

**AGENDA MINUTES
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, APRIL 26, 2021 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting Monday, April 26, 2021, at the Venetian Center. Mayor Christian called the meeting to order at 5:32 p.m. with the following members present:

Commissioner Jimmy Burry
Commissioner Jay Connell
Commissioner Mike Pederson
Mayor John Christian

Commissioner Dan Robuck was absent. Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Fred Morrison, the news media, and others.

INVOCATION

Greg Beliveau gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS

A. None

3. PRESENTATION

A. None

4. PUBLIC COMMENTS:

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.

None

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

Items pulled for discussion:

5.C.10 = Agreement to Donate Property and a Quitclaim Deed between the City of Leesburg and the Community Development Corporation of Leesburg, Inc. (the "CDC")

Commissioner Pederson moved to adopt the Consent Agenda except for **5.C.10** and Commissioner Burry seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Christian	Yes

Four yeas, no nays, the Commission adopted the Consent Agenda, as follows:
(Each item has its coordinating Resolution number listed below the header)

A. CITY COMMISSION MEETING MINUTES:

- 1. Regular meeting held April 12, 2021**

B. PURCHASING ITEMS:

- 1. Purchase request from Public Works / Wastewater Collections for the purchase of lift station controllers and communications modules to Barney's Pumps, Inc. for an amount of \$95,785.00.**
- 2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Task Order with Halff Associates, Inc. (fka BESH, Inc) for professional services to prepare a wastewater master plan for an amount of \$110,500.00; and providing an effective date.**

Resolution 10,837

- 3. Resolutions of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute three contract**

Amendments to extend agreements with Electrical Works, Prime Electric, and Lakeside Electrical.

- a. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a contract amendment amending an existing contract with Joe Ciceri Public Services, Inc., d/b/a Electrical Works; and providing an effective date.**

Resolution 10,838

- b. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a contract amendment amending an existing contract with Lakeside Electrical Services, LLC; and providing an effective date.**

Resolution 10,839

- c. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a contract amendment amending an existing contract with Prime Electric, LLC; and providing an effective date.**

Resolution 10,840

C. RESOLUTIONS:

- 1. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Leesburg Senior Housing RE, LLC for the purpose of setting forth the terms under which the city will provide natural gas utility service to the Senior Housing development known as Stonegate; and providing an effective date.**

Resolution 10,841

- 2. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and A.A. Moukhtara Company, a/k/a A.A. Moukhtara, Inc., for the purpose of setting forth the terms under which the city will provide natural gas service to the development known as Tara Oaks, Phase 1A SW; and providing an effective date.**

Resolution 10,842

3. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing and directing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and A.A. Moukhtara Company, a/k/a A.A. Moukhtara Inc, for the purpose setting forth the terms under which the city will provide natural gas service to the development known as Tara Oaks, Phase 1B NW; and providing an effective date.**

Resolution 10,843

4. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing and directing the Mayor and City Clerk to execute a Gas Service Agreement between the City of Leesburg and Tara Village, Inc., for the purpose setting forth the terms under which the city will provide natural gas service to the Development known as Tara Oaks, Phase 1C SE; and providing an effective date.**

Resolution 10,844

5. **Resolution of the City Commission of the City of Leesburg, Florida amending the Fiscal Year 2020-21 Budget for the General, Capital Projects, Gas, Airport, Gas Tax and Fleet Services Funds for the Second Quarter.**

Resolution 10,845

6. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Leesburg Police Department to apply for and, if awarded, accept a Florida Department of Transportation (FDOT) State Safety Office grant to fund an Aging Road User Program (CP-2020-00290); and providing an effective date.**

Resolution 10,846

7. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Memorandum of Agreement to Reimburse U. S. Customs and Border Protection (CBP), for costs related to FY 2021 IT Refresh; and providing an effective date.**

Resolution 10,847

8. **Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from CHS Management Corporation, a Virginia Corporation, for the purpose of granting the City an Easement over the property described therein; and**

providing an effective date.

Resolution 10,848

9. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Second Amendment to Amended and Restated Ground Lease between the City of Leesburg and Venetian Gardens Site Holdings, LLC; and providing an effective date.**

Resolution 10,849

10. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Agreement to Donate Property and a Quitclaim Deed between the City of Leesburg and the Community Development Corporation of Leesburg, Inc. (the "CDC"); and providing an effective date.**

ADOPTED RESOLUTION 10,850

Mayor Christian stated he needed to abstain from voting on this item and passed the gavel to Mayor Pro Tem Pederson.

Commissioner Burry introduced the resolution to be read by title only. CC Purvis read the resolution by title only.

Commissioner Burry made motion to adopt the resolution and Commissioner Connell seconded the motion.

Mayor Pro Tem Pederson requested comments from the Commission and the audience.

Commissioner Connell commented that he may already have the answer to this question, but wants confirmation on the amount of money the City has involved with acquiring this piece of property; whether it be attorney fees or code enforcement actions in terms of cleaning it up. Does the City have any taxpayer money involved with acquiring this piece of property. **CM Minner** responded that the City acquired this lot back in 2007; and he doubled checked with the City Attorney and Riley Snively, Chief Code Enforcement today, and to both their knowledge we have no money tied up in this parcel.

The roll call vote was:

Commissioner Burry	Yes
Commissioner Connell	Yes
Mayor Pro Tem Pederson	Yes
Commissioner Christian	Abstain

Three yeas, one abstain, no nays, the Commission adopted the resolution.

