

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

3   **MARCH 7, 2019**

4 This workshop meeting of the Lady Lake Town Commission was held in the Commission  
5 Chambers at Lady Lake Town Hall, 409 Fennell Blvd., Lady Lake, Florida with Mayor Jim Richards  
6 presiding. The meeting convened at 10 a.m.

7 **A. CALL TO ORDER**

8 Mayor Jim Richards

9 **B. ROLL CALL**

| <b>Commissioner (Ward)</b> | <b>Present</b> |
|----------------------------|----------------|
| Hannan (Four)              | YES            |
| Kussard (One)              | YES            |
| Holden (Two)               | YES            |
| Vincent (Three)            | YES            |
| Richards (Five)            | YES            |

10 **STAFF PRESENT**

11 Kris Kollgaard, Town Manager; and Nancy Slaton, Deputy Town Clerk

12 **C. NEW BUSINESS — Open Discussion**

13 Commissioner Holden stated he would break the ice by asking what the most proficient  
14 government body is in the Town of Lady Lake.

15 Mayor Richards replied that the Town runs well. He asked Commissioner Holden what he calls  
16 proficient and how he relates it to the Town.

17 Commissioner Holden replied he would say it would be governments doing a very good job, less  
18 chaotic, and less troublesome in regard to financial burden.

19 Commissioner Hannan stated he cannot answer that. He asked what Commissioner Holden had  
20 in mind.

21 Commissioner Kussard stated she asks questions of department staff if she has any, and the  
22 questions always get answered.

1 Commissioner Holden replied what comes to mind for him is that the fire department is running  
2 well, although he understands that the county runs it. He commented on the cost of it and  
3 states it operates well. He stated what brought this up was a conversation he had with a  
4 Fruitland Park Commissioner.

5 Commissioner Kussard asked Commissioner Vincent if he had any more conversations with  
6 Senator Bracy regarding Rolling Acres Road.

7 Commissioner Vincent replied that he has not. He stated in his previous conversations, CR 466A  
8 was the topic in Tallahassee with \$2,000,000 being thrown toward that road for Fruitland Park.  
9 Commissioner Vincent stated he questioned why Rolling Acres Road was overlooked. He stated  
10 that Representative Brett Hage is our local representative and may be more helpful as he lives  
11 locally in Sumter County.

12 Commissioner Hannan mentioned that The Villages probably had some influence in the getting  
13 funding for improving CR 466A.

14 Town Manager Kris Kollgaard stated that since the last Commission meeting, Senator Bracy sent  
15 the appropriations form to the Town. Growth Management Director Thad Carroll forwarded the  
16 email to the county since Rolling Acres Road is a county road. Senator Bracy was copied on it  
17 with an explanation.

18 Commissioner Vincent announced that he has been appointed to the nominating committee for  
19 Florida League of Cities to assist in the selection of leaders of the organization. He stated he  
20 would like to invite Representative Hage to meet with them.

21 Commissioner Kussard asked for an update on the possible extension of Oak Street and Clay  
22 Avenue. She asked if there is a timeframe for this.

23 Ms. Kollgaard stated this has been discussed and Clay Avenue is deemed to be more suitable as  
24 opening up Oak Street could cause more congestion. Staff is checking with the Florida  
25 Department of Transportation (FDOT) to see if they will do the work to extend Clay Avenue as a  
26 reliever road prior to the widening of Hwy 27/441. If the FDOT will not do it, Ms. Kollgaard stated  
27 she will bring it back to the Commission for further discussion.

28 Mayor Richards stated it was reported at the MPO meeting that the FDOT will advertise the  
29 project this fall.

30 Commissioner Hannan commented that he feels department heads should be present at this  
31 workshop to answer questions that may come up. He stated Mr. Eagle may have been able to  
32 provide input on this topic.

1 After discussion, Ms. Kollgaard replied that she will ask department heads to be available to be  
2 called into workshop meetings going forward. They were not requested to be at this meeting.

3 Mayor Richards stated that a property owner of a lot closest to Town Hall is not receptive to the  
4 extension of Clay Avenue and taking property by eminent domain is seldom done. He stated the  
5 right-of-way on Hwy 27/441 has been obtained for some years.

