

**MINUTES OF THE SPECIAL COMMISSION MEETING
TOWN OF LADY LAKE, FLORIDA
JANUARY 23, 2019**

This special 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 Jim Richards presiding. The meeting convened at 6 p.m.

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.

A. CALL TO ORDER

Mayor Jim Richards

B. INVOCATION

By Gary Cantrell of New Covenant United Methodist Church

C. PLEDGE OF ALLEGIANCE

D. ROLL CALL

Commissioner (Ward)	Present
Hannan (Four)	YES
Kussard (One)	YES
Holden (Two)	YES
Vincent (Three)	YES
Richards (Five)	YES

STAFF PRESENT

Kris Kollgaard, Town Manager; Derek Schroth, Town Attorney; Thad Carroll, Growth Management Director; C.T. Eagle, Public Works Director; Interim Chief Captain Robert Tempesta, and Captain Jason Brough, Police Department; John Pearl, I.T. Director; Pam Winegardner, Finance Director; Wendy Then, Senior Planner; Julia Harris, Administrative Assistant to Town Manager; and Nancy Slaton, Deputy Town Clerk

E. PUBLIC COMMENT

Mayor Richards asked if anyone had any comments.

Commissioner Hannan commented he has heard of Lady Lake's residents' concerns over the resignation of former Police Chief Chris McKinstry. He stated the Town Charter dictates any action made by the Town Manager, and she was allowed to act.

Betty Salas of Old Dixie Highway in Lady Lake stated that many residents had grown close to former Police Chief Ed Nathanson and were sorry when he retired in 2012. Since then, she stated that the favorable comments describing former Police Chief Chris McKinstry were apt. She stated the Town flourished under his leadership, knowledge, abilities and passion. She requested the Commission consider inviting him back. Petitions concerning this matter and signed by over 168 residents were turned in to the Mayor.

Town Manager Kris Kollgaard stated there were professional differences between herself and Chris McKinstry that they were unable to work out. She stated it is important to her that department heads are honest with her and do not try to hide mistakes. She stated everyone makes mistakes, but then they must be owned, corrected, and measures put in place to ensure they do not happen again. Ms. Kollgaard stated department heads are leaders and should set a good example for their staff, with rules applying to all. She stated professional differences can sometimes be subjective; however, her job is to ensure that everyone follows the policies and procedures put in place by the Town Commissioners. She stated it would be bad management on her part to allow one department head to follow only the rules they want to, and disregard others.

Ms. Kollgaard stated that the Town has little turnover among general employees of the Town; however, during the six years Chris McKinstry was Chief, 27 police officers have left the Police Department. It appears that there are some issues in the Police Department that were not addressed.

Ms. Kollgaard stated Chris McKinstry resigned, and he did not contact her to request that his resignation be rescinded, which would have been the professional and appropriate thing to do. In addition, she stated he made an intimidating comment to her in front of the Town's H.R.

Director, which she found inappropriate and not something she would expect from a police chief. She stated that she does not feel the end justifies the means; the means need to be legally, ethically, and morally right. Ms. Kollgaard stated although Chris McKinstry has a great personality, she could not come to terms with the difference in management styles between them over the past six years, and she has to do what she feels is best.

Commissioner Vincent accused the Town Manager of keeping things from the Town Commission, and of giving maximum raises to department heads that do not follow the industry curve without proper documentation. He asked for the Town Manager's resignation as a motion and asked the Commissioners to vote on it.

Mayor Richards asked the Town Attorney if this is allowed since it was not on the agenda.

Town Attorney Derek Schroth replied that although Ms. Kollgaard could voluntarily resign at any time, the Commissioners should keep in mind that under her contract she is also the Town Clerk. He stated that the discussion of the Town Manager's position needs to be done at a public meeting, duly noticed as an agenda item.

Commissioner Vincent asked that Ms. Kollgaard take two weeks of leave before coming back as only the Town Clerk.

