

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

**July 15, 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**

Pastor Ellen Pollack — New Covenant United Methodist Church

## **PLEDGE OF ALLEGIANCE**

Led by Mayor Freeman

## **ROLL CALL**

| <b>Commissioner (Ward)</b> | <b>Present</b> |
|----------------------------|----------------|
| <b>Regan (Four)</b>        | <b>YES</b>     |
| <b>Gourlie (Two)</b>       | <b>YES</b>     |
| <b>Roberts (One)</b>       | <b>YES</b>     |
| <b>Sage (Five)</b>         | <b>YES</b>     |
| <b>Freeman (Three)</b>     | <b>YES</b>     |

## **STAFF PRESENT**

Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Pam Winegardner, Finance Director; Police Chief Steve Hunt, Lady Lake Police Department; Deputy Chief Jason Brough, Lady Lake Police Department; Becky Higgins, Senior Planner; Nancy Wilson, Town Clerk; and Carol Osborne, Deputy Town Clerk.

Deputy Town Attorney Taylor Tremel was also in attendance.

## **A. CONSENT**

### **1. July 1, 2024 – Town Commission Meeting Minutes**

**Commissioner Sage made a motion to approve the Consent Agenda as presented; Commissioner Regan seconded. Motion carried 5-0.**

## B. NEW BUSINESS

1. **Consideration of 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. (Tamika DeLee/C.T. Eagle)**

Public Works Director C.T. Eagle presented this agenda item stating that 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 for 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 six years, the maximum number of PTO hours that an employee can carry forward is 500. The PTO hours earned during the current fiscal year would be added to their current balance and only 500 hours would carry over resulting in the employee forfeiting the balance of the earned, unused hours. This request is to increase the carryover number of PTO hours.

2. Increase the payout amount to an employee upon separation.

**Maximum Payout:** Upon separation, an employee is entitled to their accumulated PTO hours up to a maximum amount based upon years of service. For instance, if the same employee in the example above, with six years of service parted ways with the town, that employee would be paid their current hourly wage x 200 hours. The request is to increase that maximum payout from 200 to 250 hours.

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 September and August of the current fiscal year are allowed to redeem or sell back 80 hours of PTO time. The request is to increase the maximum amount per year that an employee can sell back from 80 hours to 160 hours.

Commissioner Roberts asked what precipitated this request.

Mr. Eagle stated that this request is beneficial to the employees who have been with the town for many years; some employees have 20 – 40 years of service. He stated the more tenured

employees earn more PTO hours every pay period than the employees who recently began working for the town because their wages are higher. He stated that some tenured employees are earning up to 24 hours of PTO time monthly but can sell back a maximum of up to 80 hours. They are losing accumulated time because they cannot use all the balance in their PTO bank. He clarified further that it does not matter if employees have been with the town for up to five years or twenty years, they can just sell back a maximum of 80 hours. With this change, all employees can sell back up to 160 hours.

Mayor Freeman asked if these changes are due to employees not taking time off.

Mr. Eagle stated that employees are required to take 40 of PTO time to qualify to sell back time.

Mayor Freeman asked why those who are earning 4.5 weeks of PTO time or more do not utilize it. He asked if the town needs to hire more employees to allow employees to take more time off.

Mr. Eagle stated that PTO includes sick time and employees like to have some hours banked for an unexpected illness. He stated it is harder for those in management to take time off. He stated that hiring more staff would allow for more backup to spread the workload.

Growth Management Director Thad Carroll stated that several years ago the town ended vacation time and sick time benefits and implemented PTO. He stated that it is difficult for department heads to take time off and he personally has a balance of 600 PTO hours. Hiring additional staff would allow employees to utilize their PTO. He stated that according to the report in the packet just 41% of the allocated funds for the buyback was utilized, as many employees do not want to sell back hours.

Finance Director Pam Winegardner advised \$266,516.71 was budgeted for the PTO buyback in fiscal year 2023, and that the actual impact to the budget was \$92,057.34. She stated that regardless of how many employees take advantage of this option, she must budget the maximum amount in the event that every employee chooses to utilize it. She stressed that it is a one-time annual payout in September.

Ms. Winegardner explained that the Town offers long-term disability benefits to its employees. In order to qualify for this, an employee must have a PTO balance of 12 weeks that must be utilized prior to long-term benefits begin. She stated that the increase in maximum hours to carry forward is to enable employees to keep a balance of 12 weeks and take 40 hours of PTO.

Ms. Winegardner stated that the third proposal in this request is to increase the amount paid when an employee separates from the town.

Commissioner Roberts asked if the payout for FY 2023 included taxes.

Ms. Winegardner replied affirmatively adding that it includes all the additional costs associated with payroll.

