

**DRAFT MINUTES OF THE COMMISSION MEETING
TOWN OF LADY LAKE, FLORIDA**

December 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 Freeman presiding. The meeting convened at 6:00 p.m.

CALL TO ORDER

INVOCATION

Pastor Ellen Pollock from New Covenant U.M.C. gave the invocation.

PLEDGE OF ALLEGIANCE

Led by Mayor Freeman

Mayor Freeman made an announcement that Dan Vincent died after a long illness. Mr. Vincent served on the Town Commission for ten years, on the Planning & Zoning Board for one year and on several other volunteer boards throughout the years. The mayor asked that we please keep his family in their thoughts.

ROLL CALL

Commissioner (Ward)	Present
Regan (Four)	YES
Roberts (One)	YES
Gourlie (Two)	YES
Sage (Five)	YES
Freeman (Three)	YES

STAFF PRESENT

Bill Lawrence, Town Manager; Thad Carroll, Growth Management Director; Becky Higgins, Senior Planner; Elisha Pappacoda, Communications Director; C.T. Eagle, Public Works Director; Steve Hunt, Police Chief; Nancy Wilson, Town Clerk

Town Attorney Derek Schroth and Assistant Attorney Taylor Tremel were also in attendance.

A. PRESENTATION

Presentation on NPDES Permitting and Basin Management Action Plan (BMAP) Overview from NPDES Outreach Coordinator.

Public Works Director C.T. Eagle introduced Maryann Krisovitch from Surface Water Professionals, who has been the town's NPDES stormwater consultant for 21 years. She was present to give a presentation on the process and what she does for the town.

The National Pollutant Discharge Elimination System (NPDES) is a federal requirement which regulates discharges from Multiple Separate Storm Sewer System (MS4s), construction & industrial sites to protect our vital water resources from point and non-point discharges. This is statutorily required by F.S. 403.0885 & 62-621.300 and requires the Town to reduce discharges to the maximum extent practicable, protect water quality and satisfy water quality requirements of the Federal Clean Water Act. The Florida Department of Environmental Protection (FDEP) oversees the NPDES program in Florida. The Town currently operates in both the Ocklawaha & Silver Springs and follows Basin Management Action Plans (BMAPs).

Ms. Krisovitch explained the requirements of NPDES and the control measures we have in place. She explained illicit discharges and the new requirements to address total maximum daily loads.

Mayor Freeman asked how they mitigate pollutants in stormwater. Ms. Krisovitch answered there are a wide range of practices to avoid pollutants. There are best management practices for the public on the town's website and depending on the body of water, baffle boxes can be installed (which need to be maintained on a regular basis); also, stormwater ponds are very useful in mitigating pollutants in our water where pollutants remain instead of entering native water bodies. Lakes are meant to be vegetative to filter pollutants from runoff.

B. CONSENT

1. December 4, 2023 – Town Commission Meeting Minutes

2. December 6, 2023 – Town Commission Workshop Minutes

3. Consideration of the Acceptance and Conveyance of Tracts D and E, Lady Lake Crossing, according to the plat thereof, as recorded in Plat Book 63, page 57 of the Public Records of Lake County, Florida, also referred to Fennell Boulevard, to the Town of Lady Lake, Florida.

4. Consideration of Approval for the Lady Lake Parks and Recreation Department to Remove the Older Playmore Play Equipment from the Playground and Close the Playground during the Project.

Commissioner Gourlie commented that there are more storage facilities being built and he wondered if they could be required to have their own dump stations. Mr. Eagle commented on that saying some facilities have their own dump stations but if they ultimately connect to a sewer system, they must have a sampling system to ensure the town's sewer system is not being compromised.

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

C. NEW BUSINESS

5. Discussion of Pursuing Potential Grants Available to the Town for Stormwater and Wastewater Improvements.

Public Works Director Eagle stated that there are several methods the Town of Lady Lake can employ to meet infrastructure needs. One method is to utilize federal, state, regional, and county grants to reduce a significant portion of the local cost to the community. It is common for these grants to cover at least 50% of the construction cost and sometimes 100% when several sources are combined. In general, the greatest probability of award occurs by submitting for local grants with the lowest being national grants. This is due to the much smaller pool of applicants that submit within smaller geographic areas. If the Town Commission has an interest in pursuing these types of grants, Town Staff and the Consultant will bring back a proposal for consideration of approval.