Commissioner Kussard stated she is so surprised by all of this. She stated she had heard from a number of residents and business people regarding the resignation of Chris McKinstry. She stated she reviewed the Charter, and Ms. Kollgaard has the authority over employees as Town Manager.

Mayor Richards clarified that the Commissioners have the authority over the Town Manager and the Town Attorney positions, and over the running of the Town. He noted that items such as this must be discussed as an agenda item at a public meeting.

Commissioner Holden requested that the Commissioners hold a special meeting to discuss the Town Manager's position and the Police Chief's position. He stated he would like to have a full accounting of everything.

Mayor Richards stated Ms. Kollgaard has always kept the Commissioners up to date with things that are going on. He stated she told him her story of her experiences with Chris McKinstry prior to his resignation.

Mayor Richards stated Chris McKinstry contacted him and the Mayor invited him to his home to go over the items. He stated Mr. McKinstry gave him contact information for three fairly high-placed people, and that Mr. McKinstry's comments mirrored the comments of the Town Manager. Mayor Richards stated they are both professionals, and both have done good jobs. He

contacted the three people; one had worked with both individuals and he allowed that they have different management styles. He noted that the Town Manager originally hired Mr. McKinstry. Two contacts allowed that Mr. McKinstry was a professional and noted his certifications, etc.

Mayor Richards stated, in the end, it was his realization that a manager gets to pick the people with which they surround themselves. He told Mr. McKinstry that he was not going to take it any further on his part, and suggested he try to work something out with the Town Manager.

Commissioner Hannan commented that Commissioner Vincent's motion for the resignation of the Town Manager died for lack of a second.

Commissioner Vincent stated he got a two or three minute call from the Town Manager stating she was going to fire the chief over something to do with blue lights. He accused Ms. Kollgaard of telling the Mayor more than he was told.

Ms. Kollgaard stated she called each of the Commissioners and stated that she and the chief were going to have a discussion that would probably end one of two ways; either he is going to resign or be terminated.

Mayor Richards stated he was told the same thing. He stated Commissioner Vincent misunderstood in that he met with Chris McKinstry at his home, not Kris Kollgaard, so that he could hear both sides of the story.

Commissioner Vincent commented that the Town does not need two police chiefs. He stated that he has heard from current and ex-employees that Ms. Kollgaard micro-manages, among other things.

Phil Mathias of Lakes of Lady Lake stated he spoke to several officers who stated they did not receive enough pay here, although department heads get raises. He objected to the Town Manager getting a \$600 per month auto allowance, when there are Town vehicles available. Mr. Mathias stated he is tired of the micro-managing, and it is time for the Town Manager to move on.

F. PROCLAMATIONS

1. Proclaiming January 24, 2019 as Florida Arbor Day in Lady Lake (Mayor Richards/Mike Burske)

Mayor Richards read the proclamation proclaiming January 24th as Arbor Day in Lady Lake and presented it to Parks and Recreation Director Mike Burske.

G. CONSENT

2. Minutes — December 17, 2018 — Special (Conceptual) Commission Meeting

— December 17, 2018 — Regular Commission Meeting

Mayor Richards asked if there were any questions regarding the consent items. There were no questions or comments.

Commissioner Kussard made a motion to approve Consent Item G-2. Commissioner Holden seconded the motion. The motion passed by a vote of 5-0.

H. OLD BUSINESS

No old business.

I. NEW BUSINESS

3. Consideration of Allowing Deferred Town Utility Fees for Lady Lake Residents Who are Employed by One of the Closed Federal Agencies (Kris Kollgaard)

Town Manager Kris Kollgaard presented the background summary for this agenda item (on file in the Clerk's Office).

Mayor Richards confirmed that there would be little fiscal impact on the Town by doing this.

Commissioner Hannan made a motion to approve the consideration to defer Town Utility fees for Lady Lake residents employed by one of the closed Federal agencies until the government shutdown ends. Commissioner Holden seconded the motion. The motion passed by a vote of 5-0.

Ms. Kollgaard stated those affected will need to provide proof, and notice of this will be installed on the website.