6 Commission Hannan stated he would like to establish a Charter Review committee since the  
7 Town's Charter is 40 years old and may need to be updated to fit the times. He stated the Town  
8 is one of the only municipalities in Lake County without such a committee.

9 Commissioner Holden agreed that it is a good idea although he was opposed to it at first.

10 Commissioner Kussard asked who would make up this committee.

11 Commissioner Hannan suggested combining this committee with other committees, or using  
12 volunteers gathered from other boards on the committee.

13 Mayor Richards stated Tallahassee just went through a Charter review, and some things were  
14 changed by referendum that they are not sure was for the betterment of the community.

15 Commissioner Hannan stated that Commissioners' terms could be extended to save the Town  
16 money, and this could be a Charter revision.

17 Mayor Richards stated he likes the two-year terms for Commissioners and does not feel the cost  
18 of an election is prohibitive when necessary.

19 Commissioner Vincent stated he feels that a Charter Review committee should include an  
20 attorney for guidance.

21 Ms. Kollgaard stated the Town Attorney stated that a Charter Review committee is not  
22 necessary, although the Commission could choose to do so. An attorney could be present for  
23 guidance. A review committee could bring their recommendations to the Commission and the  
24 Commission would decide what they want to put on a referendum. Or, the Commission could  
25 suggest changes to the Charter without a committee review that would then go before the  
26 voters by referendum.

27 Commissioner Holden suggested that the committee did not have to be made up of only Town  
28 residents.

29 Mayor Richards and Ms. Kollgaard both stated that then they would not have a vested interest in  
30 the Town.

31 Commissioner Hannan stated the Commission needs to agree to set up a committee, who would  
32 be on it, and then the specifics of the Charter would be reviewed.

1 Ms. Kollgaard noted the Commission should be aware that the Presidential election in 2020  
2 would be likely to have more voters than this November's election. She stated waiting until then  
3 would allow more time for review of the Charter.

4 After further discussion, it was agreed that the creation of a Charter Review Committee will be  
5 put on the next Commission meeting agenda for a vote. Further discussion resulted in the  
6 Commission agreeing to have a representative from each Ward make up the committee, for a  
7 total of five members.

8 Commissioner Hannan stated he foresees a continuing conflict between the Town Manager and  
9 whoever is hired as the new Police Chief. He stated he has discussed this issue with Ms.  
10 Kollgaard already. He stated he would like more transparency to include being copied on emails  
11 between the Town Manager and department heads, as occurred with Bill Vance, the previous  
12 Town Manager.

13 This was discussed, and Commissioner Holden, Commissioner Kussard, and Mayor Richards  
14 agreed that they did not want to be copied on all emails. They stated they had no problems  
15 having questions answered when issues came up.

16 Commissioner Hannan stated that parking on the wrong side of the street has increased since  
17 snowbirds have been here. He asked that this be addressed.

18 Ms. Kollgaard stated the officers have been busier with other traffic issues as well due to the  
19 increase of seasonal residents, although they are still on the lookout for parking issues.

20 Commissioner Hannan asked if there are rules against an employee who retires and receives a  
21 pension being re-hired as a contract employee. He noted there was a conflict of this nature with  
22 a neighboring municipality.

23 Ms. Kollgaard replied that the Town's police officers have a defined benefit plan and general  
24 employees have a defined contribution plan. She stated there is no restriction on it as the Town  
25 is not part of the Florida State Retirement Drop Plan. She noted the Charter states an employee  
26 who worked for the Town cannot be elected as a Commissioner of the Town without a one-year  
27 break in between.

28 Commissioner Hannan stated he attended the last Special Magistrate meeting and was annoyed  
29 by the disrespect shown by a group being heard on a case. He stated he feels the administrative  
30 fees for staff's time involved in the case, which spanned two years, as well as fines for code  
31 enforcement violations, should be increased. He stated he would like staff to provide a  
32 spreadsheet detailing all the costs involved by category, such as postage, staff time, materials,  
33 etc.

