



TOWN COMMISSION MEETING AGENDA TOWN OF LADY LAKE, FLORIDA

All interested persons are cordially invited to attend this public meeting.

DATE AND TIME

Monday, July 15, 2024, 6:00 PM

PLACE

Town Hall Commission Chambers, 409 Fennell Blvd., Lady Lake

PROCEDURE

Citizens are encouraged to participate in the Town of Lady Lake meetings. Citizen groups are asked to name a spokesperson. Speakers will be limited to three minutes. Additional time may be granted at the Mayor's discretion. Upon being recognized by the Mayor, please approach the dais, state your name and address, and speak into the microphone. The order of agenda items may be changed if deemed appropriate by the Town Commission. Please be respectful of others and put your cell phone on silent mode.

CALL TO ORDER

INVOCATION

Pastor Ellen Pollock - New Covenant United Methodist Church

PLEDGE OF ALLEGIANCE

ROLL CALL

AGENDA

A. CONSENT

1. July 1, 2024 - Town Commission Meeting Minutes

B. NEW BUSINESS

1. Consideration of Approval to Revise the Human Resources Manual Related to

the Paid Time Off (PTO) Policy for General Employees. (Tamika DeLee/C.T. Eagle)

C. TOWN ATTORNEY'S REPORT

1. Ordinance 2024-12 - Second and Final Reading - An Ordinance of the Town Commission of the Town of Lady Lake, Florida; Establishing Election Dates to be Held in Even Numbered Years Only; Approving Referendum Language and Proposing to Amend the Town's Charter to Change the Term of Office of Commissioners in all Wards to Four Year Terms Except for those Elected in 2023 Whose Terms will be Extended to Three Years for one Election Cycle; Repealing Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. (Nancy Wilson)
2. Ordinance 2024-18 - First Reading - An Ordinance Amending the Zoning Classification for Certain Property Being Approximately 0.51 Acres Owned by Properties of the Yarn Lady, LLC, Located on the South Side of Oak Street, Approximately 375 Feet West of the Intersection of Oak Street and Teague Trail, Addressed as 304 Oak Street Within the Town Limits of Lady Lake, Florida; Amending the Current Entitlements of the Planned Commercial (CP) Memorandum of Agreement; Providing for Severability; Establishing an Effective Date. (Thad Carroll)

TOWN MANAGER'S REPORT

MAYOR AND COMMISSIONER'S REPORT

PUBLIC COMMENTS

This section is reserved for members of the public to bring up matters of concern or comments. It is not limited to items on the agenda, and it is open to any concern or comments that the public may have.

ADJOURN

Please contact the Town Clerk's Office with any questions at 352-751-1501. This public hearing is being conducted in a handicapped accessible location. Any handicapped person requiring special accommodation or an interpreter for the hearing or visually impaired should contact the Clerk's Office at least two days prior to the meeting. To access a Telecommunication Device for Deaf Persons (TDD), please call 352-751-1565.

If a person decides to appeal a decision made with respect to any matter considered at the above meeting or hearing, he/she may need a verbatim record of the proceedings including the testimony and evidence, a record of which is not provided by the Town of

Lady Lake. (F.S. 286-0105) One or more members of any other Town Board or Committee may be in attendance at this meeting, but will not be conducting business.

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

July 1, 2024

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

Rev. Derick Dimry — New song Community Church

PLEDGE OF ALLEGIANCE

Led by Mayor Freeman

ROLL CALL

Commissioner (Ward)	Present
Regan (Four)	NO
Gourlie (Two)	YES
Roberts (One)	YES
Sage (Five)	YES
Freeman (Three)	YES

STAFF PRESENT

Bill Lawrence, Town Manager; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Pam Winegardner, Finance Director; Mike Burske, Parks and Recreation Director; Police Chief Steve Hunt, Lady Lake Police Department; Lt. Robert Tempesta, Lady Lake Police Department; Aly Herman, Library Director; Nancy Wilson, Town Clerk; and Carol Osborne, Deputy Town Clerk.

Town Attorney Derek Schroth was also in attendance.

A. CONSENT

1. June 17, 2024 – Town Commission Meeting Minutes

2. Interlocal Agreement Between Lake County, Florida and the Town of Lady Lake Relating to the Use of Library Impact Fees. (Aly Herman).

1 Library Director Aly Herman explained that this agreement enables her to apply for a \$1
2 million grant from Lake County that can be used for library renovations. She stated that when
3 approved tonight, it will be forwarded to the Lake County Commission and placed on their
4 August 13, 2024, agenda for consideration.

5 **3. Consideration of Approval for Employees of Curelogics and VIPcare to Host a Food Drive**
6 **at the Guava Street Athletic Complex on July 26th for Area Residents in Need. (Mike Burske)**

7 **Commissioner Roberts made a motion to approve the Consent Agenda as presented;**
8 **Commissioner Gourlie seconded. Motion carried 4-0.**

9 **B. TOWN ATTORNEY'S REPORT**

10 **1. Ordinance 2024-12 – First Reading – An Ordinance of the Town Commission of the Town**
11 **of Lady Lake, Florida; Establishing Election Dates to be Held in Even Numbered Years Only;**
12 **Approving Referendum Language and Proposing to Amend the Town's Charter to Change**
13 **the Term of Office of Commissioners in all Wards to Four Year Terms Except for those**
14 **Elected in 2023 Whose Terms will be Extended to Three Years for one Election Cycle;**
15 **Repealing Conflicting Ordinances; Providing for Severability; and Providing an Effective**
16 **Date. (Nancy Wilson)**

17 Town Clerk Nancy Wilson presented the background summary for this agenda item. She
18 stated that approximately 15 years ago, the Supervisors of Elections throughout Florida
19 informed the municipalities in their respective jurisdictions that they will no longer pay for
20 elections that are held in odd numbered years, and that all election related costs would be
21 borne solely by the municipality in those years. She advised that the Town's election in 2021
22 cost approximately \$23,000.00. She advised that there has been some discussion in recent
23 years to amend the charter to hold elections in even numbered years and to change the
24 commissioners' term from two years to four years. The commission also considered
25 continuing with two-year terms but to conduct them in even numbered years only. However,
26 that posed the potential of having all new commissioners elected in one year. The best
27 alternative is to hold elections every four years and amend term limits from two years to four
28 years. She stated for those who were elected in 2023 their terms would be extended by one
29 year to expire in 2026. This would then have all elected officials on the four-year term cycle.

30 Ms. Wilson advised that the ballot language in the amendments must contain specific legal
31 language and adhere to the Supervisor of Elections formatting requirements such as limiting
32 the amendment to 75 words. She stated that the ordinance had three amendments but one
33 was over the 75-word limit, so Town Attorney Schroth split it into two, yielding four
34 amendments. This caused a quagmire because if the first amendment was passed by the

voters (extending the terms to four years) and the second amendment was not passed by the voters (extending the terms of those elected in 2023 by one year) the town would not accomplish its intended goal of holding elections in in even years only. This will be word smithed before the second reading.