4. Consideration for the Lady Lake Commons — New Major Site Plan MJSP 09/18-002 — A Multi-Tenant Development Proposing an 85,600 Square-Foot Retail Building with 428 Parking Spaces and Four Outparcels, on Approximately 18.5 Acres Along Hwy 27/441, Fennell Blvd. and County Road 25, Identified by Alternate Key 3305451 (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He stated Mr. DelleBovi is present if there are any questions.

Mayor Richards asked if anyone had any questions or comments. There were no comments.

Commissioner Hannan made a motion to approve the Lady Lake Commons — New Major Site Plan MJSP 09/18-002 with the requested waivers as presented. Commissioner Holden seconded the motion. The motion passed by a vote of 5-0.

5. Consideration for the SAP Property Holdings New Major Site Plan — MJSP 05/18-001 — Proposing to Construct Nine Buildings with Two Tenants per Each Building on Approximately 4.84 Acres Along Hwy 466, Addressed as 871 Hwy 466, identified by Alternate Key 1279721 (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He stated the applicant is present.

Mayor Richards asked if anyone had any questions or comments.

Commissioner Kussard expressed concern about the MPO's letter requiring a U-turn for access.

Mr. Carroll stated U-turns are an inconvenient reality until conditions warrant another traffic signal.

Commissioner Holden made a motion to approve the SAP Property Holdings New Major Site Plan — MJSP 05/18-001 as presented. Commissioner Hannan seconded the motion. The motion passed by a vote of 4-1 (Kussard).

6. Green Key Village Subdivision- Phase 5-Preliminary Plat Plan — Proposing 16 Single Family Residence Lots on a 5.96 Acre Parcel Zoned RS-6, within the Green Key Village Development, Located on the North Side of Lake Ella Road, Approximately ½ Mile East of Rolling Acres Road, Addressed as 1635 Lake Ella Road (Alternate Key 3903749) (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He stated Mr. Thomas is present.

Mayor Richards asked if anyone had any questions or comments. There were no comments.

Commissioner Holden made a motion to approve the Green Key Village Subdivision- Phase 5-Preliminary Plat Plan as presented. Commissioner Hannan seconded the motion. The motion passed by a vote of 5-0.

7. Consideration of the Water Oak Bishop and Evergreen Drainage Improvements — Major Modification to Site Plan 10/18-002 — Proposing Installation of New Storm Drain Structures and Pipes Along Trevino Drive, Bishop Drive, Spruce Drive, East Pine Drive, and Evergreen Lane within the Water Oak Estates Country Club (Alternate Key 3538951) (Thad Carroll)

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He stated that Lara Parker is present representing Water Oak.

Mayor Richards asked if anyone had any questions or comments.

Commissioner Kussard asked if this will alleviate Mrs. Morris' concerns about runoff from Water Oak affecting both Griffin Road and her property.

Mr. Carroll stated the county has coordinated improvements to divert drainage issues that arose when the wall came up at Water Oak. He stated he believes Ms. Morris' property is in a different area on Griffin Road.

Commissioner Vincent stated that the drainage improvements have been made to address Commissioner Kussard's concerns for Mrs. Morris' property on Griffin in the area of West Norman. A culvert pipe was installed to divert runoff to a drainage pond.

Commissioner Vincent made a motion to approve the Water Oak Bishop and Evergreen Drainage Improvements — Major Modification to Site Plan 10/18-002 as presented.

Commissioner Holden seconded the motion. The motion passed by a vote of 5-0.

J. TOWN ATTORNEY'S REPORT

8. Ordinance 2018-49 — First Reading — Annexation of Approximately 8.94 Acres Addressed as 1241 West Lakeview Street Owned by First Baptist Church of Lady Lake, Referenced by Alternate Key 1454701, Lots 13 and 14 of the Lee & Stevens Add Subdivision (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk's Office). He stated Pastor Harsh is present.

Mayor Richards asked if anyone had any questions or comments. There were no comments.