6. **PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
COMPREHENSIVE PLAN INFORMATION SIGN-UP SHEET (YELLOW)**

AVAILABLE

A. SECOND READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 20.63 +/- acres from C-3 (General Commercial) and R-2 (Medium Density Residential) to PUD (Planned Unit Development) to allow for mixed use development for a property generally located west of U.S. Highway 27 and north of County Road 25A, as legally described in Section 34, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Manuella Apts.)**

ADOPTED ORDINANCE 21-16

Commissioner Pederson introduced the ordinance to be read by title only. CC Purvis read the ordinance by title only.

Commissioner Pederson made motion to adopt the ordinance and Commissioner Burry seconded the motion.

Mayor Christian requested comments from the Commission and the audience.

Mayor Christian asked if they had the four different examples for the apartment types. **Planning & Zoning Manager (PZM) Miller** responded that the examples on the first page are the ones that they are seeking approval for. The examples on the second page are the typical approval type apartments in terms of design, which meet the architectural standards within a PUD zoning. He stated that Greg Beliveau, owner of LPG, is present tonight to speak on this and answer any questions the Commission may have.

Commissioner Burry asked what the apartment sizes entail. **Mr. Beliveau** responded one and two bedroom apartments because they are geared towards the workforce; that is who this was marketed for.

There will be no three bedroom apartments. They had no opposition from their neighbors and the only issue they had to deal with was upgrading a buffer. The minimum square footage for the apartments is eight hundred and fifty square feet and it goes up from there.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Connell	Yes
Commissioner Burry	Yes
Mayor Christian	Yes

Four yeas, no nays, the Commission adopted the ordinance.

2. **An Ordinance of the City of Leesburg, Florida, rezoning approximately 0.28 acres from C-1 (Neighborhood Commercial) to SPUD (Small Planned Unit Development) to allow for a mechanic shop for a property generally located north of West Main Street and west of Lone Oak Drive as Legally described in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.**

TABLED ORDINANCE

Mayor Christian stated staff has requested that this item be pushed back another couple weeks and tabled to the next meeting. **PZM Miller** commented they would like to have this pushed back again because there were some issues getting the parties together. They have to get these two parties together and have them come to an agreement so this can be brought back to the Commission for a vote. Unfortunately, most of this was his fault due to being out of town. **Mayor Christian** asked for a motion to table this item until the next meeting.

Commissioner Pederson made motion to table the ordinance and Commissioner Burry seconded the motion.

The roll call vote was:

Commissioner Connell	Yes
Commissioner Burry	Yes
Commissioner Pederson	Yes
Mayor Christian	Yes

Four yeas, no nays, the Commission tabled the ordinance.

B. FIRST READING OF ORDINANCES

1. None

C. NON-ROUTINE ITEMS

1. None

7. INFORMATIONAL REPORTS:

The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.

A. Financial Reports as of February 2021

There were no comments.

8. CITY ATTORNEY ITEMS:

CA Morrison had nothing.

9. CITY MANAGER ITEMS:

CM Minner had nothing.

10. ROLL CALL:

Commissioner Pederson commented that the gardens in Venetian Gardens look great, but the canals are all clogged up. He knows part of it is when the wind blows the wrong way, but he is not sure who is responsible for cleaning that the city, county or state. With the park looking so good, the canals are a detriment and he wanted to know if there was something the city could do to improve upon that. **CM Minner** answered that is on our radar scope, it is the city's responsibility, because they are our canals. Staff has been out there a couple times trying to get more aeration in the canals and we are also waiting for the seasons to help cleanse them. We also had discussions with some aquatic vegetation removal companies, but those numbers that came back were astronomical; in the six figure mark. That was not authorized to move forward because that would have had to come back to the Commission. Staff is still trying to figure out different ways to get them cleaned and are looking at doing smaller portions that are a little more manageable. **Commissioner Pederson** mentioned he is not sure how thick it is, but it almost looks like surface material. **CM Minner** replied it is surface material and there may be some aquatic spray type stuff to use. **Commissioner Pederson** added he lives back behind Venetian Gardens so he sees this all the time and that is the reason he had to bring it up. He drives by it everyday, looks at it, and it almost looks like someone could just scrap it off the top, but if it is not that simple he will just be quiet. He is just looking for a temporary fix. He saw the aerating systems before, but he is trying to beautify the canals and bring them in line with how the rest of the park looks. **CM Minner** suggested at this stage, and he knows it is not an immediate fix, but his suggestion would be to let the Director of Public Works work his angles to see if we can get that cleared up. If it is just to intolerable, then we will go the bigger route and put together a purchase order with more information on what it would cost to get the canals cleaned immediately. Remembering that was a big number, if the costs were below fifty thousand dollars it would have been taken care of already. **Commissioner Pederson** remarked that he appreciates that and wanted to bring this to everyone's attention. **Commissioner Burry** commented he remembers at one point where we did something out there with trying to move the water, but you can still see it. It did not necessarily work well, but revisiting that might be something.

Commissioner Burry reminded everyone that they are still giving out vaccinations at the Lake Square Mall. If you want to get your first vaccine you have until May 4th. Then they are going to close that site down for the Pfizer and Moderna vaccines. You can still get your second dose through May 25th. He encourages everyone to get their vaccines.

Commissioner Connell had nothing.

Mayor Christian thanked the Commission on behalf of the CDC for the lot donation. They are looking to build single-family homes throughout the City of Leesburg, which is a very important need in our City. He then asked the city attorney if the Stay and Save hotel foreclosure action went through. **CA Morrison** answered that a foreclosure was filed, but they just learned today that the address which was on the tax roll for the owner turned out to be a CPA office in Orlando and not their residence. They are now searching for another address, he believes they found one in Apopka, and they will try to serve it there.

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." The City of Leesburg does not provide this verbatim record.

The meeting adjourned at 5:44 p.m.