

MINUTES OF THE COMMISSION MEETING TOWN OF LADY LAKE, FLORIDA

September 18, 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 6:11 p.m.

INVOCATION

Moment of Silence

PLEDGE OF ALLEGIANCE

Led by Mayor Rietz

ROLL CALL

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

STAFF PRESENT

Bill Lawrence; Town Manager; Thad Carroll, Growth Management Director; Pam Winegardner, Finance Director; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; John Pearl, IT Director; Aly Herman, Library Director; Steve Hunt, Police Chief; Town Clerk Nancy Wilson

Town Attorney Derek Schroth was also in attendance.

A. PUBLIC HEARING

- 1. Resolution 2023-109 (First and Final Reading) — Adoption of Final Millage Rate for Fiscal Year 2023—2024**

Finance Director Winegardner read Resolution 2023-109 in its entirety. This resolution sets the Fiscal Year 2023-2024 final property tax millage rate of 3.3962 mills per \$1,000 taxable valuation, which is 9.49% greater than the current years rolled back rate of 3.1017.

Per State Statute Chapter 200.065, the Town of Lady Lake must hold public hearings on the millage rate and proposed budget. At this hearing, the Town Commission will discuss the millage rate, and if changed, re-compute its tentative millage rate and publicly announce the percent, if any, by which the re-computed tentative millage is greater than or less than the rolled-back rate and approve the resolution.

As a reminder, the Town Commission can only decrease the millage rate at the second public hearing. This final millage rate, plus any other rate below this rate, requires an affirmative vote of three members of the Town Commission.

This hearing was advertised in the Daily Sun on September 14, 2023.

Commissioner Kussard made a motion to approve Resolution 2023-109 setting the Fiscal Year 2023-2024 final property tax millage rate of 3.3962 mills per \$1,000 taxable valuation; Commissioner Gourlie seconded.

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

Motion carried 4-0.

2. Ordinance 2023-13 (Second and Final Reading) – Adoption of Operating Budget for Fiscal Year 2023—2024

Finance Director Winegardner read the ordinance in its entirety. This ordinance sets the Fiscal Year 2023-2024 Budget revenues, expenditures, and expenses for the General Fund, the Special Revenue Fund, and the Utilities Fund.

Per State Statute Chapter 200.065, the Town of Lady Lake must hold a public hearing on the millage rate and proposed budget. At this hearing, the Town Commission will adopt the second and final reading of the budget ordinance after adoption of the final millage rate. This hearing was advertised in the Daily Sun on September 14, 2023.

Commissioner Freeman made a motion to set the Fiscal Year 2023-2024 budget revenues, expenditures and expenses for the General Fund, the Special Revenue Fund, and the Utilities Fund; Commissioner Kussard seconded.

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

Motion carried 4-0.

B. CONSENT

3. Consideration of the Water, Sewer and Reuse Utility Agreement for the Rolling Acres Reserve Apartments— Major Modification to Site Plan MJM 05/23-003 — Requesting Utilities Capacity Reservation of 49 Water ERUs, 48 Sewer ERUs and 32 Reuse ERUs for an approved 92-unit Apartment Complex Project amongst six buildings and featuring 183 parking spaces, Lift Station, Trash Compactor and Landscaping Buffers, on an 8.12-acre parcel zoned Light Commercial, owned by Rolling Acres Club III Investment Partners LLC, and identified by Alternate Key 1279861.

The Rolling Acres Club III Investment Partners, LLC, is the property owner of approximately 8.13 acres along Highway 466, lying west of Rolling Acres Road, identified by Alternate Key Number 1279861. The Rolling Acres Reserve Apartments is a town-approved project consisting of 92 units across six buildings, providing 183 parking spaces, a trash compactor, a lift station, and landscaping buffers. The property is zoned Light Commercial (LC), and the Future Land Use is RET-Commercial General – Retail Sales and Services, which allows for the apartment complex and is compatible and consistent with the Town’s Comprehensive Plan.

In order to serve the approved development with water, sewer and reuse capacity, the owner/developer is seeking to reserve 12,210 gallons per day or 49 Equivalent Residential Units (ERUs) for water, 11,960 gallons per day or 48 Equivalent Residential Units (ERUs) for Sewer, and 8,768 gallons per day or 32 Equivalent Residential Units (ERUs) for Reclaim/Reuse Water.

The Developer has agreed to utilize the Town's water, sewer, and reuse facilities to benefit the Development and to the terms and conditions hereinafter set forth in the attached Agreement, as provided by Utility (The Town). The applicant will have 30 days from the execution of this agreement to pay for the capacity.

