MINUTES OF THE COMMISSION MEETING
TOWN OF LADY LAKE, FLORIDA

August 5, 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

Reverend Jim Keough, Retired

PLEDGE OF ALLEGIANCE

Led by Mayor Freeman

ROLL CALL

Commissioner (Ward)	Present
Regan (Four)	YES
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; Deputy Chief Jason Brough, Lady Lake Police Department; Lt. Rob Tempesta, Lady Lake Police Department, Becky Higgins, Senior Planner; Tamika DeLee, Human Resources Director; Nancy Wilson, Town Clerk; and Carol Osborne, Deputy Town Clerk.

Town Attorney Derek Schroth was also in attendance.

A. PROCLAMATION – National Clown Week

Mayor Freeman read the proclamation and presented it to the representatives of Clown Alley 179.

B. ANNOUNCEMENT – Qualifying Period for the 2024 Elections

Mayor Freeman announced the qualifying period for 2024 Elections is between August 12th at Noon and August 16th at Noon.

C. CONSENT

Commissioner Roberts asked to pull item 2 – Lady Lake Dog Park Association.

Mayor Freeman asked Mr. Burske to review all of the lease agreements for discussion.

1. July 15, 2024 – Town Commission Meeting Minutes

2. Review of the Lady Lake Dog Park Association's Proposed Lease. (Mike Burske)

Commissioner Roberts stated that the dog park is open from 8AM to 4PM, yet the hours of operation stated in the lease are from 8AM to 12 Noon. She acknowledged that the Town Manager has authority to make this adjustment. Commissioner Roberts confirmed with Mr. Burske that the Town maintains this property, and asked if the Town owns the fence.

Mr. Burske stated that the lease will be amended to reflect the hours of operation. He stated that he is unsure who owns the fence.

Commissioner Roberts stated that this is a paid membership, and asked if there are options for those who cannot afford the membership and for those who cannot utilize the dog park during regular hours.

Mr. Burske stated that in the past, the Lady Lake Dog Park Association has requested the commission approve extending the hours due to those who need evening hours. He does not know if the Association has a grant program for those who cannot afford the membership.

Commissioner Roberts suggested looking at space at Snooky Park or another area for a dog park with evening hours. She stated that it would be beneficial for those who work and would like to take their dog to a safe area to let them run off lead.

Mayor Freeman asked Mr. Burske if the dog park has lights for nighttime hours.

Mr. Burske responded negatively.

Mayor Freeman stated that this item needs further review with the Association, i.e., how the membership monies are utilized.

Mr. Burske stated that there are approximately 100 members, and the membership fee is mainly for insurance costs. He stated that the Association recently replaced the gates.

3. Review of the Lady Lake Historical Society's Proposed Lease. (Mike Burske)

4. Review of the Lady Lake Soccer Association's Proposed Lease. (Mike Burske)

5. Review of the Lady Lake Little League's Proposed Lease. (Mike Burske)

6. Review of the Lady Lake Chamber of Commerce's Proposed Lease. (Mike Burske)

Mayor Freeman confirmed with Mr. Burske that the Chamber does not pay for electricity and asked what the monthly electric cost is.

Mr. Burske replied affirmatively adding that the Chamber is allotted a certain amount for electric costs annually. He stated if the electric bill exceeds that threshold, the Chamber is responsible for paying the overage. He estimates the electric bill is approximately $200 each month.

Commissioner Roberts asked Mr. Burske to submit the actual electrical use. Mr. Burske stated that he would include it in his next department manager's report.

7. Review of the Kiwanis Club of Lady Lake Caboose at Log Cabin Park Lease Agreement. (Mike Burske)

8. Consideration of Approval of the Third Amendment to the Interlocal Agreement between Lake County and the Town of Lady Lake Relating to the Provision of Library Services. (Aly Herman/Nancy Brock)

Item 2 – Lady Lake Dog Park Association Proposed Lease and Item 6 – Lady Lake Chamber of Commerce's Proposed Lease were pulled from the Consent Agenda for further consideration.

Commissioner Roberts made a motion to approve the amended Consent Agenda; Commissioner Sage seconded. Motion carried 5-0.

D. NEW BUSINESS

1. Consideration of Approval to Revise the Human Resources Manual Related to the Paid Time Off (PTO) Policy for General Employees – tabled from July 15, 2024, meeting. (Bill Lawrence)

Town Manager Bill Lawrence presented this agenda item. He stated that he was not present at the July 15 commission meeting when this agenda item was initially presented. He stated that he has discussed it individually with a few of the commissioners.

