0

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

9 Growth Management Director Carroll stated that in 2006, an easement was granted to the
10 Town of Lady Lake for the right to construct, operate and maintain utilities for the purposes
11 of delivering water, sewer, reclaimed water, and all surface and sub-surface utilities. Since
12 2006, Tree Tops Storage Holding, LLC has constructed multiple storage buildings one of
13 which encroaches upon the seventy-five-foot utility maintenance easement. Tree Tops
14 Storage has filed a petition to vacate the north forty feet of the easement to avoid any
15 possibility of the Town damaging the building while performing utility maintenance in the
16 future. Public Works has since verified that the Town has a reuse meter within the easement,
17 but it is located on the property line. They have agreed to vacate the north forty feet of the
18 recorded easement; this would not restrict access to any utilities on the property. If the
19 resolution is approved, Lady Lake would have an easement of thirty-five feet by fifteen feet
20 for access.

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

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

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

1 Motion carried 5-0

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

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

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

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

18 Motion carried 5-0

1 **TOWN MANAGER'S REPORT**

2 No report

3 **MAYOR AND COMMISSIONER'S REPORT**

4 No reports

5 **PUBLIC COMMENTS**

6 No comments

7 **ADJOURN**

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

9 _____

10 Nancy Wilson, Town Clerk

11 _____

12 Jim Rietz, Mayor