

MINUTES OF THE COMMISSION MEETING TOWN OF LADY LAKE, FLORIDA

February 22, 2023

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.

CALL TO ORDER

The meeting was called to order at 6:00 p.m.

INVOCATION

Moment of silence

PLEDGE OF ALLEGIANCE

Led by Mayor Rietz

ROLL CALL

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

STAFF PRESENT

Bill Lawrence, Town Manager; Thad Carroll, Growth Management Director; Rebecca Higgins, Development Coordinator; Mike Burske, Parks & Recreation Director; Lori Crain, Code Enforcement Officer; C.T. Eagle, Public Works Director; Tamika DeLee, Human Resources Director; Pam Winegardner, Finance Director; Rob Tempesta, Police Chief; Nancy Wilson, Town Clerk

Derek Schroth, Town Attorney was also in attendance.

PRESENTATION

Mr. Jeff Cohen from the Central Florida Alzheimer's Association presented Lady Lake Police Department Officers with a Law Enforcement Challenge Trophy for the 2022 Walk to End Alzheimers. He said this is the first time that law enforcement has been involved and the trophy will travel among law enforcement agencies each year.

Mr. Cohen added that the Lady Lake team was very enthusiastic, especially Jan Miller.

Chief Tempesta thanked Mr. Cohen and said they are honored to have received the trophy and are proud to have been involved.

A. CONSENT

1. February 6, 2023 –Town Commission Meeting Minutes
2. Approval for New Song Community Church of Lady Lake to Host Easter Sunday Sunrise Services at Veterans/Log Cabin Park on April 9, 2023
3. Approval of reappointments to the Planning & Zoning Board and the Parks, Recreation and Tree Advisory Committee
4. Consideration of Waiver/Discharge of a lien for Code Enforcement Case Numbers 18-6725 and 20-7430 in the amount of \$415,832 for Property Located at 205 Brevard Avenue for Violation of Town of Lady Lake Land Development Regulation Section 16-52(a), Building Permit Required; and Town of Lady Lake Code of Ordinances Section 7-67, Certain Conditions, Accumulation Deemed Public Nuisance; and Section 20-20(A)(1), Residential Property Exterior Maintenance and Appearance Standards

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

B. NEW BUSINESS

5. **Consideration of using the Lady Lake Tennis and Pickleball Courts for pickleball lessons taught by Larry Oliver and Gary Grodzicki**

Parks & Recreation Director Burske stated that the two gentlemen are interested in giving lessons on the Pickleball Courts at the Guava Street Athletic Complex. They are interested in teaching before 10:00 in the morning which will allow for the public to have the courts for the rest of the day. They have supplied insurance and if approved they will have to get a background check as they will be hosting a children's clinic at some point. The Town would

be made the certificate holder. If approved, the Town would receive 10% of the gross revenue generated on our courts.

Commissioner Hannan asked about proof of insurance from Ms. Harrison who is the second person requesting use of the pickleball courts. Mr. Burske said the gentlemen were being proactive, Ms. Harrison wanted to wait to find out if her request was granted.

The Commission consented 5-0 to approve the use of the Lady Lake Tennis and Pickleball Courts for pickleball lessons taught by Larry Oliver and Gary Grodzicki.

6. Consideration of Using the Lady Lake Tennis and Pickleball Courts for pickleball lessons taught by Deb Harrison

Parks & Recreation Director Burske stated that Ms. Harrison is interested in teaching lessons on the Pickleball Courts at the Guava Street Athletic Complex. She will be seeking to teach before 10:00 in the morning. This will allow for the general public to have the courts for the rest of the day. If approved she will purchase sport insurance and will have to get a background check. The Town would receive 10% of the gross revenue generated on our courts.