The proposed changes:

1. Increase the number of hours that can be carried over from fiscal year to fiscal year.
2. Increase the payout amount to an employee upon separation.
3. Increase the amount of PTO that can be redeemed by an employee each year.

Commissioner Roberts stated that there was discussion regarding employees needing a balance of up to 480 hours of PTO to have paid time in the event of a medical issue, which would carry them until the long-term disability commenced. She stated that she is in favor of the carry forward, and not in favor of increasing maximum payouts or the PTO buyback options. She stated that she researched state and federal guidelines, and the state of Florida maximizes how much one can buyout for a lifetime, which is up to 240 hours. The Town currently has the ability for employees to sell back up to 80 hours a year. Meaning, there is no lifetime maximum. She stated that for an employee to not take time off and sell it back to the Town is adding more cost into the budget that is not intended as part of a salary.

Commissioner Sage stated that with this proposal, a tenured employee who receives approximately 288 hours of PTO hours annually could sell back this time and essentially be paid for another month. He stated that he is not in favor of the buyback option. He stated that some departments have employees who do not take vacation time because no other employee can do their job, and that needs to change. He stated that the Police Chief recognized this and asked to hire two additional lieutenants explaining that if he, the Deputy Chief, and the Lieutenant are out, there is no one to run the police department. He stressed that every department needs to have at least one other employee who is trained and can take over if the department head is out on leave. He emphasized that every Town employee is dedicated and works very hard, and that this option speaks to a few employees who do not utilize their PTO time.

Mr. Lawrence explained that many towns implemented PTO to combine vacation time and sick time. In the past employees earned 10 hours of vacation time and 10 hours of sick time each month. With PTO time, newer employees receive 15 hours of PTO time monthly, which saves the town money. He stated that the tenured employees feel that they were given a benefit that they accumulated and if they do not use it, it is taken away from them.

Commissioner Regan stated that he feels the current PTO policy is sufficient. The cost to budget for a few employees by budgeting for all employees is extreme. Perhaps this option can be revisited in the future.

Commissioner Gourlie expressed his concern regarding employees banking PTO time as a bridge to long-term disability.

Mayor Freeman stated that he has considered this issue seriously. The criteria in the backup material is that employees are required to take 40 hours of PTO to qualify for the buyback. He stated that he feels it should be 80 hours. He reiterated that department heads should have someone in their department to take over for them while they are on leave. The reason for vacation time is for the employee to get rested and reenergized.

Mayor Freeman suggested this agenda item be tabled and revised.

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

2. Consideration of Allowing Ralph Jones to Give Pickleball Lessons on the Lady Lake Tennis and Pickleball Courts. (Mike Burske)

Parks and Recreation Director Mike Burske presented this agenda item stating that Ralph Jones is a Pickleball pro who would be providing lessons before 10AM, allowing the general public to utilize the courts for the remainder of the day. The town would receive 10% of the gross revenue generated.

Commissioner Sage asked if this service will impose on the public who use the courts prior to 10AM.

Mr. Burske advised that no one has been using the courts before 10AM.

Commissioner Roberts made a motion to approve Ralph Jones to give pickleball lessons on the Lady Lake tennis and pickleball courts. Commissioner Sage seconded. Motion carried 5-0.

3. Discussion and consensus of the Tentative Millage Rate and to Set Proposed Dates, Time, and Place for the First Public Hearing for the Tentative Millage Rate and Budget, and for the Second Public Hearing for the Final Millage Rate and Budget. (Pam Winegardner)

Finance Director Pam Winegardner stated this agenda item is to get a consensus of the tentative millage rate and to set the proposed dates, times, and place for the final public hearing for the tentative millage rate and budget. She advised that the Lake County Property Appraiser notifies via TRIM advertisement the municipalities considering proposed millage rates.

Ms. Winegardner advised that the millage rate will be set at the September 4, 2024, commission meeting. At the September 16, 2024, commission meeting, the millage rate that was set can be agreed upon or can be lowered. The millage rate will be voted on first because that determines the property tax in the budget.

Commissioner Gourlie made a motion to approve the dates, times and place for the first and second Public Hearings to set the millage rate and approve the budget; Commissioner Roberts seconded. Motion carried 5-0.

