

**AGENDA MINUTES
CITY COMMISSION MEETING
VENETIAN CENTER, 1 DOZIER COURT
MONDAY, MAY 24, 2021 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting Monday, May 24, 2021, at the Venetian Center. Mayor Christian called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Jimmy Burry
Commissioner Jay Connell
Commissioner Dan Robuck (arrived at 5:34 p.m.)
Commissioner Mike Pederson
Mayor John Christian

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

Mayor Christian 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. PRESENTATIONS:

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.

David Serdar, Wintergreen Drive, Fruitland Park stated he enjoys attending sessions in Tallahassee and he is very red, white and blue. He is also a Christian. He commended Mayor Christian for being a great speaker. He is worried about our children's future and also mentioned that some people who live in the area are worried about coming to downtown Leesburg. He commented that he helped pickup trash out at Lake Griffin State Park.

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.B.2

5.B.2 = Construction services agreement with U.S. Water Services Corporation for the construction of a new gravity sewer main, allowing the abandonment of sewer mains that currently run under a private building between Pamela and Hill Street.

Commissioner Pederson moved to adopt the Consent Agenda except for **5.B.2**, and Commissioner Burry seconded the motion.

The roll call vote was:

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

Five 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 May 10, 2021

B. PURCHASING ITEMS:

1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a construction services agreement with Marion Rock, Inc. for the construction of a reuse water main extension along County Road 48 from Legacy to Spring Creek development for an amount of \$122,000.00; and providing an effective date.

Resolution 10,855

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida authorizing and directing the Mayor and City Clerk to execute an agreement for One (1) School Resource Officer (SRO) position/service to be provided to Lake County School Board – Leesburg High School, for the summer term of 2021; and providing an effective date.**

Resolution 10,856

2. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Agreement #AP822 with the Florida Department of Transportation (FDOT) for participation in the State Highway Lighting, Maintenance, and Compensation Program; and providing an effective date.**

Resolution 10,857

2. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a construction services agreement with U.S. Water Services Corporation for the construction of a new gravity sewer main, allowing the abandonment of sewer mains that currently run under a private building between Pamela and Hill Streets for an amount of \$191,635.10; and providing an effective date.**

ADOPTED RESOLUTION 10,858

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

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Pederson stated he was unsure if the City had a defined or blanket easement, but is curious how our sewer line was under a building. He also does not understand how this could have happened unless it was the owners fault, so he is raising the question on how it happened so he could learn from it and discuss it for a few minutes. **CM Minner** replied that unfortunately there are a number of sewer mains under different buildings throughout the community. A lot of them go back to older times when the older buildings were built; so the sewer lines are there and we just did not do a good job checking back in those days. Now, it is upon us to move our system out from this private property. Then as a textual note the project cost is actually \$178,931.00. There were two errors in the packet; one was in the subject line of the resolution where it referenced the \$191,635.00 (that was a cut and paste error), which is kind of a good news error. The cost of the project, if approved tonight, is actually \$178,931.00. This error was caught on Friday, the City Clerk has the revised contract with the updated cost, which has all

the other exact same information on it that was included in the packet. The total cost is not \$191,635.00, it is in fact \$178,931.00 and he requests that this information be reflected in the record. If this gets approved, the contract to be signed will be the one from the contractor in the amount of \$178,931.00.

Mayor Christian questioned with the difference between the pricing of the bids; with one being one seventy eight and the next lowest bid at two ninety seven and the third bid at four forty nine, are we pretty confident that the winner of the bid understands the scope of work and are they going to stick to that price of one seventy eight? **CM Minner** responded (as noted in the packet that staff addressed that question) when we see irregularities like this in a bid where we think a low bidder is lower than they should be, we send out a form to them which confirms their bid and it also confirms that they will perform for the price of that bid. In the packet is that form where they confirmed that and they will do the job for that price. Again, that was the reason to show why there were those two Scribner errors; the one in the title of the resolution and the other in the contract. So, for clarification, the total cost is \$178,931.00 and the authorization confirmation form from the contractor is at that number.

The roll call vote was:

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

Five yeas, 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, establishing the Tara Oaks Community Development District pursuant to Chapter 190, Florida Statutes; providing for authority and power of the district; providing for the Board of Supervisors of the district; providing for the district budget; providing for functions of the district; providing for miscellaneous provisions; and providing an effective date. (Tara Oaks CDD-1)**

ADOPTED ORDINANCE 21-17

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

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

Mayor Christian requested comments from the Commission and the audience. There were none.

The roll call vote was:

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

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

2. **An Ordinance amending the Comprehensive Plan of the City of Leesburg, Florida, changing the Future Land Use designation of certain property containing approximately 4.87 acres, from Institutional to Low Density Residential, for a property generally located west of Lee Street, south of West Line Street and east of Perkins Street, as legally described in Section 26, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (*Lee Street Village FLUM*)**

ADOPTED ORDINANCE 21-18

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

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Connell asked if there was any opposition from any adjacent property owners. Planning and Zoning Manager (PZM) Miller responded no.