The Commission consented 5-0 to approve the use of the Lady Lake Tennis and Pickleball Courts for pickleball lessons taught by Deb Harrison

7. Lake Ella Estates Phase 1 — Final Plat Plan — Proposing an 80 Non Age-Restricted Single-Family Residential Lots Zoned RS-6 within Lake Ella Estates Subdivision, Located on the North Side of Lake Ella Road Approximately ¾ Mile East of Rolling Acres Road, Addressed as 1295 Boone Boulevard, referenced as Alternate Key Numbers 1283159 & 3462858, owned by ROIB SFR Lake Ella LLC, within the town limits of the Town of Lady Lake, Florida.

Growth Management Director Carroll said that on December 14, 2022, the final plat of Lake Ella Estates—Phase 1 Subdivision was applied for. The Town Commission approved the preliminary plat of Lake Ella Estates—Phase 1 and a Development Order was issued on February 3, 2021.

Lake Ella Estates is a 232 lot non-age restricted single-family residence subdivision located on a total of 66.75 acres. The project has been divided into three phases. The first phase will consist of 80 lots located in the southern portion of the subdivision, abutting Lake Ella Road.

The Final Plat Plan was reviewed to determine compliance with the Land Development Regulations (LDRs) and Florida Statutes Chapter 177. Once the final plat is recorded, they will be able to sell lots as part of the development. There will be other phases.

The Town Commission approved Ordinance 2005-25 on October 6, 2005, establishing the zoning for the 66.75-acre parcel as Residential Single Family Medium Density (RS-6).

The Lake Ella Estates—Phase 3 Subdivision Preliminary Plat Plan received approval by the Town Commission and the Development Order was issued on February 3, 2021. An agreement for sewer and water was executed between the owner and the Town and adequate capacity has been allocated.

The Planning & Zoning Board voted 5-0 recommending approval of the final plat plan.

Commissioner Kussard made a motion to approve the final plat plan for Lake Ella Estates Phase 1; Commissioner Gourlie seconded. Motion carried 5-0.

8. Discussion regarding the Lake County Joint Planning Agreement

Town Manager Lawrence said that the Lake County Joint Planning Committee has sent their draft Joint Planning Agreement (JPA) to all 14 communities in the county. It is a fluid document subject to change. If Lady Lake decides to participate, we can send suggestions to them for inclusion in the agreement. The Town Manager received input from C.T. Eagle, Thad Carroll and our Town Attorney. Mr. Lawrence is not pleased with the agreement because they are trying to hamper growth and pass off county roads to municipalities. He asked for input from the Commission.

Commissioner Kussard thought that we had already decided not to participate in the JPA since it took authority away from municipalities and she did not like the idea that the county was going to turn the roads over to the town without first repairing them.

Commissioner Gourlie asked what it is about the agreement that the Town Manager does not like. Mr. Lawrence said he does not want county roads to be turned over to Lady Lake without first being fixed. Also, the county wants more open spaces and less growth. His overall concern is turning control of our town over to the county. He has concerns that they will never fix Rolling Acres Road. He added that we can go through legislative appropriations to get funding to fix the road but the county will not participate in that effort.

Public Works Director Eagle is not in favor of participating in the JPA because the bad roads will just get passed on to the Town. We have always been willing to work with the county to take over the roads but we want the tax benefits that they are now collecting. If they will give

us money for improvements, then we will take them over. The agreement is weighted towards the county.

Commissioner Gourlie asked if we could suggest adding language to the agreement so that the county would have to fix our roads. The Town Manager said if there is Commission consensus, that can be proposed.

In response to Mayor Rietz, the Town Manager said there is no downside to not participating. The roads can be taken over independent of the JPA.

Mayor Rietz stated that we can try to get the county to fix the road then give it to us or they can give us the money so we can do it.

Growth Management Director Carroll said the JPA language was drafted for Groveland. Sometimes the county embarks on a project with one municipality and it then becomes a project for the county as a whole. The direction of one part of the county is often contrary to the direction of other areas of the county. Our relationships are different than Groveland's. Right now, we have an Interlocal Service Boundary Agreement (ISBA) which has been in place since 2013 and Mr. Carroll thinks it would be more effective to utilize our ISBA because there is language in it regarding service with the Villages. This should be done on our terms at a later date utilizing what we already have. Impact fees are not part of the JPA or ISBA.