Ms. Wilson stated that the residents of Lady Lake are educated voters and our commissioners do a good job informing their constituents on election issues.

Town Attorney Schroth advised that if it is the pleasure of the board to hold elections in even-numbered years and have four-year terms, the amendments will be modified to accommodate the 75-word limit and eliminate the risk of having two conflicting amendments.

Ms. Wilson advised that the ballot language is included in the ordinance.

Commissioner Roberts stated that she believes this amendment makes good fiscal sense.

Commissioner Sage asked if the Mayor/Commissioner term of office will be amended from one year to two years. Ms. Wilson answered that the mayor's term is the sole discretion of the commission. She stated if this ordinance passes, it makes more sense to align the mayor's term with our election years.

Mayor Freeman verified with Ms. Wilson that if this referendum passes, the people who are elected this November would have their terms extended by one year to end in 2026.

Commissioner Roberts made a motion to approve Ordinance 2024-12 on first reading; Commissioner Gourlie seconded.

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

Motion carried 4-0.

2. Ordinance 2024-06 – Second and Final Reading – Annexation — Anderson/Long — an Ordinance Voluntarily Annexing Property being 10.08 Acres, Owned by Jesse Anderson and William Anderson and Devin and Angela Long, on the North Side of Anderson Lane, within Lake County, Florida. (Thad Carroll)

Growth Management Director Thad Carroll presented a map of the subject property and noted that it connects properties that are currently within the town on the north side and the south side. On Monday, April 1, 2024, applications were filed with the Town of Lady Lake by Craig Brashier with CHW, LLC., on behalf of property owners Jesse Anderson, William Anderson, and Devin and Angela Long.

Mr. Carroll advised that upon future development, the properties will be served by the Town's water, sewer, and reuse facilities. The subject properties are contiguous with the existing municipal boundary. He stated that notices were mailed to the adjacent property owners and to date no correspondence regarding this application has been received.

Mr. Carroll noted that at the June 17, 2024, commission meeting, Richard Masso went on record opposing annexations in general.

Mayor Freeman asked if there were any questions. Hearing none, he asked for a motion.

Commissioner Sage made a motion to approve Ordinance 2024-06 on second and final reading; Commissioner Gourlie seconded.

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

Motion carried 4-0.

3. Ordinance 2024-07 – Second and Final Reading – Small Scale Future land Use Comprehensive Plan Amendment — Anderson/Long — Change the Future Land Use Designation from Lake County Urban Low Density to Lady Lake Single Family Medium Density for Property Being 10.08 Acres, Owned by Jesse Anderson and William Anderson, and Devin and Angela Long, on the North Side of Anderson Lane, addressed as 1147 Anderson Lane and 1245 Anderson Lane, within Lake County, Florida. (Thad Carroll)

Growth Management Director Thad Carroll advised that this ordinance would assign a land use designation for these properties. On Monday, April 1, 2024, an application was filed with the Town of Lady Lake by Craig Brashier with CHW, LLC., on behalf of property owner Jesse Anderson and William Anderson and Devin and Angela Long to amend the Future Land Use designation of 10.08 acres which presently has a designation in accordance with the Lake County Comprehensive Plan. The request is to change the property from Lake County Urban

1 Low Density to Lady Lake Single Family Medium Density, which permits up to six dwelling
2 units per acre.

3 Mr. Carroll advised the Future Land Use Designations of Adjacent Properties: North - Lady
4 Lake Single Family Medium Density; East - Lake County Urban Low Density; South - Lady Lake
5 Single Family Medium Density; West - Lake County Urban Low Density. He stated that all Live
6 Oak trees located within the Property with a diameter at breast height (DBH) of 36” or greater
7 and a Grade of 3 or higher consistent with the Tree and Native Vegetation Report dated
8 February 22, 2024, shall be preserved. He stated that the subject property does not contain
9 any wetlands per the flood map and the project will have to adhere to the St. Johns River
10 Water Management District guidelines, drainage, and engineering best management
11 practices.

12 Mr. Carroll stated that the project will be served by town services. There will be a net increase
13 of water and sewer of 5,000 gallons each per day. He stated that the development is providing
14 amenities through the Hammock Oaks and Reserve at Hammock Oaks developments. The
15 impact on the schools is minimal. The proposed entire development at project buildout is
16 projected to generate 3,630 new daily trips, of which 261 trips occur during the AM peak hour,
17 and 349 trips occur during the PM peak hour.

18 Mayor Freeman asked if there were any questions. Hearing none, he asked for a motion.

19 **Commissioner Gourlie made a motion to approve Ordinance 2024-07 on second and final**
20 **reading; Commissioner Sage seconded.**

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

21 **Motion carried 4-0.**

22 **4. Ordinance 2024-08 – Second and Final Reading —Rezoning — Highland at Hammock**
23 **Oaks — Change the Zoning Designation from Certain Properties Being Approximately 92.12**
24 **Acre Owned by Jesse Anderson and William Long, Devin and Angela Long, Carl A. Smith**
25 **Trust, Burgland Investments, LLC, and Lugano Development, LLC located south of**
26 **Sunshower Lane, North of Abele Road, and East of Rolling Acres Road in Lake County,**

Florida, from Lake County Agricultural (A) and Lady Lake Planned Unit Development (PUD) to Lady Lake Planned Unit Development (PUD). (Thad Carroll)

Growth Management Director Thad Carroll indicated the location of the 10.08 acres on a map noting that it is connecting two properties that were already located in the Town. He stated that this ordinance ties the properties together under one document and the entitlements will be for the combined parcel.

Mr. Carroll advised that on Monday, April 1, 2024, the applications were filed with the Town of Lady Lake by Craig Brashier of CHW, LLC, on behalf of property owners Jesse Anderson and William Anderson, Devin and Angela Long, Burgland Investments, LLC, and Lugano Development, LLC to amend the zoning classification for 92.12 acres. The PUD designation is consistent with adjacent properties to the north and south that are presently in the Town of Lady Lake's jurisdiction. This project encompasses two projects previously granted PUD entitlements. The maximum number of residential units within the development will not exceed 450 units consisting of 215 single-family detached units and 235 townhomes/villas.

Mayor Freeman asked if there were any questions. Hearing none, he asked for a motion.

Commissioner Gourlie made a motion to approve Ordinance 2024-08 on second and final reading; Commissioner Roberts seconded.

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

Motion carried 4-0.

