

MINUTES OF THE COMMISSION MEETING TOWN OF LADY LAKE, FLORIDA

October 3, 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 Pastor Michael Storts – Church @ the Springs

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; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; John Pearl, IT Director; Tamika DeLee, Human Resources Director; Police Chief Rob Tempesta; Jason Brough, Deputy Police Chief; Nancy Wilson, Town Clerk

PRESENTATIONS

Thank-you to the Commission from the employees for their COLA and merit increases

Effective October 1, 2022, the Town Commission agreed to give a pay increase of up to 7% to non-union employees to help offset the high rate of inflation the country is experiencing. They discussed the matter at Commission meetings and even held a special workshop to discuss it in more depth to ensure they were doing what was best for the employees without

burdening the Town. The affected employees are very grateful for the increase and are especially thankful that the Commission put so much thought into their ultimate decision. Jackie Schilling made the oversized card on which most employees signed their “thank-you” sentiments. THANKS TO ALL OF YOU!

Recognition of Detective Perdue upon his retirement

Chief Rob Tempesta summarized Detective Perdue’s history in law enforcement and presented him with a shadow box that contained his badge, ID card, service weapon and other miscellaneous items. Mr. Perdue spoke about the potential of the Lady Lake Police Department and the Commission.

Police Department Award Presentations

Chief Tempesta recounted that on August 30, 2022, Sergeant Daniels and K9 Officer Higgins responded to an unconscious male subject in his carport; he did not have a pulse, was not breathing and he was turning purple. Sergeant Daniels started CPR compressions until Officer Higgins arrived with his AED and Narcan. Sergeant Daniels was able to establish a faint pulse after Narcan was delivered to the male subject, after which the male was transported to the hospital. Due to the quick actions of both officers, a life was saved. Both officers, whose actions deserve to be commended for an outstanding act during the performance of their duties, were presented with Service Awards.

Chief Tempesta described an internet scam case that began in January 2022. The victim was scammed out of \$427,000 worth of cryptocurrency which was held in her Coinbase account. Detective Duryea enlisted the assistance of many agencies and worked diligently on the case. He was able to trace the crypto currency to an Indian national in New Delhi, India at which time the Detective took the steps necessary to get a warrant to seize the crypto account. He was able to recover \$280,232 for the victim who had no idea that the LLPD was actively working on her case. Detective Duryea was recognized by the United States Secret Service. Only one other agency in Florida has been successful in recovering money in cases such as this one. Detective Duryea was presented with the Excellence in Police Duty award which is given for “an intelligent act materially contributing to a valuable accomplishment.”

Chief Tempesta described a case involving a Lady Lake off-duty officer who was on his way to a special detail. On June 2, 2022, Detective Jonathan Goehring was driving his marked vehicle when he heard on his communications radio that the Lake County Sheriff’s Office was looking for a homicide suspect from an incident that had just occurred in Leesburg; he was armed and intoxicated. Dispatch pinged the suspects cell phone and it registered just north of our

Town limits. The detective remained at the location where the suspect's car was found and waited for backup. The suspect was inside the bar and was taken into custody without incident. Detective Goehring went above and beyond the call of duty. He was presented with the Excellence in Police Duty award.

Chief Tempesta explained that Officer Chausse responded to a scene where a subject had collapsed in a parking lot. He was on scene and performed CPR on the subject who may have been having a cardiac incident and was unresponsive. His quick response prior to the arrival of EMS averted a tragedy. This is not the first time that Officer Chausse has been on scene using his AED and Narcan and providing basic life support. Two trainees were with the officer, and they witnessed his precise actions and calm demeanor. Officer Chausse was presented with a Letter of Appreciation.

A. PROCLAMATIONS

1. White Cane Safety Day

Mayor Rietz read the White Cane Safety Day proclamation and presented it to Geraldine Maiaroto, a Lady Lake resident who is visually impaired.

2. Florida City Government Week (Mayor Rietz)

Mayor Rietz read the Florida City Government Week proclamation. It is part of the town's Florida City Government Week celebration that occurs between October 17th and 23rd.

B. CONSENT

3. September 7, 2022 – Town Commission Meeting Minutes
4. September 19, 2022 – Special Town Commission Meeting Minutes
5. September 19, 2022 - Town Commission Meeting Minutes

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

C. NEW BUSINESS

6. Discussion of the potential implementation of a temporary Growth Control Measure to provide staff the opportunity to perform a comprehensive inventory of land use entitlements and the projected demand on public infrastructure.

Growth Management Director stated that over the last year, the Town has annexed several hundred acres of land. Comments from the public and the Commission have led him to take a closer look at what we have. The Town has a lot of entitlements and a lot of apartments that

have zoning entitlements but not site plan entitlements. He would like to assess which ones have the zoning in place, which ones have the site plan in place and how many units are platted yet undeveloped. Mr. Carroll would like to implement the growth control measure (moratorium) applicable only to annexation applications. He does not want to grow the town outward until it is determined how the market is going to react and how many houses are ultimately going to be built. The town currently has about 4,000+ entitlements. A six-month moratorium would allow staff to determine how many townhomes, apartments, single family residences the town currently has and how many are planned. Mr. Carroll would like to draft an ordinance to impose a six-month moratorium on annexations effective January 1, 2023 – June 30, 2023. After June 30th, the town may decide that components of the Land Development Regulations, Comprehensive Plan or town processes should be changed.