The lump sum for the total ERUs allocation is \$234,635.00. Should Developer fail to pay the corresponding Impact Fees allocations as provided herein, the Town, in its sole discretion, may rescind and void this Agreement in its entirety. \$234,635 will be credited toward the respective capital improvement funds for water and sewer utilities.

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

C. NEW BUSINESS

4. Discussion regarding the location of the 4th of July 2024 fireworks

Parks & Recreation Director Burske is seeking direction regarding the location for the fireworks event in 2024 since the town will not be able to shoot off fireworks at the same location as in 2023 which was the perfect location. The only other spot where we will have a similar show would be the soccer fields or the driving range. Mr. Burske would be to have the event at Guava Street Athletic Complex and the fireworks shot off from the soccer fields with little to no spectators in the park. There needs to be at least 600 feet between the fireworks launch location and spectators. The viewing areas for this location are limited there would not be adequate parking like we had with the shopping centers. Another option would be to have smaller fireworks display on the driving range and have the event on the soccer fields. Keep in mind that the Rolling Acres Sports Complex has limited parking plus entering and exiting would be challenging.

Commissioner Kussard said she is not in favor of utilizing Rolling Acres Sports Complex; there is not enough room to shoot 5-to-6-inch shells plus houses and buildings are too close. Parking would also be a problem. She suggested property owned by Benchmark but Mr. Burske explained why that is not a possibility.

Other areas, such as Grand Oaks and Water Oak, were discussed but dismissed for one reason or another. There simply are not any large open areas remaining in town.

Phil Mathias – Lakes of Lady Lake

Mr. Mathias suggested the property that was annexed on CR 25 called Boulevard Oaks.

Commissioner Freeman said he would broach the subject with Water Oak and Mr. Burske said he would continue scouting for a location.

5. Consideration of Approval to Transfer a 17-Year-Old Toro 72 Inch Deck Z Turn Mower to The Bob Johnson Legacy Driving Range at The Rolling Acres Sport Complex

The Parks and Recreation Department is seeking approval to transfer a 17-year-old Toro Z Turn mower to the Lady Lake Driving Range. The mower still works and is in fair to good condition.

The deck is large, so it has limited use by Parks & Recreation. If we send it to auction, then we would get a fraction of what it is worth. By sending it to the Driving Range they will keep and maintain it and we can use it when needed; we borrow from them on a regular basis. The mower would revert to us when it needs to be surplus as has been customary in our partnership.

Consensus to allow the transfer of the Mower to Bob Johnson Legacy Driving Range. 4-0.

D. TOWN ATTORNEY REPORT

6. Ordinance 2023-15 – First Reading – Consideration of Request to Permit Signs Advertising Town Events to be placed in the rights-of-way in Lady Lake and to allow Sponsorship Banners that Face the Roadway.

Parks & Recreation Director Burske said our Land Development Regulations state that signs are prohibited in the right-of-way with certain exemptions. The Town sponsors many events that benefit the entire community, so I am requesting that Town staff be permitted to place 24-inch x 18-inch signs in right-of-way locations and that they be exempted from permitting requirements. The signs are effective in providing directions and information for events.

Further, sponsorship banners have proven to be a huge revenue source for sports leagues and having them facing the street would give them more visibility with a higher likelihood of purchases by sponsors.

Permission to modify Ordinance 2020-01 of the Land Development Regulations is being requested to permit 24-inch x 18-inch signs in the right-of-way to advertise Town events and allow sponsorship banners to face the road. The signs could be placed in the rights-of-ways up to ten days prior to an event and one day prior to recurring weekly events. Signs must be removed within 48 hours after the event has concluded.

Commissioner Kussard said we are making an exemption for the town when we have stopped others from doing the same. She feels this would set a bad precedent. With the Chamber of Commerce and our Communications Director promoting events, we do not need to junk up the roads with signs. She is in favor of the banners, however.

Commissioner Gourlie agreed with Commissioner Kussard. He does not think we should take advantage of things we will not allow others to do. Banners on the fences are OK.

Commissioner Freeman agreed with the two Commissioners adding that neatness counts. The signs and banners need to be neat, clean, and maintained.

Commissioner Gourlie asked about using lighted signs for short periods of time. Mr. Burske responded that those signs are already being utilized for events. Mr. Burske recounted how

effective the signs directing people to the Covid clinic were. The Farmer's Market is his biggest concern because signs will draw impulse shoppers.

Commissioner Freeman asked if sign frames could be built so signs could be affixed to them and easily changed out. They would be in established locations where people would see them all the time. He prefers that to signs placed on corners around town. He would like to see the sign placement process cleaned up.

