AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, AUGUST 14, 2023 5:30 PM

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, August 14, 2023, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:30 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

Mayor Burry 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. Leesburg Lightning FCSL Championship

Mayor Burry read a proclamation proclaiming the accomplishments of the 2023 Leesburg Lightning, and commended the dedication, perseverance, and teamwork they displayed enroute to winning the FCSL Championship. He thanked them for being great ambassadors for the City of Leesburg. He encouraged all fans to continue supporting our home team. Go Lightning! He said the success of the Leesburg Lightning is wholely dependent on a team of extraordinary volunteers whose time, energy, and efforts bring quality college baseball to our city year after year. He appreciates their professionalism and dedication to this organization and the community. Present to accept the Proclamation was "Stricker" and several of the volunteer members.

3. PRESENTATIONS:

A. Certificates to Miss Leesburg winners: Miss Leesburg - Lily Boliek; Teen Miss -

Meghan Boliek; Junior Miss - Shaylin Shumate; Little Miss - Abby Carlton; and Tiny Miss - Carleigh Smith

Mayor Burry presented certificates to the Miss Leesburg winners. He appreciates the girls being ambassadors for Leesburg. He sees them at every event and he knows the work they put in.

Miss Leesburg, Lily Boliek commented that thirty-seven years ago Ms. Linda presented her ideas to the city commission and asked permission to use the city's name. That was the beginning of the Miss Leesburg Scholarship Program. It has been a great success and everyone can see them all over town. Ms. Linda keeps them very busy. They appreciate the continued support from the city. The Miss Leesburg Program has two goals. One is the importance of volunteering. They aid society in giving back to the community and the program has encouraged them to step out of their comfort zones to become role models for all ages. Ms. Linda says if they start volunteering at a younger age it will stay with them throughout their lives. The other goal is the importance of education through a scholarship program. The scholarship program is non-profit and all funds raised are given out. When extra funds are obtained, they give them to boys and girls who are not part of the program. This year, they gave out six scholarships to graduating seniors. It was a special honor to have their certificates presented by the mayor and commission. On behalf of herself, Ms. Linda, and her fellow pageant sisters, she thanked Mayor Burry and the commission. She also thanked everyone in the room for their support throughout the year. Leesburg is a tremendous place to be and it is full of overflowing opportunities. She is so proud to call it her hometown.

B. FIRE - UNIT CITATION

Fire Chief Mera commented jokingly that if he knew he was following the Leesburg Lightning's mascot he would have had somebody dress up as Sparky. He wanted to recognize the efforts and the manner of a few firefighters in how they performed at a fire recently. On May 25th, the fire department responded to a structure fire. Ladder 63 was the first apparatus on site. Darin Mathis was the lieutenant, firefighter Tymber McLain was driving and firefighter Connor Urbon was the backstep firefighter. This team arrived first at the fire. Upon arrival, Lieutenant Mathis sized up the situation. He realized there was a working fire in a structure and opted to begin his operation with a fire attack, which meant he intended for a hose line to be pulled to reach into the fire to extinguish the fire. However, during that process it was brought to their attention that there was a bystander still inside. It was the husband who lived there and he could not get out. At that time, Lieutenant Mathis changed from extinguishment to a search and rescue issue. Without any hesitation, he changed the operation to search and rescue. They entered the structure with zero visibility and found the victim. They took him out of the burning structure and turned him over to EMS. As far as they know, he did survive his injuries. He then went back to his initial operation of extinguishment. The crew was able to enter the structure and extinguish the fire. The fact that they made a rescue meets the city's expectations. However, that is not what they are getting an award for. It is their expectation to find victims in fires. The reason for this award is that this crew, without any backup, operated alone during that fire. They first started down a path that made sense and they had to stop mid-path to follow different tactical priorities. They completed that priority and then went back to the initial operation. That shows their approach and dedication to saving lives and property. He wanted to award these members with a unit citation. However, he would be remiss if he did not acknowledge another person and his group. They are a part of why this group performed so well and he wanted to give them a big thank you for this operation turning out so well. That group of people is the training division. Although these members are the proverbial tip of the spear, that is where the metal meets the meat. They are another part of this operation and that training side is very important.

Without that training, he does not believe they would have had the same outcome from this fire. Chief

Walter Roenbeck was not in attendance but some of the trainers that worked alongside him were in attendance. He thanked them for all their efforts. They are as big a part of this as the members that actually did the work. They are owed a great thank you. Lastly, at the time of the fire, firefighter Connor Urbon only had about six months on the job. Chief Mera said he has been in Leesburg for twenty-two years and has never put his hands on a fire victim and firefighter Urbon did it within six months.

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.

There were no public comments offered.

