

MINUTES OF THE COMMISSION MEETING TOWN OF LADY LAKE, FLORIDA

September 19, 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

Given by James E. Taylor - St. George Episcopal Church

PLEDGE OF ALLEGIANCE

Led by Mayor Rietz

ROLL CALL

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

STAFF PRESENT

Bill Lawrence, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; Wendy Then, Senior Planner; Becky Hewitt, Planning Assistant; Lori Crain, Code Enforcement Officer; Pam Winegardner, Finance Director; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; Tamika DeLee, Human Resources Director; Police Chief Rob Tempesta; Jason Brough, Deputy Police Chief; Nancy Wilson, Town Clerk

A. PUBLIC HEARING

1. Resolution 2022-118 (Final Reading) — Adoption of the Final Millage Rate for Fiscal Year 2022-23

Finance Director Winegardner read Resolution 2022-118 in its entirety:

**RESOLUTION 2022-118
TOWN OF LADY LAKE, FLORIDA**

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, ADOPTING THE FINAL PROPERTY TAX MILLAGE RATE TO BE LEVIED FOR FISCAL YEAR 2022—2023; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Commission of the Town of Lady Lake, Florida, has determined the amount of revenue required to meet the Town’s operating objectives for Fiscal Year 2022—2023; and

WHEREAS a portion of this operating revenue is derived from ad valorem tax receipts; and

WHEREAS the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the Lake County Property Appraiser to the Town of Lady Lake as \$ 1,488,419,241

NOW, THEREFORE, BE IT RESOLVED by the Town Commission of the Town of Lady Lake, Lake County, Florida, that the Fiscal Year 2022—2023 operating millage rate for the Town of Lady Lake is 3.3962 mills, which is greater than the rolled-back rate of 3.1044 mills by 9.40%.

Ms. Winegardner added that the Town Commission could have increased the millage rate at the September 7th meeting, but at this second public hearing on September 19th, it cannot be increased from what was approved at the September 7th meeting. This rate plus any other rate below this rate requires an affirmation vote of three members of the Town Commission. This hearing was advertised via an ad in the local newspaper. She displayed the published ad.

Commissioner Hannan made a motion to approve Resolution 2022-118 to adopt the final property tax millage rate to be levied for fiscal year 2022-2023; Commissioner Holden seconded.

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

Motion carried 5-0

2. Ordinance 2022-14 (Second and Final Reading) — Adoption of Operating Budget for Fiscal Year 2022—2023

Finance Director Winegardner read Ordinance 2022-14 through Section 1:

**ORDINANCE 2022-14
TOWN OF LADY LAKE, FLORIDA**

AN ORDINANCE OF THE TOWN OF LADY LAKE, LAKE COUNTY, FLORIDA, ADOPTING THE OPERATING BUDGET FOR FISCAL YEAR OCTOBER 1, 2022, THROUGH SEPTEMBER 30, 2023, FOR THE TOWN OF LADY LAKE; SETTING FORTH ANTICIPATED SOURCES OF REVENUE IN THE ESTIMATED AMOUNT OF \$36,113,371; SETTING FORTH EXPENDITURES IN AN EQUIVALENT AMOUNT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town Manager of the Town of Lady Lake has prepared the annual report and budget for the Town of Lady Lake for Fiscal Year 2022-2023 and has submitted same to the Town Commission; and

WHEREAS, the proposed budget sets forth, in detail, information on revenues and expenditures, including debt service, and comparative figures for preceding fiscal years; and

WHEREAS, the Town Commission has made a study of the recommended budget and has made amendments thereto as indicated in the budget; and

WHEREAS a general summary of the proposed budget has been duly advertised in a newspaper of general circulation in the Town with notice to all citizens that the budget is available for public inspection in the office of the Town Clerk.

SECTION 1:

The following amounts are appropriated for various funds:

Fund Number	Description	Amount
001	General Fund	\$19,106,695
101	Special Revenue Fund (Infrastructure Sales Tax)	1,427,550
401	Utilities Fund	15,579,126
	Total	\$36,113,371

This ordinance sets the Fiscal Year 2022-23 Budget estimated revenues, expenditures, and expenses for the General Fund, the Special Revenue Fund, and the Utilities Fund.

There were no public comments.

Commissioner Kussard made a motion to approve Ordinance 2022-14 to adopt the operating budget for fiscal year October 1, 2022, through September 30, 2023; Commissioner Hannan seconded.

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

Motion carried 5-0.