5. Ordinance 2024-09 – Second and Final Reading — Annexation — WGB Leasing, LLC — An Ordinance Voluntarily Annexing Property Being 1.8 Acres, owned by WGB Leasing, LLC, on the West Side of Teague Trail, North of Smitty Road, Addressed as 41015 County Road 25, within Lake County, Florida. (Thad Carroll)

Growth Management Director Thad Carroll stated that on Thursday, April 4, 2024, applications were filed with the Town of Lady Lake by Michael Rankin of LPG Urban & Regional Planners, LLC, on behalf of property owner, WGB Leasing, LLC, to annex one property. He stated that the property is currently vacant. Upon future development, the properties will be served by the Town's water and sewer facilities. He advised that it is

currently uncertain if the Town's reuse facility will service this project. He advised that the subject properties are contiguous with the existing municipal boundary.

Commissioner Roberts asked for clarification regarding the reuse facility.

Mr. Carroll stated that the Town's reuse lines are not in this area currently and further studies need to be conducted to determine if the Town has the capacity to serve this area because we do not want to run a line that is not looped.

Mayor Freeman asked if there were any further questions. Hearing none, he asked for a motion.

Commissioner Roberts made a motion to approve Ordinance 2024-09 on second and final reading; Commissioner Gourlie seconded.

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

Motion carried 4-0.

6. Ordinance 2024-10 – Second and Final Reading — Small Scale Future Land Use Comprehensive plan Amendment — WGB Leasing, LLC — Change the Future Land Use Designation from Lake County Urban Medium Density and Lady Lake Commercial Wholesale (CW) to Lady Lake Commercial – General Retail Sales and Services (RET) for property being 2.8 acres, owned by WGB Leasing, LLC, addressed as 41015 County Road 25, within Lake County and the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

Growth Management Director Thad Carroll stated that this ordinance pertains to 2.8 acres with the future land use designation of Lake County Urban Medium Density and Lady Lake Commercial Wholesale. He stated the property is currently vacant.

On Thursday, April 4, 2024, an application was filed with the Town of Lady Lake by Michael Rankin of LPG Urban and Regional Planners, LLC, on behalf of property owner WGB Leasing, LLC. The proposed future land use will permit the developer to construct a proposed restaurant, along with services to the public for personal or household consumption, including but not limited to beauty/barber shop, laundry and dry cleaning, newsstand/bookstore, clothing stores, drug stores, home electronic equipment, food/grocery stores, hotel/motel, religious uses, professional services, and sporting goods.

Mr. Carroll advised the future land use designations of the adjacent properties: North - Lady Lake Commercial Wholesale; East - Lake County Rural Transition; South - Lady Lake Commercial General – Retail Sales and Services and Lake County Urban Medium Density; West - Lady Lake Commercial Wholesale.

Mr. Carroll advised that an environmental study will be conducted at time of construction. If evidence of gopher tortoises is discovered, the developer must obtain the appropriate relocation permits with Florida Wildlife Commission.

Mr. Carroll advised that a portion of this property is located in a flood zone and that area will be incorporated into the area of the retention pond. The project will be required to adhere to St. Johns River Water Management District guidelines, drainage, and engineering best management practices. He stated that the projected water and sewer consumption is 2,000 gallons each per day. The proposed development is projected to generate 2,134 new daily trips, of which 258 trips occur during the PM peak hour.

Mayor Freeman asked if there were any questions. Hearing none, he asked for a motion.

Commissioner Gourlie made a motion to approve Ordinance 2024-10 on second and final reading; Commissioner Sage seconded.

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

Motion carried 4-0.

7. Ordinance 2024-11 – Second and Final Reading — Rezoning — WGB Leasing, LLC — An Ordinance Changing the Zoning Designation for Certain Properties Being Approximately 2.8 Acres Owned by WGB Leasing, LLC, Located West of Teague Trail and North of Smitty Road from Lake County Agricultural (A) and Lady Lake Planned Unit Development (PUD), to Lady Lake Planned Commercial (CP), within Lake County and the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

Growth Management Director Thad Carroll stated that this ordinance will grant zoning entitlements to the subject property and is located east of Lighthouse Storage. The Planned Commercial designation is consistent with adjacent properties presently in the Town of Lady Lake's jurisdiction.

Mr. Carroll advised that the planned commercial designation is limited to a restaurant, a bar, retail sales and services, and an area for stormwater retention. He stated that if the developer wishes to construct anything outside of those three uses, the proposal will be presented to the commission. He stated that the front yard setback requirement is a 20-foot minimum from the roadway; the rear yard setback requirement is a 15-foot minimum from the roadway; the side yard setback when adjoining another lot is a minimum of fifteen feet, otherwise, the setback is a 20-foot minimum from the local roadway. The project requires planting landscaping buffers.

Mr. Carroll advised that the conceptual plan will be reviewed during the site plan review process, along with traffic and engineering studies.

Commissioner Sage asked for clarification regarding landscape buffers.

Mr. Carroll explained that our regulations require the project to have a Class A buffer to be on the north, west, and south. Those are two canopy trees, three understory trees, and a continuous hedge, and Class B buffers along the east property line.

Mayor Freeman expressed his desire that the developer keep as many of the existing trees as possible.

Mr. Carroll advised that it is to the developers benefit to retain as many trees as possible because they are given a credit for that, and it helps preserve some growth.

Mayor Freeman asked if there were any further questions. Hearing none, he asked for a motion.

Commissioner Sage made a motion to approve Ordinance 2024-11 on second and final reading; Commissioner Roberts seconded.

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

Motion carried 4-0.

TOWN MANAGER'S REPORT

Town Manager Lawrence acknowledged Parks and Recreation Director Mike Burske and his staff for the Big Bang fireworks event held on June 29th, along with the staff from Public Works and our police officers. He stated a lot of positive feedback has been received.

Mr. Lawrence stated that the commissioners will be receiving their budget books for review. The budget workshop is July 31st at 2pm. At the August 5th commission meeting, the commission will announce the date, time, and place to vote on the millage and the budget. At the September 4th commission meeting the tentative vote on the millage and budget will take place, and the September 16th meeting is the final vote on the millage and budget.

MAYOR AND COMMISSIONER'S REPORT

Commissioner Roberts stated that she enjoyed the fireworks display and congratulated all involved for a good job.

Mayor Freeman stated that he enjoyed the fireworks display as well.

PUBLIC COMMENTS

None.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 6:37 p.m.

Carol Osborne, Deputy Town Clerk

Ed Freeman, Mayor



TOWN COMMISSION MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Consideration of Approval to Revise the Human Resources Manual Related to the Paid Time Off (PTO) Policy for General Employees. (Tamika DeLee/C.T. Eagle)

AGENDA ITEM ID

20240715

DEPARTMENT

Human Resources

SUMMARY

STAFF RECOMMENDED MOTIONS

Approval to increase maximum number of hours that can be carried over each year based on years of service; increase the payout amount of accumulated PTO, upon separation from the town, based on years of service; and increase the maximum amount of PTO that can be sold back to the employee per fiscal year. Effective upon passage.