Commissioner Kussard made a motion to approve the First Reading of Ordinance 2018-49 as presented. Commissioner Hannan seconded the motion. The motion passed by the following roll call vote:

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES
Richards	YES

9. Ordinance 2018-50 — First Reading — Small Scale Future Land Use Map Amendment Request from Lake County Urban Low Density to Lady Lake Religious Facilities (RF) for 8.94 Acres Addressed as 1241 West Lakeview Street, Owned by First Baptist Church of Lady Lake, Referenced by Alternate Key 1454701, Lots 13 and 14 of the Lee & Stevens Add Subdivision (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk’s Office).

Mayor Richards asked if anyone had any questions or comments. There were no comments.

Commissioner Hannan made a motion to approve the First Reading of Ordinance 2018-50 as presented. Commissioner Kussard seconded the motion. The motion passed by the following roll call vote:

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES
Richards	YES

10. Ordinance 2018-51 — First Reading — Rezoning Request from Lake County Agriculture to Lady Lake Public Facilities District (PFD) for 8.94 Acres Addressed as 1241 West Lakeview Street, Owned by First Baptist Church of Lady Lake, Referenced by Alternate Key 1454701, Lots 13 and 14 of the Lee & Stevens Add Subdivision (Thad Carroll)

Town Attorney Derek Schroth read the ordinance by title only.

Growth Management Director Thad Carroll presented the background summary for this agenda item (on file in the Clerk’s Office).

Mayor Richards asked if anyone had any questions or comments. There were no comments.

Commissioner Kussard made a motion to approve the First Reading of Ordinance 2018-51 as presented. Commissioner Holden seconded the motion. The motion passed by the following roll call vote:

Commissioner	Vote
Hannan	YES
Kussard	YES
Holden	YES
Vincent	YES

Commissioner	Vote
Richards	YES

K. TOWN MANAGER'S REPORT

Town Manager Kris Kollgaard reminded the Commissioners that the Arbor Day celebration will be held tomorrow in the Commission Chambers. She also stated that the Civics students will be here for Government Day on January 31st. She passed out an outline of that day's activities.

L. MAYOR AND COMMISSIONER'S REPORT

Mayor Richards asked if there were any comments.

Commissioner Hannan stated the Town's Charter should be updated, amended, and brought current. He suggested a Charter Commission be created and a Commission workshop scheduled to address this.

Commissioner Hannan stated all is not good in the Town of Lady Lake. He stated there has been an outcry from the public with the resignation of former Police Chief Chris McKinstry since they do not know the details surrounding it. He stated he also spoke with Mr. McKinstry and three past employees. Commissioner Hannan stated that after reviewing his file, it is his opinion that Mr. McKinstry is still highly qualified to be the Town's Police Chief.

Commissioner Kussard stated she also met with Mr. McKinstry, and received a lists of three names to contact as character witnesses. She stated that everyone thinks very highly of Mr. McKinstry and she agrees. She stated she is saddened when the Town loses excellent employees, although it is clear in the Charter that the Town Manager is the one to make this decision. Commissioner Kussard stated she is opposed to changing the Charter.

Commissioner Holden reiterated that he would like to schedule a special meeting to discuss the jobs of the Town Manager and Police Chief.

This was discussed, and the Town Attorney was asked his opinion about whether this should be a public meeting.

Mr. Schroth stated it should be a reasonably noticed public meeting with, at the least, more than two business days' notice given prior to a public meeting.

After discussion, the Commission agreed to hold a special meeting on Monday, February 4, 2019, at 1 p.m.

M. PUBLIC COMMENTS

Mayor Richards asked if there were any comments from the audience.

Commissioner Hannan asked for feedback on his suggestion to amend the Town Charter.

There was a three to two (Hannan and Vincent) consensus against holding a meeting to amend the Charter.

N. ADJOURN

There being no further business, the meeting was adjourned at 7:10 p.m.

s/ Kristen Kollgaard, Town Clerk

s/ Jim Richards, Mayor

Note: The original signed documents are on file at the Town Clerk's office. Copies are available upon request.

Minutes transcribed by Nancy Slaton, Deputy Town Clerk