Ron Hart – Chief Limnologist - Surface Water Professionals

Mr. Hart summarized his 25-year experience in stormwater and wastewater and explained how grants can provide funding for projects the town could not otherwise afford. It is not too big an effort to be awarded grants. He explained why we should apply for grants and the associated challenges. The town would need to front the money for whatever project is approved. Mr. Hart then listed available grants and how his organization can help the town acquire them. They write the grant and submit it to the appropriate agency.

Commissioner Gourlie asked if there are projects for which grant money could be used. Mr. Eagle said there are, and we would want to identify others.

Commissioner Sage asked if grants come with strings attached. Mr. Hart responded that typically a budget would be provided for the project but if during the bidding process, higher bids are received, the town would have to make up the difference. That can sometimes be mitigated by requesting a higher dollar amount for the project though there is a risk that a higher figure would result in not getting the grant award.

1 Commissioner Sage asked if there is pressure on the town to convert septic systems to sewer.
2 Ms. Krisovitch responded that there is no pressure yet, but they are seeing indications that
3 more pressure may be applied to those with individual systems to connect to sewer.

4 **The commission consented 5-0 to have staff pursue potential grants available to the town**
5 **for Stormwater and Wastewater Improvements.**

6 **6. Consideration of Proposal for Stormwater Utility Feasibility Study.**

7 Public Works Director Eagle stated that current stormwater related funding is split between
8 the General Fund and the Utilities Fund. With the Town's growth and more extensive
9 regulatory requirements, now is the time to implement a dedicated fund to defer costs, not
10 raise millage rates for taxpayers due to Stormwater costs, and have the main contributors
11 pay their fair share of Stormwater related issues. Stormwater infrastructure does not last
12 forever and will eventually need replacement. State and Federal regulations on the
13 improvement of stormwater and wastewater infrastructure are looming. Build critical
14 infrastructure by increasing the capacity and quality of our systems as a protection for the
15 community against flooding and poor surface water quality. Implementing a stormwater
16 utility creates a legacy for the citizens of the Town of Lady Lake now and in the future.
17 Forming a stormwater utility fee creates a dedicated revenue source that can be used to
18 support long-term planning for the control of urban stormwater runoff that benefits both the
19 community's functionality and the surrounding environment. With a stormwater utility,
20 revenue is generated continually, usually in monthly or quarterly billings. With stable funding,
21 localities can proactively plan and budget for projects, thus avoiding costly repairs that
22 normally occur in a system of deferred maintenance. Surface Water Professionals has a
23 current Professional Services Agreement with the town, and this is a budgeted item - \$25,000.

24 Mr. Ron Hart explained that a stormwater utility is a dedicated funding source that is
25 intended to address some issues related to the community's stormwater management
26 program. Most stormwater utilities are set up to establish an equitable fee structure. Mr. Hart
27 explained the benefits of establishing a stormwater utility and outlined how a feasibility
28 study would benefit the town.

29 Commissioner Roberts asked for an example of the impact on a single residential unit. Mr.
30 Hart responded that an equivalent residential unit (ERU) is a method of quantifying water
31 usage or wastewater generation equivalent to that of a typical residential dwelling. In Lake
32 County, the charge is usually \$4/month per homeowner based on 4 ERU's.

Commissioner Gourlie made a motion to approve the proposal for a stormwater utility feasibility study; Commissioner Regan seconded. Motion carried 5-0.

D. TOWN ATTORNEY’S REPORT

7. Ordinance 2023-20 — Second and Final Reading - An Ordinance Adopting Corrections, Updates and Modifications to the Capital Improvements Schedule of the Town of Lady Lake Comprehensive Plan

Growth Management Director Carroll stated that this ordinance is a formality and is presented annually. By statute, the town is required to adopt a Capital Improvements Plan which is part of the Comprehensive Plan. The Capital Improvement Plan update process and the corresponding requirements are no longer required to be processed by a Comprehensive Plan Amendment but may be adopted by local ordinance.