B. CONSENT

3. Commission Workshop Minutes – September 1, 2022
4. Consideration of the Renewal of the Two-Year Term Lease Agreement between the Town of Lady Lake and the Lady Lake Historical Society
- ~~5. Consideration of the Renewal of the Two-Year Term Lease Agreement between the Town of Lady Lake and the Lady Lake Dog Park Association~~
6. Consideration of the Renewal of the Two-Year Term Lease Agreement between the Town of Lady Lake and the Kiwanis Club of Lady Lake
7. Consideration of the Renewal of the Two-Year Term Lease Agreement Between the Town of Lady Lake and Boy Scout Troop 244
8. Consideration of the Renewal of the Two-Year Term Lease Agreement between the Town of Lady Lake and the Lady Lake Little League
9. Consideration of the Renewal of the Two-Year Term Lease Agreement between the Town of Lady Lake and the Lady Lake Soccer Association
10. Consideration of Approval to Participate in Florida League of Cities Government Week between October 17th and October 23rd
- ~~11. Consideration of extending the Town's agreement with Kling Towing for one more year ending September 30, 2022.~~

Mayor Rietz asked the Commission if they would like to pull anything from the Consent Agenda to address separately. Commissioner Hannan asked to have item 11 pulled. Commissioner Kussard asked to have item 5 pulled.

Commissioner Kussard made a motion to approve all items on the Consent Agenda except for items 5 and 11; Commissioner Hannan seconded. Motion carried 5-0.

Regarding item 5 dealing with the agreement for the Dog Park lease, Commissioner Kussard said there was a mistake. The text should read “total annual rent due....shall be \$20” because the annual rent is \$10 and this is a two-year contract. Parks & Recreation Director Burske said he would make that correction.

Regarding item 11 about the Town’s agreement with Kling Towing, Commissioner Hannan said he has been utilizing Kling’s services for years and he feels they should be granted a 2-year if not three-year contract. They are always on time and are very professional.

Chief Tempesta said he backed away from a two-year contract in lieu of a 1-year extension because he was considering going to a rotation (utilizing multiple services) in order to give the town more opportunities. He agreed with Kling Towing to extend the contract for one more year and then decide if the town should issue an RFP, draft a contract with Kling or go to a rotation.

Commissioner Kussard stated that she has heard nothing but good things about Kling Towing, but she is inclined to go with the Chief’s recommendation.

Mayor Rietz asked how many other towing companies are available through which we can rotate and who else has offered to provide services. Chief Tempesta said there were several other offers for service, and they had adequate equipment.

Commissioner Holden asked about the locations of the other companies, and would it take longer for them to get to Lady Lake? The Chief responded that other companies could easily have wreckers in the area and that it is good to have backups.

Commissioner Freeman said we could extend the agreement for a year then reevaluate the matter to determine if going to a rotation would better serve the town’s needs.

Commissioner Holden said there have not been any problems with Kling that he is aware of. In response, Chief Tempesta said they did have a problem with a business license that they have since resolved.

Timothy Kling – VP - Kling Towing Services

Mr. Kling said his company has over 40 pieces of equipment that nobody else in the area has. He also commented that Kling gives a lot back to the community.

Darren Kling – Kling Towing Services

Mr. Kling said he talked to Chief Tempesta about the contract, and he knows other companies are vying for our business, but Kling has so much more to offer than the competition. He outlined the benefits of his business. They have 17 drivers and operators, and they must go through rigorous training. Kling has also outscored competitors and they have never missed a call. He supports whatever the Chief decides but he grew up here and has been working with the town for many years. He is willing to invest money in Lady Lake with the franchise fee. His company would really like the two-year contract; they will grow with the town.

Chief Tempesta clarified that the request is for a one-year extension because the original contract will expire on September 30, 2022.

Town Attorney Schroth said that the Commission has total discretion of making the agreement for one or two years.

Mayor Rietz commented that Lady Lake is not a big town so rotation might not work well for us since we would not be able to provide as much business for them.

Town Manager Lawrence said the issue was a licensing problem with the state. That could be problematic for the town. (Mr. Kling talking from the audience – unintelligible). However, they are in compliance now.

Commissioner Hannan made a motion to extend the contract with Kling Towing for 2 years.

Commissioner Kussard said this has nothing to do with the integrity of the company, it has to do with licensing, and she sees no problem with having a one-year extension to see if there are any other problems. Commissioner Freeman responded that the licensing issue has been resolved and they are compliant.

Commissioner Freeman asked if the town pays out of pocket for any of the fees. Mr. Kling said those fees are paid by the person towed. Also, the \$5,000 is a franchise fee that is paid to the town.