Mayor Rietz suggested using a permit system to keep track of who has signs out. Mr. Carroll responded that the issue is signs in the right-of-way for which a permit cannot be pulled. The public can get a temporary permit for a banner to announce a grand opening or put a banner out for 15 days in front of their business. Also, snipe signs are not permitted and when Public Works or Code Enforcement staff sees those signs, they pull them.

There was further discussion about how the same outcome could result from a different approach. No decision was made.

Phil Mathias – Lakes of Lady Lake

Mr. Mathias suggested a monument sign that is big enough to include a lot of information. Commissioner Freeman said the one in front of the Log Cabin cost \$30,000 and that price was charged during a recession.

Commissioner Freeman made a motion to table Ordinance 2023-15; Commissioner Gourlie seconded.

Commissioner (Ward)	Vote
Kussard (One)	NO
Gourlie (Two)	YES
Freeman (Three)	YES
Rietz (Five)	YES

Motion carried 3-1 (Kussard).

7. Ordinance 2023-05 — (Second and Final) Reading - Small Scale Future Land Use Comprehensive Plan Amendment — Hien D. Nguyen and Barbara D. Kleinschrodt — Changing the future land use designation from Lady Lake Mixed Residential – Low Density (MR-LD) to Town of Lady Lake Commercial General - Retail Sales and Service (RET); for property being approximately 0.682 acres; Referenced by Alternate Key Numbers 2801573 and 2515678 within Lake County, Florida.

Growth Management Director Carroll said that there are two contiguous vacant parcels to be considered for this ordinance. These two lots are located east of Clay Avenue, south of West Lemon Street and north of Highway 466, just northeast of the intersection of Highway 466 and Clay Avenue and approximately 0.3 miles west of the intersection of US Hwy 441 and West Lemon Street. The present use is vacant residential. The second application that was previously submitted has been formally withdrawn.

An application was filed with the Town of Lady Lake by Michael Rankin with LPG Urban & Regional Planners, LLC, to amend the Future Land Use designation of 0.68 acres into the Town's Comprehensive Plan Map. The request is to change the property from Lady Lake Mixed Residential Low Density to Lady Lake Commercial General-Retail Sales and Services. This use is consistent with the Future Land Use across the street on 466.

The proposed Future Land Use designation is Lady Lake Commercial General – Retail Sales and Services. This land use category is limited to retail sales and services which is an establishment engaged in the selling of products and services to the public for personal or household consumption. Within their Memorandum of Agreement, they are limited to certain uses.

The projected demand on the water and sewer for this project is 750 gallons per day or 3 ERUs is the most that the completed project will be generating. There will not be any impact on schools. Regarding transportation impact, the project is expected to generate a maximum of 70 peak hour trips: 35 entering and 35 exiting. There will be a total of 901 daily trips generated for the project as proposed based on the worst-case scenario.

For stormwater, the project must adhere to the St. John's River Water Management District guidelines, drainage, and engineering best practices. There are no flood hazard areas or wetlands on the properties.

The Statement of Need was addressed at the May 15, 2023, Special Conceptual Workshop Meeting. The applicant stated that there is an absence of food establishments for nearby residents and visitors to the town's recreation facilities and the library and they could take advantage of getting a quick bite to eat within a short walk. The proposed number of tenants would provide a variety of fares for patrons to choose from. The dining area would be outside, with the ordering to be occur within each tenant space. The concept is similar to that of a food truck operation; however, the ordering counters are not mobile. The applicant proposes a 2,000-square-foot Fast-Food Restaurant with outdoor seating but without a drive-through.

Commissioner Gourlie made a motion to adopt Ordinance 2023-05 changing the future land use designation from Lady Lake Mixed Residential – Low Density to Lady Lake Commercial

General - Retail Sales and Service on second and final reading; Commissioner Kussard seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Gourlie (Two)	YES
Freeman (Three)	NO
Rietz (Five)	YES

Motion carried 3-1 (Freeman).

8. Ordinance 2023-06 — Second and Final Reading – Rezoning — Hien D. Nguyen and Barbara D. Kleinschrodt — Changing the zoning designation from Lady Lake Mixed Low Density Residential (MX-5) to Lady Lake Planned Commercial (CP) for property; being approximately 0.682 acres; Referenced by Alternat Key Numbers 2801573 and 2515678 within Lake County, Florida.

Growth Management Director Carroll said this is the second application for the rezoning of the same two parcels owned by Hien Nguyen and Barbara Kleinschrodt.