1 Mayor Richards stated the Special Magistrate has the power to find cases in violation and makes  
2 recommendations for fines which can be different from staff's recommendations.

3 Commissioner Kussard noted that staff based the administrative fee on their costs.

4 Ms. Kollgaard noted that the Commission approved the administrative fee suggested by staff.  
5 She stated code enforcement is also a service provided by the Town paid for by taxes, and the  
6 goal is to insure compliance.

7 Commissioner Vincent stated unlicensed contractors are an issue in his area. He stated it keeps  
8 on happening, and there is no incentive to stop it.

9 Ms. Kollgaard stated there is incentive under "repeat offender" status where fines can be up to  
10 \$500.

11 Mayor Richards stated those attorneys may have figured the Special Magistrate was not going to  
12 do anything since she is also an attorney.

13 After further discussion, the Commissioners agreed that they would like the Town Manager to  
14 talk with the Special Magistrate, Valerie Fuchs, regarding her dealings with other attorneys on  
15 cases brought before her, and regarding fines for violations.

16 Commissioner Holden confirmed with the Town Manager that the code enforcement officer is  
17 still putting in a 40-hour week while she is also attending the police academy.

18 Commissioner Hannan stated that Tavares is using social media and is reaching over 100,000  
19 people on Facebook. He asked the Commissioners for their opinion regarding looking into a  
20 Facebook page for the Town.

21 Commissioner Kussard and Mayor Richards noted there have been a lot of problems with  
22 Facebook.

23 The Deputy Town Clerk commented that recent public records training has warned  
24 municipalities about the liability of social media and retention of electronic records.

25 Mayor Richards stated that it would most likely take a lot of staff time to keep up with social  
26 media.

27 Commissioner Hannan stated he would like to attend swearing-in ceremonies for new police  
28 officers.

29 Commissioner Kussard mentioned that new hires are generally introduced at Commission  
30 meetings.

31 Ms. Kollgaard stated staff likes to introduce new officers at Commission meetings when their  
32 schedules allow.

1 Commissioner Vincent stated he sat in on the interviews for the police chief position yesterday  
2 just to observe. He stated he was impressed with the Town Manager's interviewing skills and will  
3 provide a letter stating so for her file.

4 Commissioner Hannan stated he would also like to sit in on interviews for department head  
5 positions.

6 Commissioner Kussard stated two Commissioners could not attend together.

7 Ms. Kollgaard warned that the interviews would have to be noticed as a public meeting if the  
8 Commissioners attended, and then there would be too much input.

9 Mayor Richards stated the Town Manager should be given the latitude to hire the people she  
10 wants to. He stated he took exception to Commissioner Vincent being personally involved in this  
11 because there are five Wards. He stated Commissioner Vincent has set it up that he personally  
12 has influence over this as he represents his Ward. He stated this is a Town Manager form of  
13 government and this is her job. Mayor Richards stated that the Town runs well on the lowest  
14 taxes that it can have for the best product. He stated the Town Manager should be rated on her  
15 performance based on how the Town is run.

16 Commissioner Vincent stated his intention was to observe the Town Manager doing her job so  
17 that he could properly evaluate her.

18 This was discussed further.

19 Commissioner Hannan asked if the Town is familiar with the Uniform Crime Reporting (UCR)  
20 program, stating there was a big issue with that.

21 Ms. Kollgaard replied that the Town does utilize this program as part of their reporting to the  
22 state.

23 Commissioner Holden asked why department heads are required to notify the Town Manager  
24 when he is on Town property. He stated he cannot go on Town property without being  
25 approached and he does not like it.

26 Ms. Kollgaard replied that staff is not required to notify her. She stated it may be a chain of  
27 command courtesy to inform her in case something comes up later at a Commission meeting,  
28 etc. She stated staff may just be showing deference to him because he is a Commissioner.

29 Mayor Richards agreed that it is a matter of transparency, giving the Town Manager a heads-up  
30 in case something is being looked into or needs further input.

31 Ms. Kollgaard stated she likes this type of workshop because it is very informal with open  
32 discussion. She stated it is sometimes hard to be in her position because she has five bosses,  
33 and this is a forum where anything can be discussed, and she can receive direction from all.