Paid Time Off (PTO) combines vacation and sick leave into a single bank of leave days. Employees are encouraged to use their accrued PTO for purposes such as vacation, leisure time, personal illness, or caring for a family member(s). Employees accrue (PTO) on an annual basis based on years of service. Three changes are being suggested to Chapter 21 of the HR Manual:

1. Increase the number of hours that can be carried over from fiscal year to fiscal year.
Maximum Carried Forward: Once a certain number of PTO hours have been accumulated (based on years of service), more hours cannot be added to that amount to carry forward. For instance, if an employee has worked for the town for 6 years, the maximum number of PTO hours that an employee can carry forward is 500. The following year earned PTO hours would be added to that amount, but if they were not used during that year, the carryover limit of 500 hours would still apply as long as that employee falls within the 5-to-10-year employment window. The request is to increase that amount from, in this case, 500 to 600 hours (see tables).
2. Increase the payout amount paid to an employee upon separation.
Maximum Payout: Upon separation, an employee is entitled to accumulated PTO up to a maximum amount based upon years of service. For instance, an employee with 6 years of service decided to part ways with the town, that employee would be paid his/her current hourly wage x 200 hours. The request is to increase that maximum payout from 200 to 250 hours (see tables).
3. Increase the amount of PTO that can be redeemed by an employee each year.

Maximum Sell Back: Every year in September, employees who have taken at least 40 hours of PTO between the twelve months prior to that are allowed to redeem or sell back 80 hours of time. The request is to increase the maximum sell back amount per year from 80 hours to 160 hours (see tables).

Current PTO Annual Accrual Chart in Hours

Years of Service	Hours earned Per Month	Maximum Carried Forward	Maximum Payout	Maximum Sell Back
Up to 5	15	350	100	80
5 to 10	17	500	200	80
10 to 15	20	520	300	80
15-20	22	540	350	80
20+	24	560	400	80

Proposed PTO Annual Accrual Chart in Hours

Years of Service	Hours earned Per Month	Maximum Carried Forward	Maximum Payout	Maximum Sell Back
Up to 5	15	480	200	160
5 to 10	17	600	250	160
10 to 15	20	620	300	160
15-20	22	640	400	160
20+	24	680	500	160

Fiscal Impact Budgeted: \$266,516.71 This figure is based on all general employees participating in selling back time though not all employees are eligible nor do all employees participate. In FY23, the actual impact to the budget was \$92,057.34 which was 41% of the budgeted amount.



TOWN COMMISSION MEETING AGENDA ITEM TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Ordinance 2024-12 - Second and Final Reading - An Ordinance of the Town Commission of the Town of Lady Lake, Florida; Establishing Election Dates to be Held in Even Numbered Years Only; Approving Referendum Language and Proposing to Amend the Town's Charter to Change the Term of Office of Commissioners in all Wards to Four Year Terms Except for those Elected in 2023 Whose Terms will be Extended to Three Years for one Election Cycle; Repealing Conflicting Ordinances; Providing for Severability; and Providing an Effective Date. (Nancy Wilson)

AGENDA ITEM ID

20240715

DEPARTMENT

Town Clerk

SUMMARY

STAFF RECOMMENDED MOTIONS

Approve Ordinance 2024-12 to allow a charter change by placing a referendum on the 2024 ballot. Conducting elections on the general election schedule (even years only) will save the Town between \$20,000 and \$40,000 per odd-year election.

This matter was first discussed at a budget workshop on July 28, 2022 and again at a regular meeting held on August 15, 2022. Starting in about 2008, county Supervisor of Elections offices in Florida began notifying municipalities that they were only going to cover the costs for General Elections (federal, state and county races held in even years only) and encouraged towns and cities to discontinue holding elections in odd numbered years because they would have to bear all the costs associated with them. I don't know what percentage of municipalities changed their charters to align with their respective county elections, but many did not because they wanted to keep their staggered two-year terms that necessitated conducting an election every year. This may have been the case in Lady Lake, but now is the time to reconsider since the cost of paying for our elections held in odd-years has grown exponentially: in 2021, our bill was about \$23,000 and the estimate for 2023 comes in at \$45,000! (Update: the final bill was approximately \$5,000 for one ward election with no referendums). Aside from the cost savings, other reasons not to have elections every year include election weariness and low voter turnout in odd-numbered years.

The option of keeping 2-year terms and holding elections in even numbered years only was discussed but the main drawback is that all wards would be up for election in even numbered years which could result in an entirely new commission if the incumbents did not win back

their seats.

In the end, the commission voted to move forward with drafting an ordinance with 4-year, staggered terms. A Charter change is required necessitating a referendum on the ballot in 2024.

On July 1, 2024, the Town Commission voted to approve Ordinance 2024-12 on first reading. For the second reading, verbiage was changed to conform to statutory and administrative requirements; the intent stayed the same.

FISCAL IMPACT

Cost of advertising public hearings and codification - \$300

DRAFT ORDINANCE 2024-12

TOWN OF LADY LAKE, FLORIDA

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LADY LAKE, FLORIDA; ESTABLISHING ELECTION DATES TO BE HELD IN EVEN NUMBERED YEARS ONLY; APPROVING REFERENDUM LANGUAGE AND PROPOSING TO AMEND THE TOWN'S CHARTER TO CHANGE THE TERM OF OFFICE OF COMMISSIONERS ALL WARDS TO FOUR YEAR TERMS EXCEPT FOR THOSE ELECTED IN 2023 WHOSE TERMS WILL BE EXTENDED TO THREE YEARS FOR ONE ELECTION CYCLE; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, pursuant to Florida Statutes Sections 166.021, 166.031, 100.3605 and 101.75, the Town can amend the Town Charter by ordinance to change election dates and propose to change by referendum the terms of office of the current elected officials to accommodate the change in election dates; and

WHEREAS, the Town Commission has determined that it is in the Town's best interest to (1) change Town election dates to coincide with Lake County's even year elections so that the Town can reduce the cost of conducting elections and can utilize Lake County's Canvassing Board and (2) propose amendments to the Town's Charter to change the term of office of commissioners and the terms of the mayor and vice-mayor; and

WHEREAS, the Town of Lady Lake decided to submit proposed charter amendments for approval or disapproval by the electorate.

NOW, THEREFORE, be it ordained by the Town Commission of the Town of Lady Lake, Florida, as follows:

Section 1.

a) Article IV. Legislative, Section 4.03 of the Town Charter, entitled "Legislative" shall be amended, once approved by referendum, to read as follows:

Except as set forth herein, the members of the town commission shall hold their offices for a term of four (4) years, or until their successors are qualified and elected. Elections shall be held only in even-numbered years.

