

**AGENDA MINUTES  
CITY COMMISSION MEETING  
CITY HALL, 501 W MEADOW STREET  
MONDAY, JULY 24, 2023 5:30 PM**

**1. CALL TO ORDER**

The City of Leesburg Commission held a regular meeting on Monday, July 24, 2023, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:51 p.m. with the following members present:

Commissioner Allyson Berry  
Commissioner Jay Connell  
Commissioner Mike Pederson  
Commissioner Alan Reisman  
Mayor Jimmy Burry

Also present were City Manager (CM) Al Minner, City Clerk (CC) J. Andi Purvis, City Attorney (CA) Grant Watson, the news media, and others.

**INVOCATION**

The invocation and pledge of allegiance were conducted at the Carver Heights/Montclair Area CRA meeting which was held just prior to this meeting.

**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.**

Lisa Hayden, 35121 Dennis Road in Leesburg asked about the funds that are collected by the City of

Leesburg for stormwater runoff within a subdivision. Is that money segregated into a separate account or does it go into the general fund? **CM Minner** answered it goes into the stormwater fund. **Ms. Hayden** wanted to know if that was done by subdivision? **CM Minner** responded that all properties pay the stormwater fee and that money goes into the stormwater fund. **Ms. Hayden** wanted to verify if that was done by the community. **CM Minner** answered yes. **Ms. Hayden** questioned if a homeowners association did that, would it be just for that community? With the roads, does that go into a road fund? **CM Minner** responded that roads are different, that goes into the general fund. **Ms. Hayden** inquired if a new subdivision were to come in and Leesburg took over the interior roads, would the homeowners put money into a fund or are they taxed? **CM Minner** asked if she would catch him after the meeting so he could answer her questions in detail.

**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**

**Item pulled for discussion:**

5.C.1 - Approving a Local Government Contribution through Fee Deferral for Affordable Housing Project, Montclair Meadows

Commissioner Pederson moved to adopt the Consent Agenda except for 5.C.1, and Commissioner Reisman seconded the motion.

The roll call vote was:

|                       |     |
|-----------------------|-----|
| Commissioner Connell  | Yes |
| Commissioner Reisman  | Yes |
| Commissioner Pederson | Yes |
| Commissioner Berry    | Yes |
| Mayor Burry           | Yes |

Five yeas, no nays, the Commission adopted the Consent Agenda, as follows:  
(Each item has its coordinated resolution number listed below the header)

**A. CITY COMMISSION MEETING MINUTES:**

**1. Regular meeting held July 10, 2023**

**B. PURCHASING ITEMS:**

**1. None**

**C. RESOLUTIONS:**

1. **Resolution of the City Commission of the City of Leesburg, Florida approving a Local Government Contribution through Fee Deferral for Affordable Housing Project, Montclair Meadows; and providing an effective date.**

**DENIED RESOLUTION 11,361**

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

Commissioner Pederson made a motion to adopt the resolution and Commissioner Reisman seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

Commissioner Connell asked the city manager to explain this item. **CM Minner** explained that in the past the city commission has typically denied these requests. However, this commission being relatively new, he wanted to put this item on the agenda. In the State of Florida, affordable housing projects are funded in multiple ways. The state has a program where developers can get subsidies and low interest loans. The developers work with the state to put together a finance package that allows them to construct affordable housing projects. The affordable housing projects are then sold or rented to folks with a low to moderate income (LMI). There are three levels of LMI; low to moderate income, moderate income, and very low income. The levels were established by HUD for the region where such housing projects would be determined. Part of the criteria for receiving state subsidies for these types of housing projects, the developer must partner with a political subdivision, a county or municipal corporation to show a partnership. That partner demonstrates some type of subsidy to the project. That subsidy could be a grant, a deferment of impact fees or a waiver of impact fees. As a side note, the only eligible and legal waiver of an impact fee is a housing project. The deadline for the petitioner is August 2nd. The petitioner needs to file for a state subsidy as part of what they call Montclair Meadows. In the past, the city has done this, but since he has been with the city, they have not approved these types of housing projects. We have other local housing partners, such as Homes in Partnership, Habitat and the Leesburg CDC. The developer's request was that the city defer \$53,000 of impact fees. The last time they agreed to an impact fee deferral, the impact fees were not paid. To date, they still have not received that. The location of the project would be difficult because there are a number of wetlands on the property along with some ingress/egress issues. With this being a newer commission, this needed to come before them instead of being rejected by staff. If he had that type of authority, he would have rejected it and denied the request due to past actions, and because all the other ones had been denied in the past. The current commission has not seen these requests, and that is why it was brought to their attention. This goes heart in hand to the moratorium issue and these types of things. **Commissioner Pederson** verified that he recommended a no vote on this. **CM Minner** replied that is correct.