Commissioner Roberts verified with Ms. Winegardner that it is not uncommon for an employee to accrue up to 480 PTO hours to hold onto in case an unexpected event occurs that prevents them from working, allowing the employee to draw on that until the long-term disability benefit begins.

Ms. Winegardner clarified further that PTO hours are monitored and most of the employees who have accumulated a large PTO balance are more tenured employees who accrue more hours due to their longevity. She stated that the newer employees tend to use their PTO hours.

Commissioner Gourlie verified with Ms. Winegardner that the amount of PTO hours will not change, simply the amount of PTO hours that can be carried forward.

Commissioner Roberts asked when PTO was implemented.

Ms. Winegardner replied that it has been in effect approximately ten years. She stated that it was changed because when the employees had vacation time and sick leave time, some employees would be abusing sick leave by utilizing it as soon as it was earned. By implementing PTO time, it curtailed employees taking off work frequently.

Commissioner Sage asked Ms. Winegardner if there is a period of time when an employee would run out of PTO and have to wait for long-term disability to begin.

Ms. Winegardner stated this would occur if an employee did not have 12 weeks of PTO hours. She added that the town offers a short-term disability option that the employees pay for themselves. If they choose that option, they do not need to keep 12 weeks of PTO before the long-term disability benefits begins.

Commissioner Roberts clarified further that a newer employee would need to be employed for three years to earn that many PTO hours without taking any time off work.

Mayor Freeman asked that this is included in the new budget.

Ms. Winegardner replied affirmatively adding that it is better to lower figures than to raise figures.

Commissioner Sage stated he needs more time to review this proposal.

**Commissioner Sage made a motion to table this agenda item; Commissioner Regan seconded. Motion carried 5-0.**

### **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)**

Town Clerk Nancy Wilson presented this agenda item stating that the main purpose of this ordinance is to hold elections in even-numbered years to avoid the expense of an election in odd-numbered years, to increase the terms for Town Commissioner to four years, extend the mayor's term to two years, and to remove outdated verbiage in the Charter. She stated that the Supervisor of Elections covers the costs of elections held in even-numbered years.

Ms. Wilson clarified that this ordinance includes language that will extend the terms for Ward 1, Ward 3, and Ward 5 by one year and will expire in 2026.

**Commissioner Sage made a motion to approve Ordinance 2024-12 on second and final reading; Commissioner Roberts seconded.**

| <b>Commissioner (Ward)</b> | <b>Vote</b> |
|----------------------------|-------------|
| Regan (Four)               | YES         |
| Gourlie (Two)              | YES         |
| Roberts (One)              | YES         |
| Sage (Five)                | YES         |
| Freeman (Three)            | YES         |

**Motion carried 5-0.**

**2. Ordinance 2024-18 – First Reading – Rezoning — 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. (Becky Higgins)**

Senior Planner Becky Higgins presented this agenda item stating that the application was submitted on June 19, 2024, by JB Golf Cars, LLC, on behalf of the property owner. She stated

that the original CP zoning was established under Ordinance 2007-25. The Memorandum of Agreement was amended in 2009 via Ordinance 2009-17. Both amendments included all four properties within the Oak Street Commerce Center. Approval of this ordinance would remove 304 Oak Street from the previously approved CP zoning and a new Memorandum of Agreement will be created solely for this property. The remaining three properties will still be governed by Ordinance 2009-17.

Ms. Higgins stated that the ordinance proposes the following permitted uses: offices, retail sales and services, office/warehouse, mini-storage warehouse facilities, medical and dental offices and laboratories, and golf cart sales.

Ms. Higgins advised that manufacturing uses permitted under “Fabrication Manufacturing” as defined by the LDRs through Ordinance 94-08, less and except the use of the fabrication of septic tanks. She stated that the outdoor display of golf carts is limited to a maximum of five and may only be displayed in parking spaces that are more than those required by Town Code. She stated that 11 parking spaces are required per Chapter 7 of the LDRs, and business-related outside storage must be screened by a six-foot opaque fence and located behind the building.

**Commissioner Sage made a motion to approve Ordinance 2024-18 on first reading;  
Commissioner Gourlie seconded.**

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

**Motion carried 5-0.**

#### **TOWN MANAGER’S REPORT**

Acting Town Manager Thad Carroll reminded the commissioners of the budget workshop on July 31 at 2PM.

#### **MAYOR AND COMMISSIONER’S REPORT**

No reports.

**PUBLIC COMMENTS**

No comments.

**ADJOURN**

There being no further business to discuss, the meeting was adjourned at 6:40 p.m.

  
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Carol Osborne, Deputy Town Clerk

  
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Ed Freeman, Mayor