Town commissioners from wards one (1), three (3) and five (5) who were elected in 2023 for two (2) year terms, shall have their current terms extended by one (1) year to end in 2026 for one election cycle. Thereafter, they shall be elected to four (4) year terms. Town

commissioners from wards two (2) and four (4) who are elected in 2024 shall be elected to four (4) year terms.

b) Article V. Mayor/Commissioner, Section 5.01 of the Town Charter, entitled “Mayor/Commissioner; term of office” is hereby amended to read as follows:

A majority of the (5) commissioners shall select one (1) commissioner to serve as mayor/commissioner and one (1) commissioner to serve as vice-mayor/commissioner for terms of two (2) years. The selection shall occur at the first meeting following even-year elections.

c) Article X. Elections, Section 10.05(a) of the Town Charter, entitled “Elections” is hereby amended to read as follows:

General elections: A general election shall be held on the first Tuesday after the first Monday in November in even-numbered years for the office town commissioner for those offices in which the term will expire that year. Newly elected commissioners shall be sworn in at the next regular town meeting following the general election.

d) Article XI. Transitional Provisions, Section 11.02 (a) (b) and (c) of the Town Charter shall be removed in their entirety.

Section 2.

For purposes of the referendum, the amendments set forth in Section 1 above shall be considered by the ballot language set forth below and shall be known and identified as follows:

Town of Lady Lake Charter Amendment Number 1. Elections. Elections shall be held only in even-number years. Town commissioners from wards two and four who are elected in 2024 shall be elected to four (4) year terms. Town commissioners from wards one, three and five who were elected in 2023 for two (2) year terms shall have their current terms extended by one (1) year to end in 2026 for one election cycle. Thereafter, they shall be elected to four (4) year terms.

Shall the above-described amendment be adopted:

Yes []

No []

Town of Lady Lake Charter Amendment Number 2. Mayor/commissioner; term of office. Proposal to amend the mayor/commissioner and vice-mayor/commissioner terms of office from one (1) year to two (2) years. The selection shall occur at the first meeting following even-year elections.

Shall the above-described amendment be adopted:

Yes []

No []

Town of Lady Lake Charter Amendment Number 3. Transitional Provisions. Proposal to amend by removing the entire section related to initial Charter elections which occurred in 1987.

Shall the above-described amendment be adopted:

Yes []

No []

Section 3. Conflicts. All ordinances or part of ordinances in conflict with any of the provisions of this Ordinance are hereby repealed.

Section 4. This Ordinance shall be effective upon passage on second and final reading; however, the Charter amendments subject to approval by referendum contained herein shall not be effective until adopted by a majority of the qualified voters of the Town of Lady Lake as certified by the Supervisor of Elections for Lake County, Florida.

Section 5. Upon adoption of the Charter amendment contained herein, the Town Clerk is directed to revise the Town Charter to incorporate the amendments and to file the revised Charter with the Secretary of State for the State of Florida.

Section 6. The provisions of this ordinance are intended to be incorporated into the Town Charter of the Town of Lady Lake, Florida, and the sections of this ordinance may be renumbered, re-lettered, and the word “ordinance” may be changed to “section,” “article,” or such other word or phrase in order to accomplish such intention.

Section 7. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

PASSED AND ORDAINED this 15th day of July, 2024, in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon second and final reading.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney



TOWN COMMISSION MEETING AGENDA ITEM

TOWN OF LADY LAKE, FLORIDA

AGENDA ITEM TITLE

Ordinance 2024-18 - First Reading - An Ordinance Amending the Zoning Classification for Certain Property Being Approximately 0.51 Acres Owned by Properties of the Yarn Lady, LLC, Located on the South Side of Oak Street, Approximately 375 Feet West of the Intersection of Oak Street and Teague Trail, Addressed as 304 Oak Street Within the Town Limits of Lady Lake, Florida; Amending the Current Entitlements of the Planned Commercial (CP) Memorandum of Agreement; Providing for Severability; Establishing an Effective Date. (Thad Carroll)

AGENDA ITEM ID

07152024

DEPARTMENT

Growth Management

SUMMARY

STAFF RECOMMENDED MOTIONS

Staff recommends approval of Ordinance 2024-18.

On Wednesday, June 19, 2024, applicant JB Golf Carts LLC, applied on behalf of property owner Properties of the Yarn Lady, LLC, to amend the zoning entitlements for approximately 0.51 acre located on the South Side of Oak Street, approximately 375 Feet West of the Intersection of Oaks Street and Teague Trail. The request is to modify the uses under the Lady Lake Planned Commercial – (CP) zoning classification to allow Retail Sales of Golf Carts. The use would be limited to the 0.51-acre site.

The ordinance proposes the following uses:

1. Permitted Uses. Permitted uses shall be limited to Offices, Retail Sales and Services, Office/Warehouse, Mini-Storage Warehouse Facilities, Medical and Dental Offices and Laboratories, Golf Cart Sales, and those manufacturing uses permitted under “Fabrication Manufacturing” as defined by the Town of Lady Lake Land Development Regulations through Ordinance 94-08, less and except the use of the fabrication of septic tanks.
2. Uses Expressly Prohibited. All uses other than those aforementioned as “permitted uses” shall be expressly prohibited.
3. Hours of Operation. The hours of operation shall be as follows:
 - 8 a.m. – 5 p.m. Monday through Friday
 - 9 a.m. – 3 p.m. on Saturday

The ordinance is modified to allow Retail Sales of Golf Carts. The display of golf carts is permitted inside of the building, and outside display of golf carts is limited to five vehicles under the Memorandum of Agreement.

The subject property is located Section 17 Township 18 South, Range 24 East, in Lake County, Florida. The appropriate legal description, a location map, and a sketch of the property were included with the submitted application.

Zoning Designation of Adjacent Properties

North Heavy Commercial (HC)

East Planned Commercial (CP)

South Planned Commercial (CP)

West Planned Commercial (CP)

The proposed zoning designation is Lady Lake Planned Commercial (CP). The CP designation is consistent with adjacent property to the south, east, and west that is presently in the Town of Lady Lake's jurisdiction. The property is currently zoned Planned Commercial with entitlements under Ordinance 2009-17. However, the other three parties in the business park with entitlements under that ordinance do not wish to have the use of Golf Cart Sales added as a permitted use on their properties. Therefore, the applicant has elected to file the application to only add the use of Golf Cart Sales on their property.

The rezoning application has been reviewed and determined to be complete, satisfying the necessary criteria as required for rezoning. The application was found to meet the requirements of the Land Development Regulations (LDRs) as well as the adopted Comprehensive Plan and is ready for transmittal to the Town Commission. Staff mailed notices to inform the surrounding 11 property owners within 150 feet of the property proposed by the rezoning request on Tuesday, June 25, 2024. The property was also posted Tuesday, June 25, 2024.

FISCAL IMPACT

Not applicable.