The roll call vote was:

|                       |    |
|-----------------------|----|
| Commissioner Reisman  | No |
| Commissioner Pederson | No |
| Commissioner Berry    | No |
| Commissioner Connell  | No |
| Mayor Burry           | No |

No yeas, five nays, the Commission denied the resolution.

2. **Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2022-23 Budget for the Gas, Wastewater, Police Impact Fees and Fleet Services Funds for the Third Quarter; and providing an effective date.**

**ADOPTED RESOLUTION 11,360**

**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 relating to the City of Leesburg Municipal Firemen' Retirement System; amending the Title of the Retirement System for the Members of the City of Leesburg Fire Department to be inclusive; amending the City of Leesburg Firefighters' defined benefit plan to implement the Heart and Lung Act and Firefighter Cancer presumption established by Sections 112.1816, 112.18, 112.181 and 175.231, Florida Statutes; Creating Section 2.4(B)(1) and (2) of the Retirement System relating to Line of Duty Disability benefits; providing for inclusion in the Code; providing for severability; and providing an effective date.**

**ADOPTED ORDINANCE 23-44**

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

Commissioner Reisman made a motion to adopt the ordinance and Commissioner Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience. There were none. He mentioned this was a housekeeping change to the statutes. **CM Minner** agreed and said it is statutory benefits that have to go in the pension plan.

The roll call vote was:

|                       |     |
|-----------------------|-----|
| Commissioner Pederson | Yes |
| Commissioner Berry    | Yes |
| Commissioner Connell  | Yes |
| Commissioner Reisman  | Yes |
| Mayor Burry           | Yes |

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

**B. FIRST READING OF ORDINANCES**

1. **An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 0.4 +/- acres from City of Leesburg General Commercial and Low Density Residential to City of Leesburg General Commercial, for a property generally located south of West Main Street and north of Butler Street, lying in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Main-Butler Properties SSCP)**

Commissioner Reisman introduced ordinances 6.B.1 and 6.B.2 to be read by title only. CC Purvis read the ordinances by title only.

Mayor Burry requested comments from the Commission and the audience. There were none. He stated this item would lay over until the August 14th meeting.

2. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.4 +/- acres from City of Leesburg C-1 (Neighborhood Commercial) and R-1 (Low Density Residential) to City of Leesburg C-1 (Neighborhood Commercial), for a property generally located south of West Main Street and north of Butler Street, lying in Section 27, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Main-Butler Properties RZ)**
3. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 0.33 +/- acres; and being generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (VOWL 0.33 Acre)**

Commissioner Reisman introduced ordinances 6.B.3, 6.B.4, and 6.B.5 to be read by title only. CC Purvis read the ordinances by title only.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller stated this is a point thirty-three acre site located in the Villages of West Lake, on the north side of CR 470. It was discovered that this small area that was platted and worked on was somehow inadvertently left out of the legal description when the property was annexed. They are trying to clean that up. Mr. Marty Zuro was in attendance from The Villages. He contacted the city and it was agreed that this was part of the Chapter 163 Agreement. He told Mr. Zuro that he would note that and put it in the agenda memo. However, he was out for medical reasons and it was not noted in the agenda memo. He wanted to bring that to the commission's attention. Again, this was part of the Chapter 163 Agreement and with permission he would like to change that at the next meeting. This would not change The

Villages' schedule or anything else. When he was out, this information did not get transmitted to staff. **Mayor Burry** stated these items would lay over until the August 28th meeting.

4. **An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing approximately 0.33 +/- acres from Lake County Public Service Facility and Infrastructure to City of Leesburg Age Restricted Development, for a property generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 0.33 Acre)**
5. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 0.33 +/- acres from Lake County A (Agriculture) to City of Leesburg ARD (Age Restricted Development) to allow for residential uses for a property generally located approximately one mile east of the Florida Turnpike and adjacent to County Road 470, lying in Section 17, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 0.33 Acre)**

**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 Watson stated he had no items to address.

**9. CITY MANAGER ITEMS:**

CM Minner had no reports to comment on.

**10. ROLL CALL:**

**Commissioner Berry** had no further comment.

**Commissioner Pederson** commented he was looking forward to watching the city manager dance this

Friday night. **CM Minner** replied he had his dancing shoes on.

**Commissioner Reisman** had no comment.

**Commissioner Connell** had no further comment.

**Mayor Burry** had no further comment.

**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.**

With a motion by Commissioner Reisman and a second by Commissioner Pederson, the meeting adjourned at 6:07 p.m.