Commissioner Freeman seconded. Motion carried 4-1 with Commissioner Kussard dissenting.

Town Attorney Schroth said he will write an addendum extending the contract for two years.

Commissioner Kussard made a motion to approve Consent Agenda items 5 and 11 with the approved changes; Commissioner Holden seconded. Motion carried 5-0.

C. NEW BUSINESS

12. Consideration of Approval of the reopener changes to the Agreement between the Town of Lady Lake and the Florida Police Benevolent Association

Human Resources Director DeLee said that changes to Articles 12, 13, 14, 15 and 23 of the agreement between the Town of Lady Lake and the Florida Police Benevolent Association has been reviewed by the Town Commission and their formal approval is required.

Commissioner Hannan made a motion to approve the reopener changes to the Agreement between the Town of Lady Lake and the Florida Police Benevolent Association; Commissioner Kussard seconded. Motion carried 5-0.

13. Consideration of Approval to Hire Ocala Roofing, Inc. to Repair and Replace the Lady Lake Train Depot and Bathhouse Roof

Parks & Recreation Director Burske stated that on two separate occasions the Parks and Recreation Director put out for bid the roof work needed at the Lady Lake Museum. Only one bid was received each time from Lewis Walker Roofing Inc. at a cost of \$52,841.00. Staff felt that the bid was high, so we reached out to Ocala Roofing Inc. This firm is performing the work on Town Hall. We were given a competitive quote for \$37,111.32. This number falls in line with what we feel the price for this service should be.

Commissioner Kussard made a motion to approve the bid from Ocala Roofing, Inc. to repair and replace the Lady Lake Train Depot and Bathhouse Roof; Commissioner Hannan seconded. Motion carried 5-0.

14. Consideration of Approval of the Continuing Services Contract with Charles Abbott Associates, Inc., for Building Official, Plan Review, Building Inspections, and related Support Services in response to RFP No. 2022-001.

Growth Management Director Carroll said that at the September 7, 2022 meeting, the Town Commission granted approval for the Growth Management Director to begin negotiations with Charles Abbott Associates, Inc., for a new continuing services contract with the Town of Lady Lake. A contract has since been prepared and reviewed by Town Staff and the Town Attorney and is ready for a consideration of approval by the Town Commission. The contract provides for an initial two-year term, with optional extensions of two additional years. The fee structure will be based upon hourly rates which vary according to whether the work is performed under the scope of Building Code Administration, Building Inspections, or Plan Review. The contract may be terminated by the Town without cause by giving thirty days written notice to the consultant if the Town is not satisfied with the new continuing services provider.

Commissioner Kussard made a motion to approve the continuing services contract with Charles Abbott Associates for Building Official Services in response to RFP No. 2022-001; Commissioner Holden seconded. Motion carried 5-0.

D. TOWN ATTORNEY’S REPORT

15. Ordinance 2022-08 (Second and Final Reading) — Annexation — An Ordinance Annexing One Lot Being Approximately 0.15 Acre, located within Orange Blossom Gardens Unit 3, Owned by Martha K. Friedman, Referenced by Alternate Key Number 2684232.

Growth Management Director Carroll summarized the application for annexation submitted by Martha Friedman. Her request is to annex property at 990 Tarrson Boulevard in Orange Blossom Gardens Unit 3 totaling approximately 0.15 acres from unincorporated Lake County into the Town of Lady Lake. After the Villages purchased some properties in the area there were owners who wanted to be annexed into Lady Lake, this is one of those properties that was not annexed at that time. The property will be served by the Village Center Community Development District Central Water and Sewer System and the District’s Fire Department. The subject property is non-contiguous with the existing municipal boundary, but annexation is allowed.

Commissioner Holden made a motion to adopt Ordinance 2022-08 on final reading as presented; Commissioner Hannan seconded.

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

Motion carried 5-0

16. Ordinance 2022-09 – (Second and Final Reading) - Small Scale Future Land Use Comprehensive Plan Amendment - An Ordinance Amending the Lady Lake Future Land Use Comprehensive Plan of One Lot Being Approximately 0.15 Acre, Located in Orange Blossom Gardens Unit 3, Owned by Martha K. Friedman, Referenced by Alternate Key Number 2684232, from Lake County Medium Urban Density to Lady Lake Manufactured Home High Density.

Growth Management Director Carroll summarized the SSFLUC plan amendment and noted that this is the second part to Ordinance 2022-08 and is an application to amend the Future Land Use designation for the same 0.15 acres owned by Ms. Friedman. Surrounding property is Lake County Medium Urban Density which provides a range of residential development at a maximum of seven dwelling units per one buildable acre. The proposed Future Land Use designation is Lady Lake Manufactured Home High Density which is limited to manufactured homes; densities cannot exceed nine units per acre.