SOURCE OF FUNDING

Not applicable.

FUNDING ACCOUNT

Not applicable.

PAST ACTIONS

The Technical Review Committee found that Ordinance 2024-18 was ready for transmittal to the Planning and Zoning Board.

At the July 8, 2024 meeting, the Planning and Zoning Board voted 4-0 to forward Ordinance 2024-18 to the Town Commission with the recommendation of approval.

PUBLIC HEARINGS

The second and final reading of Ordinance 2024-18 is scheduled for Monday, August 5, 2024, at 6 p.m.

1 **DRAFT ORDINANCE 2024-18**
2 **TOWN OF LADY LAKE, FLORIDA**

3 AN ORDINANCE AMENDING THE ZONING CLASSIFICATION FOR CERTAIN PROPERTY BEING
4 APPROXIMATELY 0.51 ACRES OWNED BY PROPERTIES OF THE YARN LADY, LLC, LOCATED ON
5 THE SOUTH SIDE OF OAK STREET, APPROXIMATELY 375 FEET WEST OF THE INTERSECTION
6 OF OAK STREET AND TEAGUE TRAIL, ADDRESSED AS 304 OAK STREET WITHIN THE TOWN
7 LIMITS OF LADY LAKE, FLORIDA; AMENDING THE CURRENT ENTITLEMENTS OF THE PLANNED
8 COMEMRCIAL (CP) MEMORANDUM OF AGREEMENT; PROVIDING FOR SEVERABILITY;
9 ESTABLISHING AN EFFECTIVE DATE.

10 **WHEREAS**, on December 2, 1991, the Town of Lady Lake adopted a Comprehensive Plan
11 (Ordinance No. 91-21) pursuant to the requirements of Chapter 163, Part II, Florida Statutes
12 and Chapter 9J-5, Florida Administrative Code; and

13 **WHEREAS**, on January 23, 1992, the Florida Department of Community Affairs determined
14 that the Town of Lady Lake Comprehensive Plan was in compliance with the requirements of
15 Chapter 163, Part II, Florida Statutes and Chapter 9J-5, Florida Administrative Code; and

16 **WHEREAS**, on August 15, 1994, the Town of Lady Lake adopted the Land Development
17 Regulations of the Town of Lady Lake, Florida, and Official Zoning Map in accordance with the
18 Town of Lady Lake Comprehensive Plan and the requirements of Chapter 163, Part II, Florida
19 Statutes; and

20 **WHEREAS**, On August 4, 2003, the Town of Lady Lake and Marvin Smallwood entered into a
21 Memorandum of Agreement, through Ordinance No. 2003-22, at a duly noticed meeting,
22 establishing the "CP" zoning and permitted uses for said property; and

23 **WHEREAS**, the Town Commission of the Town of Lady Lake, through Ordinance No. 2007-25,
24 approved, at a duly noticed meeting, redesignation of said property then owned by John and
25 Patricia Steverding, Gary Tutor, Robert Sackrider and Quinten Downing and approved and
26 entered into a Memorandum of Agreement setting forth certain permitted uses under the
27 "CP" zoning; and

28 **WHEREAS**, the Town Commission of the Town of Lady Lake, through Ordinance No. 2009-17,
29 approved, at a duly noticed meeting, an amendment to the Memorandum of Agreement and
30 the "CP" zoning to include additional permitted uses for said property; and

31 **WHEREAS**, on July 8, 2024 pursuant to the provisions of the Town of Lady Lake Land
32 Development Code, the Planning and Zoning Board of the Town of Lady Lake reviewed the
33 proposed amendment to the Memorandum of Agreement, which is attached as Exhibit "A,"

1 for property more particularly described in Exhibit “B” and recommended to the Town
2 Commission of the Town of Lady Lake that said amendment be adopted; and

3 **WHEREAS**, the property owner desires to amend the Memorandum of Agreement and the
4 "CP" zoning to include additional permitted uses for said property.

5 **NOW THEREFORE**, be it ordained and enacted by the Town Commission of the Town of Lady
6 Lake, in Lake County, Florida.

7 **Section 1.** Based upon the petition of certain landowners of property, which is in Lake
8 County, Florida, and described in Exhibit “A” hereto, a request has been made to amend the
9 “Planned Commercial” entitlements, as described in the Memorandum of Agreement “Exhibit
10 B” and shown on the Conceptual Plan “Exhibit C”. Said petition has been approved by the
11 Town Commission of the Town of Lady Lake in accordance with the Town of Lady Lake
12 Comprehensive Plan, the Land Development Regulations of the Town of Lady Lake, the
13 Charter of the Town of Lady Lake and the Florida Statutes, the property described in Exhibit
14 “A” hereto is hereby amended.

15 **Section 2. Severability.** The provisions of this Ordinance are declared to be separable and if
16 any section, sentence, clause or phrase of this Ordinance shall for any reason be held to be
17 invalid or unconstitutional, such decision shall not affect the validity of the remaining
18 sections, sentences, clauses or phrases of this Ordinance, but they shall remain in effect, it
19 being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of
20 any part.

21 **Section 3.** This Ordinance shall become effective immediately upon its passage by the Town
22 Commission, except as limited by the provisions of Section 171.06, Florida Statutes, as said
23 provisions pertain to newly annexed property and the final adoption of a Comprehensive Plan
24 Amendment by the Town Commission.

1
2
3
4
5
6
7
8
9
10
11
12
13
14

PASSED AND ORDAINED this ____ day of _____, **2024** in the regular session of the Town Commission of the Town of Lady Lake, Lake County, Florida, upon Second and Final Reading.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney

EXHIBIT “A” — Legal Description

Alternate Key 3840730— OAK STREET COMMERCE CENTER PB 56 PG 9-10 LOT 4 ORB 4646 PG 1949