4. Consideration of Approval to Award Requests for Proposal (RFP) 2023-002 for Enterprise Resource Planning (ERP) Software to Springbrook, LLC. (John Pearl)

Information Technology Director John Pearl presented this agenda item stating that due to the age of the Town's current enterprise business software, an investment in modern ERP software will improve the efficiency of the Town's business operations. The order form presented includes two costs, an annual recurring service cost for the cloud-hosted services, and a one-time implementation cost. The implementation cost is estimated on a time and materials basis. A milestone payment schedule and a not-to-exceed limit are provided.

Mr. Pearl advised that the agreements have been reviewed by the Town Attorney who advised the following three Master Agreement provisions related to performance, remedies for non-performance, termination, and liability limits, specifically:

Section 13(d) provides the ability for the Town to terminate the agreement should the service availability be less than 99.5% during any three months of a six-month period. In this case, any unused fees for that term would be refunded.

Section 14 provides the ability for the Town to receive service credits as the sole remedy for excessive downtime that is less than the threshold established in Section 13(d).

Section 16(c) waives liability for Springbrook for any security breach if they can demonstrate they have implemented and maintained commercially reasonable security measures and provided notice of any material security breach involving customer data.

Mayor Freeman verified with Mr. Pearl that this proposal is included in the 2024-2025 budget.

Commissioner Roberts made a motion to approve the award request for the RFP 2023-002, Enterprise Resource Planning (ERP) Software to Springbrook, LLC; Commissioner Gourlie seconded. Motion carried 5-0.

5. Consideration of Approval to Award RFP 2024-001 for Construction Services for the Addition and Renovations to the Lady Lake Library. (Thad Carroll)

Growth Management Director Thad Carroll presented this agenda item stating that in August 2022, the Town Commission granted approval of the contract proposal with Dickerson Architects, Inc. for design services for modifications to the first and second floors of the library. RFP 2024-001 was advertised in February 2024 and one bid was received. The commission felt the bid was too high and readvertised the bid. Two bids were received, both lower than the prior sole bidder.

Mr. Carroll presented the breakdown of costs:

Base Bid - $4,290,912.00
Add Alt. Lighting - $192,000.00
Add Alt. Lightning Protection - $45,000.00
Total Contract Price = $4,527,912.00
Add 10% Contingency - $452,791.20
Requested Total Project Funding = $4,980,703.20

Commissioner Gourlie asked what was cut from the first bid that reduced the costs.

Mr. Carroll stated that nothing was eliminated. He advised that simply rebidding the project resulted in better offers, noting that competition is also good for pricing.

Mayor Freeman asked if there are penalty clauses included in this contract.

Mr. Carroll stated that this will be considered at the time of contract negotiations.

Commissioner Sage made a motion to approve the award of RFP 2024-001 for Construction of the Library Addition and Renovations to McLauchlin and Company; Commissioner Roberts seconded. Motion carried 5-0.

E. TOWN ATTORNEY'S REPORT

1. Ordinance 2024-18 — Second and Final 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)

Growth Management Director Thad Carroll presented this agenda item stating the application was received Wednesday, June 19, 2024, by applicant JB Golf Carts LLC, on behalf of property owner Properties of the Yarn Lady, LLC, to amend the zoning entitlements for property located on the South Side of Oak Street. 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.

Permitted Uses:

1. Offices; 2. Retail Sales and Services; 3. Office/Warehouse; 4. Mini-Storage Warehouse Facilities; 5. Medical and Dental Offices and Laboratories; **6. Golf Cart Sales;** 7. 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.

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

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 Code

- 11 parking spaces are required per Chapter 7 of the Land Development Regulations

Business-related outside storage must be screened by a 6' opaque fence and located behind the building.

Commissioner Gourlie made a motion to approve Ordinance 2024-18 on second and final reading; Commissioner Regan seconded.

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

Motion carried 5-0.