The subject properties are located at the corner of Clay Avenue and Hwy 466. The conceptual plan was altered between the time it was presented to the Planning & Zoning Board and when it came back before the Commission on September 6, 2023. The changes include a right-in/right-out from Hwy. 466, emergency access only to Clay Avenue so the in/out traffic will come solely from Hwy. 466. Also, the applicant agrees with a maximum building height of 26 feet with a limitation of two stories. Other changes to the MOA include the north buffer width being 20 feet and the east buffer width being 25 feet. Mr. Carroll advised that the applicant went above and beyond our requirements to increase the buffer between the subject property and the adjacent houses. The buildings are oriented to the southern portion of the parcel and to the corner of Hwy. 466 and Clay Avenue. The hours of operation are only permitted between the hours of 9am and 9pm.

Mr. Carroll reiterated that these changes have been made in the MOA and incorporated in the ordinance as put forth in the minutes of the last meeting.

Commissioner Kussard made a motion to adopt Ordinance 2023-06 changing the zoning designation from Lady Lake Mixed Low Density Residential to Lady Lake Planned Commercial including the new conditions described by Mr. Carroll; Commissioner Gourlie seconded.

Commissioner (Ward)	Vote
Kussard (One)	YES
Gourlie (Two)	YES
Freeman (Three)	NO
Rietz (Five)	YES

Motion carried 3-1 (Freeman)

9. Ordinance 2023-12 – (Second and Final Reading) - Rezoning – An Ordinance Redesignating the Zoning Classification for Certain Property Being Approximately 3.216 Acres, Owned by CGCR Holding, LLC; Referenced by Alternate Key Numbers 1121116, 1121124, and 1111277, Rezoning Subject Property From Lady Lake Light Commercial (LC) and Lady Lake Planned Commercial (CP), to Lady Lake Planned Commercial (CP); located west of Old Dixie Highway and on the north and south side of Griffin View Drive, within Lake County, Florida.

Growth Management Director Carroll stated that the applicant is Justyna Gale from Forward Planning & Design and is acting on behalf of CGCR Holding for the three contiguous vacant lots. The property is split by Griffin View Drive. There is an existing building on the southern portion of the property and the lot to the north is vacant. It is currently being used for overflow parking from the Collision Center.

There will be changes to the conceptual plan before the site plan comes back to the Commission. There are two buildings on the properties, and one will need refurbishing to make it useable.

Class “A” landscaping buffers will be provided on the north, south and east property lines. Class “B” landscaping buffers will be provided on the west property line. The owner will maintain all landscaping.

Commissioner Freeman made a motion to adopt Ordinance 2023-12 redesignating the zoning classification for property owned by CGCR Holding; Commissioner Gourlie seconded.

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

Motion carried 4-0.

10. Ordinance 2023-14 - First Reading - Fertilizer Ordinance – Adding to Lady Lake’s Land Development Regulations a Section Entitled “Fertilizer Use”; Restricting the Timing of Application and Content of Certain Fertilizers

Public Works Director Eagle said the ordinance was modeled after a Lake County Ordinance. Staff would like to be able to restrict the timing of application and content of certain fertilizers. This ensures ongoing compliance with Lady Lake’s National Pollutant Discharge Elimination System (NPDES) permit requirements for Stormwater.

Commissioner Kussard made a motion to adopt Ordinance 2023-14 adding a section to the Land Development Regulations regarding Fertilizer Use; Commissioner Gourlie seconded.

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

Motion carried 4-0.

TOWN MANAGER’S REPORT

Town Manager Lawrence announced the reopening of the Farmers Market on Oct 3rd and Coffee with a Cop on October 4th. He asked that an agenda item regarding fees for Snooky Park be added to the next agenda. There was consensus to add this to the next agenda.

He thanked the Chamber of Commerce for holding a business expo at Water Oak.

MAYOR AND COMMISSIONER’S REPORT

Commissioner Gourlie said he commemorated 9/11 victims last Monday at an event. There was a good turnout, and it was an honor to be a part of the event.

Commissioner Kussard also attended the 9/11 event.

Commissioner Freeman said the Chamber event was very well attended and the residents of Water Oak were very curious.

Mayor Rietz also attended the 9/11 Memorial and read off names of victims. He added that Craft with a Cop is taking place on September 26th. The Mayor suggested that we get input from our residents about community needs and suggestions.

PUBLIC COMMENTS

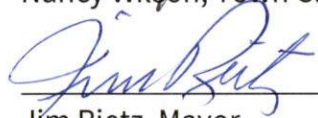
No public comments

ADJOURN

There being no further business, the meeting was adjourned at 7:01 p.m.



Nancy Wilson, Town Clerk



Jim Rietz, Mayor