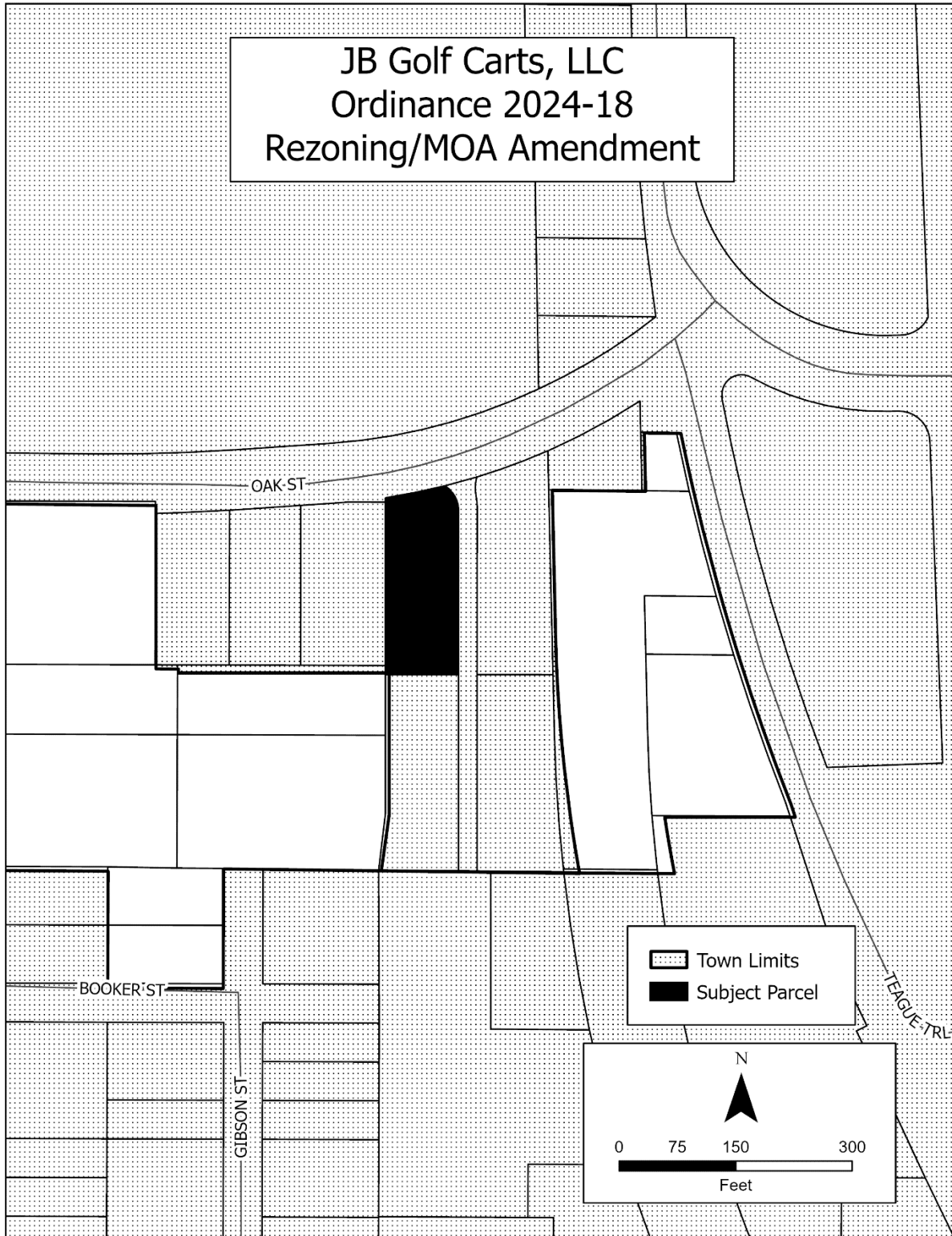


EXHIBIT “B” — MEMORANDUM OF AGREEMENT

This Memorandum of Agreement is dated this 5th day of August 2024 between the Town of Lady Lake, Florida (the "Town") and Properties of the Yarn Lady, LLC ("Property Owner").

RECITALS

1. The Property Owner is the fee simple owner of certain real property in Lady Lake, Florida as described in the legal description attached as Exhibit "A".
2. On August 4, 2003, the Town of Lady Lake and Marvin Smallwood entered into a Memorandum of Agreement (MOA) through Ordinance 2003-22, pursuant to the provisions of Chapter 5, Section 4) o) 5) a) 1) of the Town's Land Development regulations, as recorded in ORB 2384, Pgs. 92-100.
3. On October 4, 2007, the Town of Lady Lake and John and Patricia Steverding amended the Memorandum of Agreement through Ordinance 2007-25, to include additional uses as recorded in ORB 3524, Pgs. 1390-1396.
4. On August 3, 2009, the Town of Lady Lake and John and Patricia Steverding, Gary Tudor, Robert Sackrider, and Quinten Downing amended the Memorandum of Agreement through Ordinance 2009-17, to include additional uses as recorded in ORB 3822, Pgs. 251-259.
5. The applicant wishes to amend the existing MOA to include additional uses on the 0.51-acre site.
6. Approval of this MOA will remove the subject property from the previously approved MOA under Ordinance 2009-17. Ordinance 2009-17 will remain in effect for all other properties included in the agreement.
7. At this time, the parties wish to enter into an amended Memorandum of Agreement pursuant to the provisions of the Town's Land Development Regulations.

NOW, THEREFORE, in recognition of the foregoing, the parties agree to the following terms and conditions as part of the CP zoning for that property described in the attached legal description, Exhibit “A”.

1. Permitted Uses. Permitted uses shall be limited to Offices, Retail Sales and Services, Office/Warehouse, Mini-Storage Warehouse Facilities, Medical and Dental Offices and Laboratories, Golf Cart Sales, and those manufacturing uses permitted under “Fabrication Manufacturing” as defined by the Town of Lady Lake Land Development

1 Regulations through Ordinance 94-08, less and except the use of the fabrication of
2 septic tanks.

3 2. Uses Expressly Prohibited. Any and all uses other than those aforementioned as
4 “permitted uses” shall be expressly prohibited.

5 3. Hours of Operation. The hours of operation shall be as follows:

6 A. 8 a.m. – 5 p.m. Monday through Friday

7 B. 9 a.m. – 3 p.m. on Saturday

8 4. Design Standards.

9 A. The maximum impervious surface ratio (which includes building coverage) shall
10 be limited to eighty percent (80%).

11 B. Maximum building height is thirty-five feet (35’).

12 C. The outside display of Golf Carts shall be limited to five vehicles and limited to
13 paved parking spaces in excess of those required by Chapter 7 of the Land
14 Development Regulations.

15 D. Setback requirements shall be:

16 1. Front Yard Setback – Twenty-Five feet.

17 2. Rear Yard Setback: - Fifteen feet.

18 3. Side Yard Setback: - Fifteen feet; accessory structures as permitted below
19 (item 8) may be placed at a distance no less than six feet from the side yard
20 property boundary.

21 5. Parking and Accessibility. Parking requirements shall be as required pursuant to
22 Chapter 7 of the Town’s Land Development Regulations for the specific use. All
23 parking spaces shall be ten by twenty feet in size, except for ADA parking spaces which
24 shall be twelve by twenty with a five-foot-wide loading area. The required parking on
25 the site shall be comprised of a minimum of 11 paved parking spaces in conformance

with the adopted code, additional parking spaces may be used for outside golf cart display with a maximum of five golf carts on display at one time.