1 Commissioner Holden asked how many reserve officers the Town has. He asked if the Town pays  
2 for the reserve officers' training.

3 Ms. Kollgaard replied that 28 of 30 officer positions have been filled and there are five reserve  
4 officer positions open. She noted the Town does not pay for reserve officer training. She stated  
5 that reserve officers tend to try to become active when there is a position open.

6 Commissioner Holden asked about the possibility of having officers assigned to the traffic lights  
7 when they are out during a storm.

8 Ms. Kollgaard stated the problem with that is that the electricity is usually out when that occurs  
9 as well, leaving businesses and residents vulnerable and officers are patrolling. She stated the  
10 former Chief reported that there were less accidents when the traffic lights were out during the  
11 last hurricane because people were being more careful. She stated officers will be made  
12 available if they can.

13 Commissioner Hannan asked for an update on how the Police Department is doing since Mr.  
14 McKinstry left.

15 Ms. Kollgaard replied that quite a few new officers have been hired. Interim Chief Tempesta has  
16 instituted a program where officers, rather than the Chief, go to the academy to help recruit new  
17 applicants, and this has been very effective. She stated she has made a decision on who she  
18 feels is the best fit to fill the Chief's position, and it will be made public after those involved have  
19 been notified and the offer has been accepted.

20 Commissioner Holden commented that the Lake Ella Estates plat proposing 230 homes on 7,000  
21 sq. ft. lots will most likely mean people will put up privacy fences to keep kids from going  
22 through yards. He suggested that there should be a step-up in the minimum size of lots for  
23 larger developments, such as 10,000 sq. ft. for any development over 50 houses. He stated it  
24 could turn into another April Hills, and when hard times hit, there could be a lot of foreclosures.  
25 He stated this happened to the Cierra Oaks subdivision with over half of the homes in  
26 foreclosure in 2008.

27 Commissioner Kussard stated that an HOA is mandatory, and it was her impression that a  
28 management company would take over after the developer left. She stated there may be  
29 restrictions on fencing, and there will be sidewalks.

30 Commissioner Holden stated that if someone does not pay their HOA fees, it can result in liens  
31 being put on the properties for back dues.

32 Ms. Kollgaard stated that when the developer builds out, the residents then keep up the HOA or  
33 it may dissolve.

1 Commissioner Hannan mentioned that the HOA can hire a professional management company.  
2 There was further discussion regarding HOAs and large developments.  
3 Mayor Richards commented that these problems can happen whether the lots are small or one  
4 acre lots.  
5 Ms. Kollgaard stated she would like to have a workshop with Growth Management staff to  
6 review the Land Development Regulations. She stated staff has some suggestions for changes  
7 on the tree requirements for commercial development, such as step plan suggested by  
8 Commission Holden for lot sizes.  
9 Commissioner Hannan suggested having a workshop every three months.  
10 Ms. Kollgaard stated five candidates for the police chief position were selected to be interviewed  
11 out of the 23 to 24 applications received. Two were internal and three were from the surrounding  
12 area. Prior to interviewing for the position, she sent out an email to the officers and sergeants  
13 asking them what they wanted in a police chief, and there was a good response. Ms. Kollgaard  
14 stated she has those responses available for the Commissioners to review if they wish. She  
15 stated Captain Robert Tempesta has worked for the Town's police department for 15 years and  
16 has all the qualifications, and he was selected for the position. Officers have stated he is  
17 approachable and follows the policies and procedures required of all officers.  
18 Mayor Richards asked how Captain Tempesta's technical background and education matched  
19 with the other candidates.  
20 Ms. Kollgaard replied that his background matched very well, and that Captain Tempesta is  
21 approximately seven weeks away from completing his Master's degree. She stated he has been  
22 to the FBI Academy and has completed management courses, as well.  
23 Mayor Richards stated officers want the police department run like a military operation for the  
24 most part, and Ms. Kollgaard agreed.  
25 Commissioner Hannan asked Ms. Kollgaard to share what she told him about a returning officer.  
26 Ms. Kollgaard stated that an officer that left the Town for what he thought was greener pastures  
27 then asked to return after the former chief left, and he has been re-hired.  
28 There was further discussion and the Commissioners agreed with the selection of Captain  
29 Tempesta as Police Chief.  
30 Ms. Kollgaard asked the Commissioners if they wanted a pay classification study conducted  
31 since the last one was done in 1999. She stated negotiations will be starting soon with the Police  
32 Benevolent Association (PBA) and she will need to be able to say if this will be done. She stated it

1 may cost about \$50,000 and would need to be done by an RFP process. Staff would need to  
2 consider that for the upcoming budget.