There are some exemptions he would like the Commission to consider. The first one is if the town has an opportunity to annex land for public use or infrastructure; the second exemption would be for any opportunity the Lake County School Board has to annex property for the expansion of public education. Finally, in recent years, the town has annexed a lot of property in The Villages that already had houses on them. Those annexed properties do not impact Lady Lake infrastructure since they utilize The Villages water, sewer and fire services. The Commission can decide if they want to provide exemptions for those enclaves in areas that are already developed.

The moratorium would only be applicable to the annexation of new property. Other applications filed would be reviewed to determine if the proposal is appropriate for the town. Commissioner Hannan said that he is in favor of the moratorium including the exemption for enclaves.

Commissioner Kussard is in favor of the six-month moratorium on annexations since there are so many current projects.

Commissioner Holden is also in favor of the short-term moratorium on annexations.

Mr. Carroll stated that there is an application that has been submitted to the state for The Reserve at Hammock Oaks that will likely be adopted prior to January 1, 2023. There is possibly one other annexation application that has been in the works for at least four months.

Commissioner Freeman asked if all enclaves in the Town would be exempt from the moratorium. Mr. Carroll responded that to be fair, the exemption for enclaves should be allowed in all communities.

Mayor Rietz asked Mr. Carroll if he is looking to slow down growth. Mr. Carroll responded that he wants to evaluate how the already annexed property will affect the town. In six months, staff will have a better idea of what we have, what we need and what changes are warranted. Mr. Carroll added that development will not be stopped on property that has already been annexed. In response to the mayor's question about what brings developers to Lady Lake, he responded that it is an attractive place to live because of all the entertainment, restaurants, shopping, and the proximity to The Villages. Mayor Rietz then asked if there are other ways of slowing growth without putting a moratorium on annexations and if raising our impact fees might slow growth. Mr. Carroll said he does not think that higher impact fees would dissuade development because it is our location that drives growth.

Mayor Rietz stated that the town gets the short end of the stick with impact fees compared to other areas in the county; the money we get from impact fees does not stay in Lady Lake. He asked about a gap impact fee to offset the money going to other communities. Mr. Carroll said a gap fee can be implemented separately from the moratorium being discussed.

Commissioner Holden commented that there is only one chance to get development right and if we need to take a break to assess what we have, he is all in favor of that.

Commissioner Hannan made motion to move forward with drafting an ordinance to give staff the opportunity to perform a comprehensive inventory of land use entitlements and the projected demand on public infrastructure; Commissioner Freeman seconded.

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

Motion carried 4-1 with Mayor Rietz casting the dissenting vote.

7. Discussion regarding acquisition of the old Lady Lake Jail

Parks & Recreation Director Burske said that after many years of discussions with the owner about acquiring the original Lady Lake jail to be placed on town property, he is now receptive to working out a deal. The jail is a 10-foot square concrete building with the bars still in place. The services of a professional mover would be required. If the Commission is interested and

the owner conveys ownership to us, the building could be moved by the contractor who is working on Snooky Park.

Commissioner Kussard asked where the structure would be placed; Mr. Burske answered that it could go in Snooky Park or at the Log Cabin. The Commissioner then asked about the cost to move it to which Mr. Burske replied that the cost has not been determined; he is merely checking with the Commission to determine if they are at all interested. Commissioner Kussard's third question was about the work required to both move the structure and secure it at its final location. Mr. Burske responded that proper engineering would be required, and the engineer would determine what preparation was necessary at the new location.

Commissioner Holden asked about the purpose of having the structure given that it looks like a piece of junk. Mr. Burske said the structure is 100+ years old and has historical value. Commissioner Holden said a second door would need to be added for safety reasons and he is not in favor of purchasing it. It would cost money to move it and maintain it.

Commissioner Freeman is in favor of moving the jail depending on cost.

Commissioner Hannan said that he does not want to demolish history.

Mayor Rietz commented that it is sad that the commission would get rid of a piece of Lady Lake history. He added that he may do some research about how it ended up on the property on which it currently sits.

There was 3-2 consensus to have Mr. Burske investigate this matter further. Commissioner Kussard and Commissioner Holden dissented.