The roll call vote was:

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

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

3. **An Ordinance of the City of Leesburg, Florida, amending the development conditions on a SPUD (Small Planned Unit Development) zoning on approximately 4.87 acres, to allow for residential development for a property generally located west of Lee Street, south of West Line Street, and east of Perkins Street, as legally described in Section 26, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (*Lee Street Village SPUD*)**

ADOPTED ORDINANCE 21-19

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

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Burry wanted to verify that this change is just deleting the maximum number of units on the property per acre. CM Minner agreed.

The roll call vote was:

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

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

4. **An Ordinance of the City of Leesburg, Florida, amending the City of Leesburg Comprehensive Plan to establish criteria for a Historic District Density Bonus, based on certain criteria, establishing appropriate policies to ensure compatibility, providing for conflict with other ordinances, providing a savings clause; and providing an effective date. (*CPTA Historic District Density Bonus*)**

ADOPTED ORDINANCE 21-20

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

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

Mayor Christian requested comments from the Commission and the audience.

Mayor Christian wanted to commend staff with moving forward on the density bonus. He hopes this will continue throughout the downtown area and hopefully Pine Street on the next project. He believes this will be great for development with these hard to grow areas.

The roll call vote was:

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

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

5. **An Ordinance of the City of Leesburg, Florida, amending the City of Leesburg Land Development Regulations by establishing criteria for density bonuses in Article IV – Section 25-292 *Supplemental District Requirements*; providing for conflict with other ordinances, providing a savings clause; and providing an effective date. (Historic District Density Bonus Chapter 25)**

ADOPTED ORDINANCE 21-21

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

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

Mayor Christian requested comments from the Commission and the audience.

Mike Rankin, LPG, recognized the City Manager and the City Planner for all the hard work performed on this project. He really appreciates them going above and beyond to help with this project.

Mayor Christian pointed out that he is really looking forward to watching them turn some dirt soon.

The roll call vote was:

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

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

6. **An Ordinance of the City of Leesburg, Florida, amending the mixed-use PUD (Planned Unit Development) on approximately 640 +/- acres to extend the timeframe of the development for a property generally located north of Poe Road at the intersection of County Road 44, west of Radio Road and extending northwest to Haines Creek, as legally described in Sections 3, 4, and 5, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Orange Bend)**

ADOPTED ORDINANCE 21-22

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

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Burry stated they had previously asked for some information and time guidelines.

CM Minner answered that the Commission tasked staff with some homework and they have now come back to the Commission with a recommendation of a "fill in the blank" and staffs recommendation is to extend the PUD's when they expire to ten years. At first when this was requested it was to have no retirement, but after discussion at the last Commission meeting staff was given homework to review cases. We went back to see how can we reduce our work load and how can we modify it; so the homework revealed about forty one reviews of cases with the past seventeen big subdivisions, and of those we have had twenty four re-reviews. So, if you extend that to ten years you would be reducing the workload to about half and would be giving the developer more time to develop their subdivisions. After review, it is staffs recommendation to "fill in the blank" on the Orange Bend PUD with a ten-year extension. Then moving forward that would be the standard barrier, which would go into all PUDs in the future. **Commissioner Burry** remarked that he is good with the ten years. **Commissioner Pederson** said that he is good with it as well and has spoken with the city manager and is also in agreement. **Mayor Christian** asked Commissioner Connell if he was okay with the ten years. **Commissioner Connell** responded yes.

Commissioner Robuck made motion to amend the motion to add in ten years and Commissioner Burry seconded the motion.

Mike Rankin, LPG, thanked the Commission and City staff on behalf of Orange Bend.

The roll call vote on the amendment was:

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

Five yeas, no nays, the Commission the motion has been amended to include the ten years.

Mayor Christian commented that we are now voting on the motion as amended.

The roll call vote was:

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

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

7. **An Ordinance of the City of Leesburg, Florida, amending Chapter 17, Pensions and Retirement, Article IV, Police Officers' Retirement Fund, of the Code of Ordinances of the City of Leesburg; amending Section 1, Definitions; providing for codification; providing for severability of provisions; repealing all Ordinances in conflict herewith; and providing an effective date.**

ADOPTED ORDINANCE 21-23

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

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

Mayor Christian requested comments from the Commission and the audience.