The Commission consented 5-0 to not participate in the JPA.

C. TOWN ATTORNEY'S REPORT

- 9. Resolution No. 2023-101 – Variance – First and Final Reading - Hammock Oaks Phase 1 – Historic Tree Removal – Pursuant to Chapter 10, Section 10-5). c).3).A., of the Land Development Regulations (LDRs) which requires a variance for the removal of historic trees. (Historic trees are classified as a tree with a diameter at breast height (DBH) of 36” or greater.) The variance request is to allow for the removal of 29 viable historic trees located within the common areas of Hammock Oaks Subdivision, Phases 1-6, referenced by Alternate Keys 1770670, 1770661, 1771498, 1770653, 1279810, 1770700, 1279801, 3325451, 1279763, 1279780, and 1279828, owned by SK Hammock Oaks, LLC, within the town limits of the Town of Lady Lake, Florida.**

Growth Management Director summarized the variance request. He stated that on November 9, 2022 a certified arborist completed an arborist report on the subject properties which evaluated all historic trees proposed to be removed and scored them from 1-6, with 1 being the worst score and 6 being the best. The entire 378-acre project contains a total of 184 trees with a diameter at breast height at or above 36”. Of the 184 historic trees, it was determined

that 74 of those trees will need to be removed based upon the design of the approved preliminary plat. Of the 74 trees required to be removed, only 29 trees were deemed to be viable by the Certified Arborist with a score of 3 or higher.

On Monday, January 16, 2023, a variance application was filed with the Town of Lady Lake which is required per the Town's Land Development Regulations for the removal of historic trees.

The subject property encompasses approximately 378 acres of land and is zoned Lady Lake Planned Unit Development. The future land use is Mixed Development District/ Traditional Neighborhood District.

The application proposes to retain 110 historic trees, roughly 60% of the total historic count, with a total of 5,093 caliper inches saved. The 29 viable historic trees to be removed will be in the areas of the proposed roadways, stormwater management facilities, and other required infrastructure. The application notes that the project layout was designed to retain as many historic trees as possible by incorporating them into open space and amenity areas. 110 historic trees with 5,093 caliper inches are being saved and incorporated into the open space and the project amenities. They've made a considerable effort to save as many trees as possible.

The Planning & Zoning Board recommended that the request be approved.

Commissioner Kussard made a motion to approve Resolution 2023-101 on first and final reading as presented; Commissioner Hannan seconded.

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

Motion carried 4-1

TOWN MANAGER'S REPORT

Town Manager Lawrence reminded the Commission of the workshop on February 28th at 4 pm to view a video walkthrough of the proposed renovations on the second floor of the library. It

is being prepared by Dickenson Architects. Funding for the project will also be discussed along with a possible grant opportunity.

Mr. Lawrence complimented Mike Burske on his successful Farmers Market and gave kudos to Julia Harris and Jackie Schilling for their help during set-up.

MAYOR AND COMMISSIONER'S REPORT

Commissioner Kussard said the Farmers Market had a good turnout and she enjoyed her BBQ sandwich served at the food truck.

Commissioner Freeman reported that the grand opening of the golf course at Water Oak was a great success.

Mayor Rietz said the Parks Board is looking for organizations to sponsor games at the Easter Egg hunt. He also announced the yard sale on February 25th at the Log Cabin and the Mac & Cheese event on March 11th.

PUBLIC COMMENTS

John Curtis – Kolter

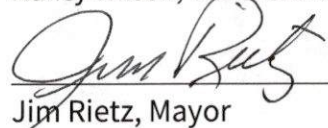
Mr. Curtis reminded the commission that Kolter is working on a tri-party agreement with Lake County and the Town of Lady Lake on the Rolling Acres allocated funds to fund the PD&E Study. Hopefully, that will come before the commission within the next few months for approval.

ADJOURN

There being no further business, the meeting was adjourned at 6:36 p.m.



Nancy Wilson, Town Clerk



Jim Rietz, Mayor