

MINUTES OF THE COMMISSION MEETING TOWN OF LADY LAKE, FLORIDA

November 21, 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 Marty Shea, Village View 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; C.T. Eagle, Public Works Director; Mike Burske, Parks & Recreation Director; Aly Herman, Library Director; Pam Winegardner, Finance Director; Detective; Nancy Wilson, Town Clerk

PRESENTATION OF APPRECIATION OF SERVICE

Commissioner Tony Holden

COMMISSION SWEARING-IN CEREMONY:

John Gourlie, Ward Two

Paul Hannan, Ward Four

The Town Clerk officiated the swearing in of the Commissioners.

CONSIDERATION OF SELECTION OF MAYOR AND MAYOR PRO-TEM FOR 2022-2023

Mayor Rietz said he would like to continue as Mayor and would like to nominate Ed Freeman for Mayor Pro-Tem.

Commissioner Hannan made a motion to nominate Jim Rietz for Mayor and Ed Freeman as Mayor Pro-Tem.

Commissioner Gourlie nominated Ruth Kussard for Mayor.

Commissioner Freeman nominated himself for Mayor.

Commissioner Freeman seconded.

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

Motion carried 5-0.

CONSIDERATION OF SELECTION OF COMMISSION LIAISONS FOR 2022-2023

After the agenda was published, Commission Kussard pointed out that many of the liaison positions were missing from the list compiled by the Town Clerk. The following list should be a complete listing with all new appointees.

Chamber of Commerce – Jim Rietz

Florida League of Cities – Ed Freeman

Lake County Library Advisory Board – must be a citizen; no staff or elected official

Lake County School Concurrency Representative – Ruth Kussard

Lake County Technical Advisory Committee – Wendy Then/C.T. Eagle

Lake County Water Alliance Board – Lake County Water Authority?

MPO – Ed Freeman

MPO Community Advisory Committee – Dan Vincent

Parks, Recreation & Tree Advisory Committee – Paul Hannan, liaison

Police Pension Board – John Gourlie

Villages Elementary of Lady Lake – Ruth Kussard

Commissioner Gourlie made a motion to approve the commission liaisons for 2022-2023; Commissioner Hannan seconded. Motion carried 5-0.

A. CONSENT

1. Minutes — November 7, 2022 — Commission Meeting

2. Consideration of Approval for the First Baptist Church of Lady Lake to Perform Christmas Carols Under the Christmas Lights at the Log Cabin on December 16th and for the Town to Advertise the Event on Our Website.

Parks and Recreation Director Burske requested Commission approval to work with the First Baptist Church of Lady Lake on December 16th for an early evening of Christmas Carols. The proposed time for the event is from 6pm -7pm. This is a great addition to Lady Lake's holiday lineup. Also, he would like to advertise the event on the town website.

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

B. OLD BUSINESS

3. Consideration of approval for the Water Oak Country Club Estates Hilltop Amenity Area - Major Modification to Site Plan MJM 07/22-001 – Proposing a Resort-style Pool with Beach Entry and In-pool Benches, Hot Tub Area, a 840-square-foot Restroom Facility, a 8,500-square-foot Dog Park, a 3,900-square-foot Event Lawn, Beer Garden/Eating Area featuring eight tables and 32 chairs, Outdoor Kitchen, Mail Kiosk Building, Pool Equipment Room, Dumpster, and Landscaping Areas, 73 regular parking spaces, 4 Florida ADA parking spaces, and 25 Golf Cart Parking Spaces, located on the Northwest quadrant of the Hilltop Expansion Phases 2-4, just south of home sites 281 and 287, and just east of the Satellite Recreation Building along Norman Street, owned by Sun Water Oak Expansion LLC, identified by Alternate Key 1770483.

Growth Management Director Carroll said this came before the Commission at the October 17, 2022 meeting. At that time, the Town Commission requested that the project be tabled to have the applicant determine if additional golf cart parking spaces could be accommodated in the golf cart community. The plan was revised adding 19 additional parking spaces for a total of 25 Golf Cart Parking Spaces to be provided at the Water Oak Hilltop Amenity Area.

The discussion at that meeting involved an ADA ramp and adding more golf cart spaces at the northern parking lot. The developer reached out to Commissioner Freeman, and they met with the HOA. The Town's Code does not address golf cart spaces so what is provided is in addition to the parking spaces that are required per our LDR's. A sidewalk was also added to connect the parking areas. The added golf cart spaces and the sidewalk is all that has changed since the October 17th meeting.