6. Landscaping. Class “B” Landscape Buffers shall be installed around the subject property line as delineated in Chapter 10, Landscaping section of the Land Development Regulations.
7. Dumpster and Refuse. All dumpster and refuse areas shall be large enough to accommodate the intended use. It shall also be screened with a six (6) foot high opaque fence and a Class “B” buffer installed as delineated in Chapter 10, Landscaping section of the Land Development Regulations. The extent and type of the screening shall be determined by the Town Commission at the time of site plan approval. No refuse outside of the dumpster area shall be permitted.
8. Accessory Structures. One shed may be permitted to provide additional storage for business operations. Storage must only support the uses of the business. Sheds may not be leased or used by any person other than the business owner. Sheds shall be limited to a maximum size of 14’ x 40’ and shall be placed behind the building to screen from the public view. The architectural characteristics of the shed shall be consistent in paint color, roof and roof color, and fencing with the primary structure.
9. Fencing. Business-related outdoor inventory storage must be screened from public view by a six foot, opaque fence.
10. Water Retention Areas. The drainage and stormwater retention requirements of the Town and the appropriate regulatory agencies shall be met and approved by the Town Consulting Engineer. These areas shall be properly maintained by the developer.
11. Lighting. All lighting for the proposed facilities shall be designed and located such that light and/or glare shall be directed upon the subject property only.
12. Compliance with All Requirements. Nothing herein shall relieve the Developer or their successors or assigns from obtaining any local, regional, state or federal permits or compliance with any applicable ordinance, laws, rules or regulations necessary for the development of the property.
13. Heirs and Successors. The terms and conditions as set forth in this Memorandum of Agreement shall insure to the benefit of and shall constitute a covenant running with the land and under the terms, conditions and provisions hereof, and shall be legally

binding upon any heirs, assigns and successors in title or interest, and shall be subject to each and every condition herein set out.

14. Recordation. The Memorandum of Agreement shall be recorded in the Public Records of Lake County, Florida.

15. Enforcement. Enforcement of this Memorandum of Agreement shall be through the Town of Lady Lake Town Commission. Upon approval of this agreement, the aforementioned property shall only be used for the purposes described herein. No change in the use, further expansion of the uses, additions to the uses, or additions to the facilities shall be permitted except as approved by formal amendment of this Memorandum of Agreement. Any other proposed use shall be specifically authorized by amendment and approval of the Town of Lady Lake Commission and shall be legally binding upon any heirs, assigns and successors in title or interest.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the date first above written.

Town of Lady Lake, Florida

Ed Freeman, Mayor

Attest:

Nancy Wilson, Town Clerk

Approved as to form:

Derek Schroth, Town Attorney

1 **PROPERTY OWNER**

2 _____
3 Diane Hardin, Owner
4 Properties of the Yarn Lady, LLC

5 **STATE OF FLORIDA**
6 **COUNTY OF LAKE**

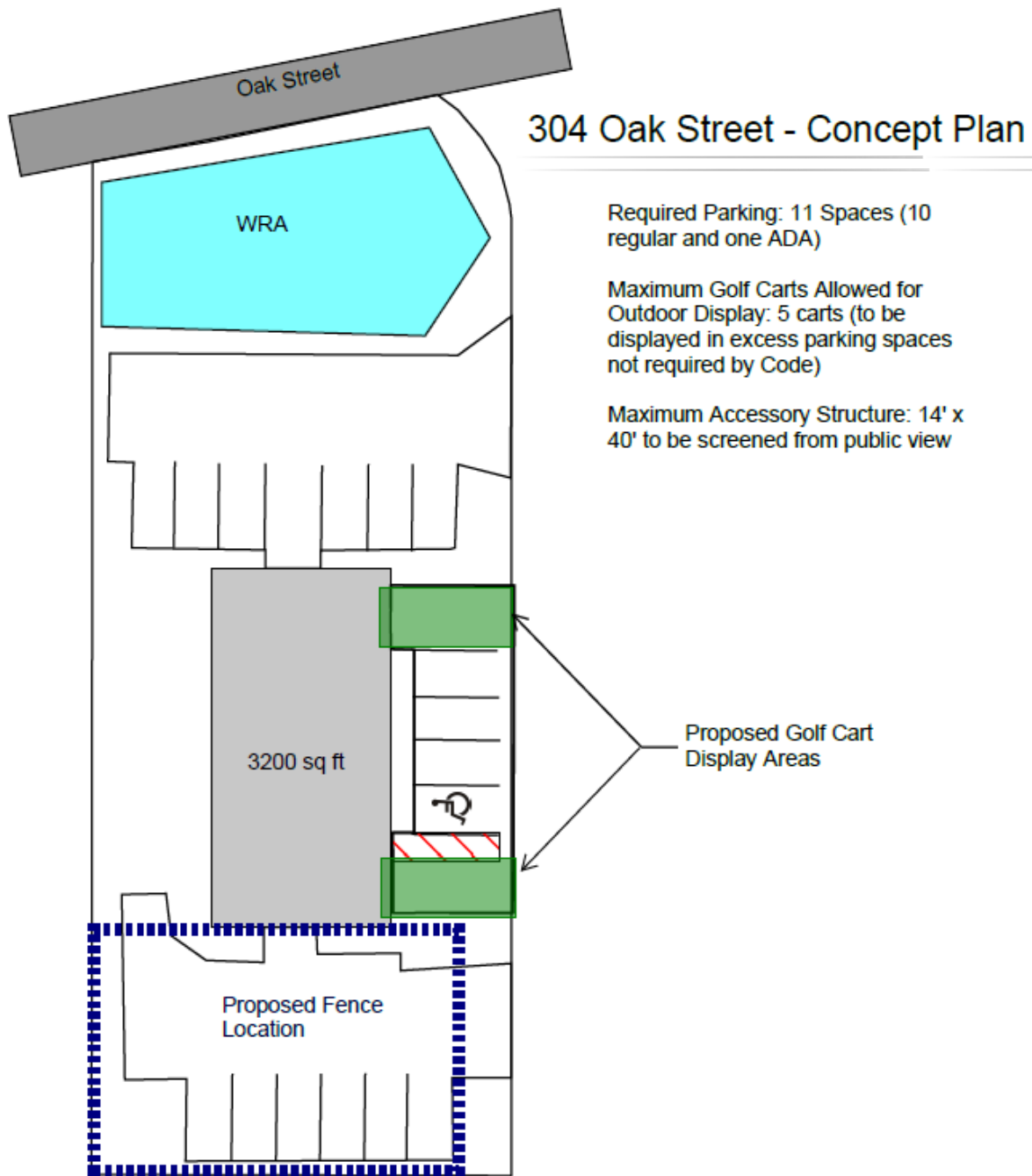
7 The foregoing instrument was acknowledged before me by means of _____ physical
8 presence or _____ online notarization, this ____ day of _____, 2024 by
9 _____, as Owner/Authorized Signer of the Property, who is
10 personally known to me or has produced _____ as identification.

11 _____
12 Notary Public Signature

13 My Commission Expires:

1

EXHIBIT "C" — Conceptual Plan



2