3 Commissioner Hannan stated this would be a step toward employee retention. He stated he  
4 thought this was done a few years back.

5 Ms. Kollgaard replied that it was done in-house by Human Resource staff a few years ago.

6 Commissioner Vincent suggested it be done by an outside firm, as so many issues have to be  
7 looked at such as number of employees, population, budget, etc.

8 Mayor Richards stated the study could be done by comparing the pay of another municipality  
9 with a comparable budget. He stated costs for the study may be lower if it was contained to a  
10 100-mile radius.

11 After discussion, the Commissioners agreed to include this cost in the upcoming budget, most  
12 likely funded under Human Resources.

13 Ms. Kollgaard asked if the Commission is interested in laying two-inch conduit and pull boxes  
14 during the road widening of US Hwy 27/441. She passed out an estimate provided by the I.T.  
15 Director showing the cost would be anywhere from \$75,000 to \$735,000, depending on whether  
16 the conduit was empty or whether fiber optics and pull boxes were included.

17 Commissioner Hannan stated it should be considered that WiFi may be wave of the future in ten  
18 years, rather than fiber optics.

19 It was noted that fiber optic infrastructure is still necessary for WiFi connections.

20 This will come back up for discussion.

21 Ms. Kollgaard passed out the summary of responses of the community building survey. Most  
22 were in favor of a new community building for events. She asked the Commissioners to give it  
23 some thought prior to the budget process, and a summary of estimated funding sources  
24 balances after revenue is due this fiscal year was passed out and reviewed. Ms. Kollgaard noted  
25 that the unassigned general fund reserves are at \$5,959,932 and would allow the Town a six-  
26 month breather if something disruptive were to happen. She stated the committed general fund  
27 asset balance of \$2,532,528 is to take care of capital items, and about \$300,000 of this is  
28 normally taken out of this and added to the paving program fund. She stated the Town will most  
29 likely have to install another well (Well 4) and a study will need to be done for the best location  
30 for it.

31 Commissioner Kussard commented that the new Lake Ella subdivision will increase the water  
32 impact fee funds.

1 Ms. Kollgaard stated Fruitland Park is paying a set fee over a ten-year spread, although it is not  
2 an impact fee and is not restricted. Water Oak will be paying a water impact fee when they hook-  
3 up.

4 Commissioner Kussard stated that some of the water lines have been replaced in Skyline Hills,  
5 but not all of them.

6 Ms. Kollgaard stated this was done with grant funding, and perhaps the Town could be awarded  
7 another grant in the future to complete them.

8 Commissioner Kussard clarified that only conduit is suggested to be installed during the road  
9 widening project at this time, without including fiber optics.

10 Commissioner Vincent discussed the pros of doing this.

11 Ms. Kollgaard stated that staff will speak with the Special Magistrate and will review  
12 administrative costs associated with code enforcement cases in case it needs to be increased.  
13 She stated discussion and direction regarding a Charter Review Committee will be included on  
14 the next Commission meeting agenda. She stated a three-month workshop will be scheduled  
15 and department heads will be asked to be available to answer questions.

16 Ms. Kollgaard passed out a summary of information on different forms of government under  
17 charters for the Commissioners' review. This was discussed.

18 **D. ADJOURN**

19 There being no further business, the meeting was adjourned at 12:12 p.m.

20 \_\_\_\_\_  
21 Kristen Kollgaard, Town Clerk

22 \_\_\_\_\_  
23 Jim Richards, Mayor

24 Minutes transcribed by Nancy Slaton, Deputy Town Clerk