This ordinance passed at the December 4, 2023, Town Commission Meeting.

Commissioner Gourlie made a motion to adopt Ordinance 2023-20 on second and final reading as presented; Commissioner Sage seconded.

Commissioner (Ward)	Vote
Regan (Four)	YES
Roberts (One)	YES
Gourlie (Two)	YES
Sage (Five)	YES
Freeman (Three)	YES

Motion carried by a 5-0 vote.

8. Ordinance 2023-21 – First Reading - An Ordinance of the Town of Lady Lake, Florida; Amending Chapter 10.5, Section 32, Paragraph (1) of the Code of Ordinances Relating to Membership in Pensions and Retirement; Providing for the Option for the Police Chief to Participate or Not Participate in the Plan.

Town Manager Lawrence stated that the ordinance proposes to amend the code such that the police chief is not required to participate in the Police Officer’s Retirement Trust Fund which requires eight years of service to become vested. The police chief could opt to become a member of the general employee ICMA retirement program.

On December 13th, Police Board Attorney Cynthia O'Donnell from Stone and Gerkin, P.A., presented the proposed ordinance to the Police Pension Board and it was approved.

Commissioner Gourlie made a motion to approve Ordinance 2023-21 on first reading as presented; Commissioner Roberts seconded.

Commissioner (Ward)	Vote
Regan (Four)	YES
Roberts (One)	YES
Gourlie (Two)	YES
Sage (Five)	YES
Freeman (Three)	YES

Motion carried by a 5-0 vote.

TOWN MANAGER'S REPORT

Town Manager Lawrence gave a shout out to Public Works for hosting a fantastic employee Christmas party. Mike Burske added that Movie in the Park will be held on December 21st at 6pm. The movie being shown is, "Prancer".

MAYOR AND COMMISSIONER'S REPORT

Mayor Freeman said the town looks great and the town's Facebook site is generating more views all the time.

PUBLIC COMMENTS

Ken Smithson - 1714 Griffin Avenue

Mr. Smithson expressed his concerns about the Elite RV and Boat Storage facility. He stated that he is a fourth generation Lady Lake resident and is concerned about businesses coming to town who do not have a vested interest in the community and in this case, the owners live in Orlando. The storage facility is surrounded on three sides by residential property. He showed images of Elite Storage facilities in other locations where walls have been placed in the back of the stalls but that is not planned at Lady Lake's facility. Another Elite Storage facility shows how much light spillage there is when there are no walls in the back of the stalls. He is asking Elite Storage to be a good neighbor by shielding the light coming from the facility. He hopes the Commission will take his concerns into consideration and mitigate the light pollution onto residential properties.

1 Marty Dellabovi – Benchmark Group

2 Mr. Dellabovi stated that Fennell Boulevard was just formally dedicated to the town. It was
3 constructed 18 years ago with the intention of connecting to Clay Avenue to help alleviate
4 some of the traffic. They are now working with the Mayfield property to get the right-of-way
5 and access easements to make the final connection.

6 The PGA Superstore is opening on February 13, 2024 and he is hoping for traffic control
7 assistance from our police department on opening day. A new national retailer named Home
8 Sense is replacing the bankrupt Bed, Bath and Beyond. Retailer Five Below is replacing
9 Tuesday Morning.

10 The infrastructure for Lady Lake Square Apartments has been completed, Nancy Drive has
11 been constructed to come off of Old Vineyard and the 280 apartments are due to start going
12 vertical in three to four weeks.

13 Mayor Freeman asked about the Five Below store to which Mr. Dellabovi responded that they
14 sell a lot of fun games and crafts.