2. Resolution 2023-116 — Variance – First and Final Reading — A Resolution Granting a Variance to Allow Additional Wall Signs on the North Façade of the Proposed 45,603 Square Foot Retail Grocery Store in Accordance with the provisions of Chapter 17, Section 17-4. B)2., of the Town of Lady Lake Land Development Regulations, on Property Owned by SK Hammock Oaks, LLC, on Property Being Approximately 20.4 Acres of Land, Located at the Southeast Corner of the Intersection of Cherry Lake Road and Highway 466, Within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

Growth Management Director Thad Carroll presented this agenda item stating that this resolution was presented in association with the proposed plan for the Walmart Neighborhood Market and was tabled in January 2024. After seeing the elevations, there were concerns from the commissioners regarding the aesthetic of the façade, and the reason for the amount of wall signs. He stated that the applicant opted to amend the proposed site plan and bring this application back to the Town Commission. He advised that the applicant has reduced the number of wall signs to four signs.

Mr. Carroll explained that Town code allows one sign and because the mass of the building is long, the applicant desires to install signage along the facade to advise where certain departments are located within the store. He advised that the applicant also reduced the size of the building thereby eliminating the need for one additional sign.

Commissioner Regan asked if grocery pickup will be available.

John Curtis, Kolter Land Group

Mr. Curtis stated there are designated parking spaces for grocery pickup.

Commissioner Regan confirmed with Mr. Curtis that there is adequate space for vehicles to get in line for pharmacy pickup.

Mr. Curtis stated that this was discussed with the Walmart representative who advised this revised plan would provide more than adequate space to meet the needs in this area.

Commissioner Gourlie made a motion to approve Resolution 2024-116 on first and final reading; Commissioner Roberts seconded.

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

Motion carried 5-0.

3. Resolution 2024-106 — Variance – First and Final Reading — Hammock Oaks Commercial Site – Historic Tree Removal – Pursuant to Chapter 10, Section 10-5). C).3). A., of the Land Development Regulations (LDRs) to allow for the removal of two viable historic trees located on 20.43 acres at the southeast corner of the intersection of Cherry Lake Road and Highway 466, owned by SK Hammock Oaks, LLC, within the Town Limits of the Town of Lady Lake, Florida. (Thad Carroll)

Growth Management Director Thad Carroll presented this agenda item stating that the applicant is James Harvey on behalf of SK Hammock Oaks, LLC. He presented a map of the subject property indicating the location of the two trees to be removed. He explained that this resolution was presented to the commission in January 2024, and at the direction of the commission, the site was redesigned to save more trees. He stated that the size of the building has been reduced to save a significant number of trees.

Mr. Carroll specified that the two trees to be removed are in conflict with the building and the drive aisle.

Mayor Freeman thanked Walmart for their effort.

Commissioner Gourlie made a motion to approve Resolution 2024-106 on first and final reading; Commissioner Roberts seconded.

Commissioner (Ward)	Vote
Regan (Four)	YES
Gourlie (Two)	YES

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

Motion carried 5-0.

4. Resolution 2024-107 — Declaration of Qualifying Dates for the Office of Town Commissioner for Wards Two and Four for the November 5, 2024, General Election; and Authorization to Request that the Lake County Supervisor of Elections Conduct the Election. (Nancy Wilson)

Town Clerk Nancy Wilson presented this agenda item stating that this is an annual formality.

Commissioner Roberts made a motion to approve Resolution 2024-107 on First and Final reading; Commissioner Sage 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

Town Manager Bill Lawrence stated that there are no events scheduled for August.

Mr. Lawrence acknowledged Finance Director Pam Winegardner for her budget presentation at the budget workshop, along with the department managers who represented their departments well.

MAYOR AND COMMISSIONER'S REPORT

Commissioner Roberts commented regarding the proposed millage increase for 2024. She stated that she looked at a home with a market value at $225,000.00, the home's benefit and the homestead benefit; by breaking it down between the proposed millage for 2025 and the millage for 2024, it will cost that homeowner approximately 8 cents per day. She reminded the citizens of Lady Lake that the police department is working toward being fully staffed, the town has more roads to maintain, and another sewer plant is coming online to service the residents of the town. She stated that town staff maintains our roads to a higher degree than the surrounding areas, and that she is more than willing to pay the additional cost per day for our beautiful area and for the way that this Town is maintained.

Mayor Freeman stated that his neighbor nearly became a victim of a scam. Officer Mark Austin responded to her address, was able to calm her so she could give him the information he needed, and she retained her money. Mayor Freeman complimented Officer Austin for how well he handled the situation.

PUBLIC COMMENTS

No comments.

ADJOURN

There being no further business to discuss, the meeting was adjourned at 7:06 p.m.

Carol Osborne

Carol Osborne, Deputy Town Clerk

Ed Freeman, Mayor