TOWN ATTORNEY'S REPORT

8. Ordinance 2022-15 — First Reading - SK Hammock Oaks LLC, Douglas A. Hill, Sr. Life Estate, and Levon and Sarah Mears — Amending Zoning Entitlements for Property being Approximately 421 Acres Located South of County Road 466 and East of Cherry Lake Road in Lake County, Florida, zoned Town of Lady Lake Planned Unit Development - Mixed Use PUD; Referenced by Alternate Key Numbers 1279810, 3325451, 1279801, 1770700, 1279828, 1279780, 1279763, 1770670, 1770661, 1771498, and 1770653

Growth Management Director Carroll stated that the property was rezoned PUD under Ordinance 2021-25 on February 23, 2022. However, discussions that occurred during the second and final reading of the ordinance which pertained to the uses on the property did not get incorporated into the ordinance nor did the conceptual plan. Therefore, those changes were not recorded with the Lake County Clerk of the Courts. Therefore, the applicant has

reapplied to memorialize those entitlements at this time. The applicant again proposes to develop a mixed-use project consisting of 120,000 square feet of commercial uses, 15,000 square feet of Medical Office, 3,000 square feet of General Office, 940 units of Single Family residential, 330 multi-family apartments, 216 townhome units along with General Commercial uses. Mr. Carroll said changes were also made to the conceptual plan.

Within the Memorandum of Agreement (MOA) the following uses are permitted as Special Exception Uses Upon Approval:

- Athletic/sports facilities.
- Mini-storage warehouses.
- Offset printing.
- Wholesalers and distributors.
- Office/warehouse facilities.
- Laundry and Dry-Cleaning Retail Stores.
- Clubs, lodges, and fraternal organizations.
- Hotel

Also, added to the MOA is the language that the operation of any restaurant shall be limited to hours between 6 a.m. and 10 p.m.

If this ordinance is not adopted, Ordinance 2021-25 will remain in effect.

Commissioner Hannan said we are talking about 1,500 units which means more cars. He is not against the project, but he is concerned about the traffic on Cherry Lake Road. Mr. Carroll said the entitlement has been granted so not adopting the ordinance would do nothing to quell traffic.

Greg Beliveau – LPG Urban and Regional Planners

Mr. Beliveau reported that Kolter Homes and the Town of Lady Lake met with Lake County Public Works to discuss traffic on all roads surrounding the development: Cherry Lake, 466 and Rolling Acres. The roundabouts on Cherry Lake and Rolling Acres were discussed as were the improvements to 466. Also discussed was the participation by Kolter to fund the PD&E study which takes less time when privately funded. This will kick-start the widening of Rolling Acres Road.

Commissioner Freeman asked about the roundabouts pointing out that the ones in The Villages are a disaster and he hopes the developer will address any issues related to the ones they are proposing. Also, Commissioner Freeman said that he would like to market the town with a larger welcome sign. There is a tiny sign on 466 that reads “Welcome to Lady Lake”. Lake County or FDOT objected to installing a bigger sign so he would like to use some of Hammock Oaks property for a bigger entrance sign for the Town at the corner of Cherry Lake Road and CR 466. Mr. Beliveau said he would pass that request on to John Curtis though line-of-sight could be a problem.

Mr. Beliveau commented that Wildwood, Minneola, and others are performing analyses about moratoriums on development so Mr. Carroll is not working in a vacuum. Lady Lake is a very attractive place for people wanting to build for several reasons. He does not feel that the recession will affect this area.

Nancy Blackmore - 265 Olanto Drive

Ms. Blackmore asked about traffic circles near her house. Mr. Beliveau said that the traffic circles will be farther away from her house than the road is currently, and they will calm traffic. He also said that more restrictive uses off the property are being put in place. Ms. Blackmore was pleased with the changes that were made.

Gina Grey - 36744 Micro Racetrack Road

Ms. Grey commented on her support of the growth management measure that was discussed earlier. She also implored the Town to take proactive measures to ensure that the town’s infrastructure can handle growth. Lake County is not taking any proactive measures, so growth is unchecked. She asked if Lady Lake could work in conjunction with Fruitland Park to manage growth.

Commissioner Freeman suggested Ms. Grey and her neighbors attend Metropolitan Planning Organization (MPO) meetings. Micro Racetrack Road is particularly problematic because there is no room to widen it. The roads in question are all county roads which is another problem. The MPO has her road on their radar.

Commissioner Hannan made a motion to approve on first reading Ordinance 2022-15 as presented; Commissioner Holden 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 gave a shout-out to the library for their new Junior Ranger and Grandparent/Grandchild reading programs. He also commended the Police Department and Public Works for their work during the hurricane. Chief Tempesta, Deputy Brough and a crew from Public Works spent the night so they would be available had they been needed. He also gave a rundown of upcoming events.

MAYOR AND COMMISSIONER'S REPORT

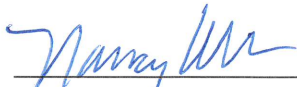
Mayor Rietz asked about the Not Too Scary Halloween Party. Mr. Burske responded that it will be held on Saturday, October 22nd from 6pm-8pm.

PUBLIC COMMENTS

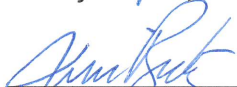
No public comments

ADJOURN

There being no further business, the meeting was adjourned at 7:22 p.m.



Nancy Wilson, Town Clerk



Jim Rietz, Mayor