Commissioner Freeman said he met with Sun Communities, and they hammered out the solution for the golf cart parking. He finds it difficult to understand why the town's Code does not have the flexibility to allow more golf cart parking and less car parking. He had other suggestions that the architect balked at because it would mean redrawing the plan.

Mr. Carroll said that the plan does meet our site plan requirements. Any golf cart spaces provided are above and beyond what is required. In the future, we can consider making changes to our LDR's regarding golf cart spaces.

Commissioner Gourlie said that he sometimes sees two golf carts in a regular parking spot. Commissioner Freeman said he understands that, but golf cart drivers are reluctant to park in a regular parking space. It becomes a signage issue and that may solve the problem.

Commissioner Gourlie made motion to approve the major modification to the site plan for the Water Oak Country Club Estates Hilltop Amenity Area as stated; Commissioner Freeman seconded. Motion carried 5-0.

C. NEW BUSINESS

4. Discussion regarding dissolution of the Library Advisory Board.

Library Director Herman stated that the Lady Lake Library Board was established on March 6, 1989 and has served the Town well for several decades. It has been difficult in the last few years to recruit volunteers to sit on the Board and recently one of our long-time volunteers resigned leaving only two members - neither of whom can regularly attend meetings, further, there is not a quorum. The board members have said publicly that with the library building project completed and The Friends of the Library playing an active role at the library, they are not serving a purpose.

While it is sad to dissolve any group that has been so valuable in the past, it is a sign of the times; it is difficult to recruit volunteers and libraries serve a different purpose now. Libraries are not focused solely on books and reading. In a sense, libraries have been rebranded. Activities, programs, and events are commonplace in libraries now and policies are often recommended by Lake County for the countywide system.

Library Advisory Boards are not required, in fact, there are only four municipalities in the county that have them: Eustis, Leesburg, Tavares and Mount Dora. The only drawback to not having a Board is if there is a book challenge, in which case, the Commission would be the final arbiter though Lake County Library Director, George Taylor, said they would certainly offer support. If there was such an occurrence, the Library Board would still just be able to make a recommendation and that is only if there was a quorum.

Commissioner Kussard said that she served on board for years and it is sad that the Board is going to be dissolved.

The Commission consented to dissolving the Library Advisory Board

5. (This item was tabled) Discussion of allowing the Villages Elementary School Advisory Council to place sponsorship signs on the fence adjacent to Rolling Acres Road to raise funds for the elementary school's programs.

6. Consideration of Approval for the Five-Year Capital Improvement Plan for Parks and Recreation.

Parks and Recreation Director Burske along with input from the Parks, Recreation and Tree Board, Commissioners, and various leagues and organizations put together a very aggressive Five-Year Capital Improvement Plan. The plan lists the most vital components in the first five years. In the first couple of years there will be an investment in design of what is proposed except for the two smaller projects.

In the first five years, Mr. Burske has proposed to pave the area by the Dog Park and Harry Sacks Field. The first five years will also see the installation of lights and poles on the upper soccer field and new lights installed on the existing poles for the middle soccer field. The lowest field would remain dark for a few more years. There will be the design for a recreation center to be built by the walking trail on Old Dixie Highway. A recreation center, unlike our Community Building would offer a gymnasium, exercise room, outside stage for bands and concerts and other activities to be decided during the planning stages. This building is a must to serve our growing community. The recreation center will serve the purpose of offering recreational opportunities to the residents of Lady Lake and not necessarily room rentals. Projects were not added for the second five years as he anticipates a shift of some of these projects into that category.

Commissioner Hannan asked if an ID would be required to access the recreation facilities. Mr. Burske said that since public funds are being used, access cannot be restricted. We could,

however, charge resident and non-resident fees. We do not have a public swimming pool, but Fruitland Park allows us to use theirs.

Commissioner Gourlie said the recreation center would draw people to Lady Lake. Mr. Burske wholeheartedly agreed.

Commissioner Hannan added that the plan is very aggressive.

Commissioner Kussard said it is a five-year plan and she is happy to see in the plan the improvements to Rolling Acres.

Commissioner Gourlie made a motion to approve the 5-year Capital Improvement Plan for Parks and Recreation; Commissioner Kussard seconded. Motion carried 5-0.

7. Consideration of Approval for the Parks and Recreation Department to have Duke Energy Install Flood Type Lights on the West Side of the Racquetball Court at the Guava Street Athletic Complex.