There is no impact to town services since utilities would be provided by VCCDD. Neither will schools or transportation be affected since the property is in an adult community and the previous home will be replaced by a new one. The project will be required to adhere to St. Johns River Water Management District guidelines and the Lady Lake Floodplain Management Ordinance.

Commissioner Holden made a motion to adopt Ordinance 2022-09 on final reading as presented; Commissioner Kussard seconded.

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

Motion carried 5-0

17. Ordinance 2022-10 – (Second and Final Reading) – Rezoning - An Ordinance rezoning one lot being approximately 0.15 acre, located in Orange Blossom Gardens Unit 3, owned by Martha K. Friedman, referenced by Alternate Key Number 2684232, from Lake County Residential Medium (RM) to Lady Lake Mixed Residential Medium Density (MX-8).

Growth Management Director Carroll said this is the last ordinance for this property which is a rezoning. The existing zoning is Lake County Mixed Residential Medium Density, and the proposed zoning designation is Lady Lake Mixed Residential Medium Density which is consistent with other lots in the Villages that are presently within the Town of Lady Lake.

Commissioner Freeman made a motion to adopt Ordinance 2022-10 on 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

18. Resolution 2022-116 (First and Final Reading) Adoption of Updated Code Enforcement Administrative Fees

Growth Management Director Carroll said this resolution amends the fee schedule for code enforcement services. The last time these fees were updated was in 2009. Recently, staff assessed what their current costs are for postage, staff time, etc., with a goal of establishing fees that would cover those costs. Mr. Carroll went over the list of fees and indicated that the total administrative costs total \$151.16 instead of the previous amount of \$87.48. He is requesting that \$150 be approved as the new fee for violators who have their cases heard before the Special Magistrate.

Commissioner Freeman asked if this increase would cover the cost of the town's new part-time Code Enforcement Officer. Mr. Carroll responded that it would cover the cost of the Special Magistrate, but the part-time position is covered out of the General Fund.

John Gourlie – 358 Ivanhoe

Mr. Gourlie asked if the liens attach to the property. Mr. Carroll answered that liens do run with the property.

Commissioner Hannan made a motion to approve Resolution 2022-116 on the first and final reading as presented; Commissioner Freeman seconded.

Commissioner (Ward)	Vote
Hannan (Four)	YES
Kussard (One)	YES

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

Motion carried 5-0

TOWN MANAGER'S REPORT

Town Manager Lawrence announced the upcoming Blues Festival date and time. This is the first Blues Festival the town has held.

The lease with the Chamber of Commerce was pulled from this meeting to allow time to gather more information. Since then, the Chamber has given us a Profit & Loss statement with a cover letter. Mr. Lawrence asked if the town would like to move forward with the current lease or schedule a workshop. The lease expires at the end of September.

Commissioner Hannan stated he did not want to hold a workshop and Commissioner Kussard said she did.

Town Manager Lawrence reported that the Chamber pays \$10 per year to rent the Log Cabin and the town pays up to \$1,800 annually for power. Events are held on town property, and they are permitted to use the Community Building free of charge. Expenses for events are covered by the town yet the Chamber receives all the proceeds. Mr. Lawrence said he is performing due diligence in bringing this matter forward.

Parks & Recreation Director Burske said he does not have an assistant to help him, and the Chamber serves in that capacity by helping with marketing and at the events thus saving the town a lot of money. According to their Profit & Loss statement, they are in the red by \$2,000. The town's contributions to the Chamber ensure we have a Chamber that is perpetually in place.

The Commission consented to holding a workshop on September 29, 2022 at 10a.m.

Janet Fraley – Chamber of Commerce

Ms. Fraley asked if she may attend the meeting and she was told she could. Other members of the Chamber may also attend.

MAYOR AND COMMISSIONER'S REPORT

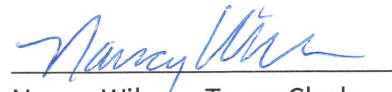
No reports

PUBLIC COMMENTS

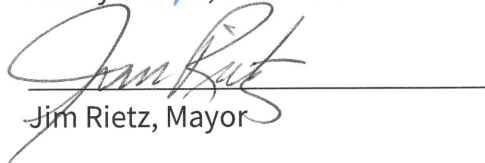
No public comments

ADJOURN

There being no further business, the meeting was adjourned at 6:50 p.m.



Nancy Wilson, Town Clerk



Jim Rietz, Mayor