Commissioner Robuck wanted to know if we received clarification on this. **CM Minner** responded no, but he stands by what he previously said at the last meeting. He does not think we will get an actual answer from the actuary. This is about the special pay for the police department and we had the definition from the actuary; which was that they calculate all special pay for the police department as pensionable. We have never received a contribution from our employees for their share of that, so we are changing the definition so that all special pay is now pensionable effective July 1st. Therefore moving forward we will collect from them. It should actually be a deduction for us, but that deduct is insignificance so that it will really be a net neutral. **Commissioner Robuck** asked what the ballpark total is for special pay a year. **CM Minner** answered about twenty-five grand.

David Serdar commented that the police put their lives on the line and we need to back the blue.

The roll call vote was:

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

Five yeas, no nays, the Commission adopted 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. None

8. CITY ATTORNEY ITEMS:

CA Morrison had nothing this evening.

9. CITY MANAGER ITEMS:

CM Minner had nothing this evening.

10. ROLL CALL:

Commissioner Pederson commented that two meetings ago he brought up the canals in Venetian Gardens needing to be cleaned. He thanked the City Manager and staff for getting that taken care; it looks a lot better and he appreciates that. He was told it did not cost all that much to get it taken care of either.

Commissioner Burry said he received an email from a Commissioner out of Minneola; inquiring about speed bumps or what to do about speeding. He wanted to know what is successful in Leesburg or if speed bumps were something the City would utilize. He is looking for some education on this. He is only aware of a few on Beecher Street by the school and inquired if there are more located around the City in any developments. **Mayor Christian** said there may be some on Morningside. **CM Minner** stated that it is a bit of an issue, which is getting a lot of mileage, that is really not needed. There have been discussions on what the differences are between a speed bump, a speed hump, how they are constructed, how big and how long they are, and what kind of impact they will have on your vehicle. They have had discussions on what is and what is not a good traffic calming device; speed humps, speed bumps and speed tables are really frowned upon in the traffic engineering world. Sometimes they have their place, so he would let that chatter go and address each situation as they arise. **Commissioner Burry** commented that we do not necessarily have those types of issues here. **CM Minner** answered that we may have some in various locations, but not very many of them. We have used speed humps as a traffic calming devices. We have not had major issues with it today, but he thinks some of our other sister cities are getting away from that all together. He would advise that we look at them case by case. **Commissioner Robuck** said from his recollection, since he has been on this Commission, when a complaint has been received we have asked for additional enforcement for a short period of time and that has seemed to resolve the complaint and issue. **CM Minner** added that traffic control is difficult coming from the nonpolice officer, the noninsurance, and nontraffic engineering world; which pretty much covers everyone in the room, but everyone's inclination would be to put up a stop sign, a traffic light or speed bump to control traffic, but that may not necessarily be the case even though those things are designed for traffic flow. Enforcement is the key along with people doing the speed limit. He would just stress that everyone is being slightly reactive to this situation and we need to just control it case by case. **Mayor Christian** stated they get a lot of complaints over in Carver Heights area and in east Leesburg where they have some of those straight long shots and unfortunately, some of our young people are getting fast corvettes and the neighbors are really complaining about them speeding in the neighborhoods. That is the biggest problem. The City Manager is responding to these residents when they call and staff has asked that these people get petitions for the neighbors to sign to put in speed bumps. Because what happens when one street gets a speed bump the next street is going to want a speed bump because the traffic is going to shift to their street. It is a catch twenty two because once you put in one speed bump and it slows the traffic down on one street it will send that traffic down to the next street. If you go to the City of Wildwood you will see they have some big speed bumps.

Commissioner Robuck had nothing this evening.

Commissioner Connell recognized the City Manager and his staff for putting together a demographic profile report for him on south Leesburg. They are trying to spark some economic commercial growth in that area so it is not just residential and they did a phenomenal job. They have now sent that profile report out to over twenty different companies. He just wanted to take a moment and recognize them for their work.

Mayor Christian piggy backing off Commissioner Connell's comments stated we have a lot of growth coming to the south end of the County and along CR-44 and he wants to make sure that we are coordinating with the County and the school board because they are the ones that will be responsible for the roads and schools once all those houses are built. We need to make sure our coordination is there.

He previously spoke with the City Manager about this, but when someone is bringing in a development on six hundred and forty acres (Orange Bend); we do not want to be the person that comes and says now we need a school and we do not have any land for it. He thinks it is very important that when we are working with the developers that we ask them to set aside land for schools, fire stations and recreation amenities; so that once these houses are built we are not trying to find a fire station at a hundred thousand an acre. It is all in the coordination and that is important especially now with the growth in Leesburg that is revved up and in the south end of the County. We have a lot of houses coming in on the south end and that it is good for us, but we need to make sure we are coordinating with the schools and the County to make sure they are programming the improvements to the roads and the infrastructure. He is sure staff has already been looking at the water and wastewater and all those things, but there are other entities that will play a major role in what we are doing. He is sure staff is talking to them, but if not make sure we are coordinating correctly.

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 6:02 p.m.