15 Georlyn Cates - 16195 SE 170th Avenue

16 Ms. Cates said she has been a resident in this area since 1972. She belongs to the National
17 Wild Turkey Federation and her chapter has raised 3 million dollars for conservation and
18 preservation of habitats. The Osceola turkey can only be found in one region in world and
19 that is mainly in central Florida. If the area continues to be developed, they will leave the
20 area. We must not ignore attacks on their habitats and the biggest attack is development. Ms.
21 Cates asked that the commission vote, “no”, on the Grand Oaks annexation.

22 Romaine Jones - 3520 Griffin Avenue

23 Ms. Jones stated that she is concerned about the effects rapid growth will have on the schools
24 in our area. Children can be negatively affected by high teacher/student ratios in
25 overcrowded schools. Rapid growth in Lady Lake will bring about the same issues she
26 experienced in South Florida. She cited area schools with shortages of space and the
27 necessity of busing students to distant schools. She is concerned about what 800 homes
28 marketed to families would do to our local schools. She asked the Commission to carefully
29 consider the negative effect the Grand Oaks proposed project would have on schools.

30 Cathy Hirtz - 15943 SE 176th Street

31 Ms. Hirtz lives in the Loves Landing Airpark. She said the thought of having 800, low income,
32 probably Section 8 housing at Grand Oaks that is close to her community, will have a

1 detrimental effect on the already deteriorating roads and will increase crime. She believes
2 that the property where the 800 proposed mobile homes sit will not be owned and the low-
3 income people living there will not be the owners; renters do not care about their properties
4 like owners do. She and her neighbors are concerned about how their area, where there are
5 mostly upscale houses, will be affected by the proposed development. She asked that the
6 commission not annex the Grand Oaks property into Lady Lake. If they want to build, they
7 should build houses on bigger lots.

8 Lisa Berg - 2902 Marion County Road

9 Ms. Berg said it is important to consider how expansion affects resources such as medical
10 care. There are other developments in progress that will add to the strain on medical care. We
11 are in a medically underserved area and face a physician shortage. If the town is attracting
12 younger people, there will be even more shortages in Pediatricians and OB/GYN's. We need to
13 control our rate of growth.

14 Tom Nash – 3546 Griffin Avenue

15 Mr. Nash said he attended the Commission Workshop on December 6th. He is a resident in the
16 Lady Lake community and the decisions made in these chambers have an effect on everyone.
17 He said he is not present to hoodwink anyone, and he does not want to be hoodwinked. They
18 attend the meetings because they care, they care about the environment in which they live.
19 They do not have a voice in Lake County; they have lost touch with the people. A repetitive
20 theme at the workshop is that the town is growing fast, so fast that the town is understaffed,
21 and employees have heavy workloads. He does not agree with Mr. Carroll's statement that
22 portions of his workload should not have to come before the commission for approval to
23 minimize what happened at the prior meeting. He also feels that the average citizen knows
24 nothing about the application process, and they only find out about development when
25 heavy equipment turns up in their neighborhoods, at which time it is too late, Mr. Nash finds
26 that to be a hoodwink situation. Police shortages are a concern, and he is concerned about
27 the children and their education. There are not enough seats available in the school's causing
28 hardship to families. The town should acquire property for a new police department and
29 recreation facilities. Decisions the commission makes will have real life consequences.

30 Richard Brice – 308 Del Mar Drive

31 Mr. Brice said the Grand Oaks property is not contiguous with Lady Lake. There have been
32 annexations before, who approves them, do the residents have a vote? Mr. Carroll responded
33 that the interlocal agreement allows for noncontiguous annexations and the Commission has

the discretion to annex or not annex, they do not poll the audience. Mr. Brice questioned some of the recommendations the arborist made at the December 11, 2023 Planning & Zoning meeting and hopes the commission will get more professional recommendations regarding the trees for the Walmart project. He also asked about how waivers are granted.

Jorlyn Johnson - 3930 Griffin Avenue

Ms. Johnson stated that an application may not have been submitted for the Grand Oaks project but there has been a website for the project for over a year. There have been conversations with Mr. Carroll, there have potentially been conversations with the Planning & Zoning Board members and with other people in our community.

ADJOURN

There being no further business, the meeting was adjourned at 7:42 p.m.

Nancy Wilson, Town Clerk

Ed Freeman, Mayor