The Parks and Recreation Director sought permission to enter into an agreement with Duke Energy for a set of flood type lights on the west side of the racquetball court at the Guava Street Athletic Complex. The east side would no longer be lighted due to accessibility issues. The current lights are no longer serviceable, and the poles are no longer sturdy enough to support the lights or new ones. They are looking at a \$314.00 initial investment in the lights along with a monthly charge of \$32.22 or \$264.00 per year as per the agreement.

Commissioner Gourlie made a motion to approve the installation of flood type lights on the west side of the Racquetball Court at the Guava Street Athletic Complex; Commissioner Hannan seconded. Motion carried 5-0.

8. Consideration of Changing the Bi-Monthly Town Commission Meetings from Monday to Tuesday Night.

At the November 7, 2022 meeting, Mayor Rietz suggested changing the Commission meetings from Monday nights to Tuesday nights. By doing so, the Town would not have to change meeting dates when a holiday falls on a Monday, which is several times a year. Further, when the Commission, staff or citizens take a long weekend for vacation, there would not be absences from the meetings. Tuesday night meetings should not interfere with other activities and may even increase attendance. The commission agreed by consensus to consider the request.

Commissioner Gourlie said he has obligations on Tuesday nights so he could not attend the meetings. Commissioner Kussard said she sees no reason to change the meeting day.

Consensus to keep holding the Town Commission meetings on Monday nights.

TOWN ATTORNEY'S REPORT

9. Ordinance 2022-11 (Second and Final Reading) — An Ordinance of the Town Commission of the Town of Lady Lake, Florida; Voluntarily Annexing Property Being Approximately 172.707 Acres Owned by Joseph H. O'Dell and Julian and Diana Malkiewicz; Referenced by Alternate Key Numbers 1283582 And 1283523; Located Approximately 1,500 Feet North of Lake Ella Road and East of Cherry Lake Road in Lake County, Florida

Growth Management Director Carroll said the first reading of this ordinance was in September. The Large-Scale Amendment that accompanies this ordinance had to be transmitted to the state which explains the delay in the second reading.

Commissioner Freeman had the same question he always has: how does this help Lady Lake?

Greg Beliveau – LPG Planners

Mr. Beliveau said that the first benefit for the town is that the county will be receiving about \$1.4 million in prop share money toward the remedy of Rolling Acres Road. The funds will be used toward the PD&E and construction.

The second benefit is that a housing need is going to be addressed making housing available to those who work in Lady Lake.

Commissioner Freeman said the county is getting \$1.4 million to help remedy Rolling Acres. That is a good thing, but you have already committed to it with the Hammock Oak development. Mr. Beliveau said that the commitment encompasses both Hammock Oak projects.

Commissioner Freeman said if we did not have this development or Hammock Oaks, perhaps we would not need a workforce. Mr. Beliveau responded that our roads are being impacted everyday by commuters so local housing is needed. Mr. Freeman wants to see a letter of intent.

John Curtis – Kolter Land

Mr. Curtis said to get a Letter of Intent requires putting together a tri-party development agreement which is underway. They are putting together a robust tri-party agreement that will allow them to put money toward a PD&E and construction. Their goal is to have this completed within 90 days.

Commissioner Freeman said they are asking for the Commission to approve something where there is no basis to approve.

Mr. Curtis responded that that they are obligating \$1.4 million with the two projects.

Commissioner Freeman asked how many houses are going to be constructed on the 340 acres. Mr. Curtis responded that the maximum number is 1,320 but, in the end, they are looking at about 1,200 units. Commissioner Freeman said that equates to about 2,400 people so accommodating sewage becomes a major issue.

Mr. Curtis said he has been working with the Public Works Department to ensure adequate capacity.

C.T. Eagle, Public Works Director, said the town is operating under capacity. Phase 2 of the wastewater plant is currently under construction and should be completed within the next two years. Hammock Oaks will not be built out for six to seven years. If we continue development in Lady Lake, we may have to look at a Phase 3 but by that time we will have collected the impact fees from projects like this one. We are ahead of the game.

Mr. Curtis said they are also working with Public Works on Abeble Road to create a 50 foot right of way to get paved access to the plant off Rolling Acres Road. They are also working with the county to design multiple roundabouts that would be built on their property off Rolling Acres and Cherry Lake to help manage traffic flow.

Commissioner Kussard made a motion to adopt Ordinance 2022-11 on second reading as presented; Commissioner Gourlie seconded.

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

Motion carried by a 4-1 vote.

10. Ordinance 2022-12 (Second and Final Reading) – Large-Scale Future Land Use Comprehensive Plan Amendment — Changing the future land use designation from Lake County Rural to Lady Lake Single Family Medium Density for property owned by Joseph H.

O'Dell and Julien and Diana Malkiewicz; being approximately 172.707 acres; Referenced by Alternate Key Numbers 1283582, and 1283523, within Lake County, Florida.

Growth Management Director Carroll summarized the proposed amendment. He said this is the second in a series of applications pertaining to the Kolter properties. In July, applications were filed to amend the Future Land Use designation of 172.707 acres from Lake County Rural to Lady Lake Single Family Medium Density. Impacts to town services were outlined. This proposed amendment was transmitted to DEO on September 15th, and we received comments back from all the state agencies none of whom said this had an impact on state facilities; the department recommended approval. There were a couple comments from Sumter County but those will be worked out at the time of plat.

Commissioner Kussard met on many occasions with the developer, engineer, LPG and members of the Kolter team and they have always answered questions posed by herself and her constituents. It has been a pleasure meeting and working with them.

Commissioner Kussard made a motion to approve Ordinance 2022-12 on second reading as presented; Commissioner Gourlie seconded.

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

Motion carried by a 4-1 vote.

11. Ordinance 2022-13 — (Second and Final Reading) - Rezoning - An Ordinance redesignating zoning classification for certain property being approximately 330.397 acres owned by Lugano Development, LLC, Joseph O'Dell, and Diana and Julien Malkiewicz; Referenced by Alternate Key Numbers 1283311, 1283523, 1283582, 1283612, 1585031, 2877685, 2879874, and 3493737; Located south of County Road 466, north of Lake Ella Road, and East of Cherry Lake Road in Lake County, Florida; Rezoning Subject Property from Lake County Agriculture and Town of Lady Lake Planned Unit Development to Town of Lady Lake Planned Unit Development (PUD).

Growth Management Director Carroll said this is final application pertaining to the Kolter Properties. The present zoning of the property is Lake County Agricultural which comprises 172.71 acres. This ordinance incorporates an additional 157.25 acres which is already within the town limits of Lady Lake. The proposed zoning is a PUD.

The proposal shows a roundabout on Cherry Lake Road to calm traffic. On Rolling Acres Road there is another proposed roundabout. Both roundabouts are internal to their property.

The overall density is four dwelling units per acre. Open space is 40 percent. There will be 550 townhomes, 100 age restricted single family detached and 670 single family detached for a total of 1,320 units.

From the time of the first reading there have been amendments to the MOA. There was some text added and they met with the county several times and worked out the impact fee credits and how those things will be mitigated as we go forward.

Commissioner Kussard said at the September 7th meeting, it was mentioned that the application and something more formal would be brought to the commission regarding the adjacent property owner.

John Curtis – Kolter Land

Mr. Curtis contacted the adjacent property owner to discuss providing him with an additional easement on the east side of Rolling Acres. If they move forward and worked on Anderson as the main access point, that would be the path they would take. They are working with Public Works and the county to look at using Abeble Road. If Abeble Road turns out to be a viable option, there would not need to be an access point on Anderson because they would get their access off Abeble Road. They are working with the property owner to determine the best access point off Rolling Acres Road.

Commissioner Kussard made a motion to approve Ordinance 2022-13 on second reading as presented; Commissioner Gourlie seconded.

Commissioner (Ward)	Vote
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 asked the Commission to close Town Hall and the Library for the Town's Christmas Party on Thursday, December 15th, 2022, from 12 noon to 3 p.m.

There was consensus to allow Town Hall to be closed for the annual Christmas party.

Mr. Lawrence listed upcoming holiday events.

MAYOR AND COMMISSIONER'S REPORT

Commissioner Hannan said that at the last Planning & Zoning meeting the Chairman did not have control of the audience. He suggested that the Commission members listen to the recording.

Commissioner Kussard welcomed our new Commissioner, John Gourlie.

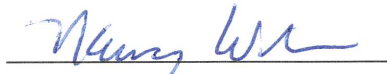
Mayor Rietz said there was an issue with adequate fire flow for the Water Oak Administration Building and Sales Center and that they were supposed to get back to us regarding their progress. Mr. Carroll said he has been apprised of their progress, but he will bring them back before the Commission.

PUBLIC COMMENTS

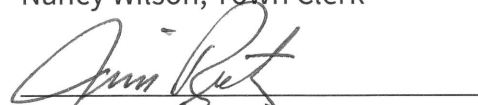
Mr. Carroll asked if a resident could distribute to them a petition regarding golf carts. They were distributed.

ADJOURN

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



Nancy Wilson, Town Clerk



Jim Rietz, Mayor