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.1 - Authorization to execute a Construction Services Agreement with the Guaranteed Maximum Price (GMP) with Wharton-Smith, Inc. for $39,884,358

5.B.2 - Authorization to execute a Construction Services Agreement with a Guaranteed Maximum Price (GMP) with Wharton-Smith, Inc. for $3,992,440

Commissioner Reisman moved to adopt the Consent Agenda except for 5.B.1 and 5.B.2, and Commissioner Berry 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 24, 2023

B. PURCHASING:

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 a Guaranteed Maximum Price (GMP) with Wharton-Smith, Inc. for $39,884,358; and providing an effective date.**

ADOPTED RESOLUTION 11,367

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

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

Mayor Burry requested comments from the Commission and the audience.

Commissioner Reisman stated he pulled this item so the city manager could give an overview. **CM Minner** remarked that it was a tough call whether they put this item under the consent agenda or non-routine. In any case, this 39.8 million dollar expenditure is for the expansion of the Turnpike Wastewater plant. They may recall when they entered into the agreement with The Villages, they did some system improvements at the plant to get it up to 4.5 MGD. The Villages came a couple of years later, just about the time they were wrapping up that improvement project. It was realized, with all the growth coming in, that we needed to expand the plant further. They would have to go from upgrade to expansion pretty much one step later. In July of last year, they issued a 30-million dollar banknote at about 3.3 percent. That banknote was approved and they have spent some of the proceeds on engineering. Engineering is now at the point where the design is complete and it can move into the construction phase. Tonight, they are looking at a guaranteed maximum price agreement with Wharton Smith who is the construction manager for the project. This was done in conjunction with the expansion project. The portion of the item basically covers the sewer plant bill. They anticipated the project costing about 40 million dollars. Right now, they are right on target and the expenditure was about 30 million dollars in debt proceeds and 10 million dollars from cash. Hopefully, in about eighteen months he will be back to report that everything went smoothly and that they finished at 39.8 million dollars. **Mayor Burry** wanted to confirm this would get them to 6 MGD. **CM Minner** replied yes. **Commissioner Pederson** stated he supports this. However, it may be that he did not notice it in other contracts like this, but on page three there is a section called contingency savings. He was surprised to see that if there were any contingencies left over, the contractor would get twenty-five percent and we would get seventy-five percent. In his experience with contracts, he has never seen that. Is that customary? **CM Minner** answered yes, it is pretty customary. There is a five percent contingency, around 2.6 million dollars. Hopefully, they do not cut into that and we will get some savings back. **Commissioner Pederson** wanted to know the logic of the contractor getting a portion of that? **Public Works Director (PWD) Cliff Kelsey** answered that the incentive is for them to save money, which, in turn, helps the city save money. **CM Minner** confirmed it is an incentive and we would share the wealth with them. It is an incentive to save money instead of spending it. **CA Watson** added from his experience and perspective, the idea is to incentivize the contractor to save money and not spend the contingency money. If that happens, then there is a little bit of incentive for everybody and the city would get the lion's share back on that.

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes

Commissioner Connell	Yes
Mayor Burry	Yes

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

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 a Guaranteed Maximum Price (GMP) with Wharton-Smith, Inc. for $3,992,440; and providing an effective date.**

ADOPTED RESOLUTION 11,368

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

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

Mayor Burry requested comments from the Commission and the audience.

Commissioner Reisman mentioned that he also pulled this so the city manager could give a brief overview. **CM Minner** stated this was another project that has been sitting on the books. There are three parts to managing growth with reference to wastewater. We have two big growth areas; the CR 44 Corridor area, which is in the northeast of Leesburg, and in the southeast we have the US 27 Corridor. All of those units, if they go, need sewer plant expansion. They also just talked about how the flow of the wastewater to the plant is kind of two-fold. The first part is on the northeast corridor and that is pretty much taken care of with the flow and capacity from the Canal plant. The Turnpike plant is a bit more difficult with how to get flow out there. Where they see the growth on the southside that pretty much comes from the north to south. On the CR 48 Corridor, that is where we see immediate growth. It then goes a little bit south and moves into the Windsong phase two area. Most of that growth can be taken care of by the flow from lift station 72. They identified that lift station 72 needs to be expanded to capture that growth. This project expands that lift station. About this time last year, the city bought that extra property from Winn-Dixie Plaza, where the expansion of the lift station will go. The costs for this project are a bit under what was estimated in the budget, so if all goes well they will stay under four million dollars. Then they can turn some money back to reserves. That will buy a capacity of about four to five thousand houses before the sewer bypass is needed. There have been some discussions on the sewer bypass and the plan is to shift the construction costs to many of the subdivisions that are coming in further down US 27. For example, BarKey, Lyden Nicholson, and Whispering Hills, that bypass would be built with sewer impact fee money. That would go across the transmission corridor from Plantation to CR 33 and up to Okahumpka. This measure will allow for continued growth in the south and the northern side of the south. The money for this project has been budgeted for quite some time.

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 resolution.

3. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the City Commission to approve the purchase of one (1) Mobile Air Cascade Breathing System by Fire Services from Channel Innovations Corporation in the amount of $168,000.00; and providing an effective date.**

ADOPTED RESOLUTION 11,362

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from 800 N 14th Street, LLC, a Delaware limited liability company, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**

ADOPTED RESOLUTION 11,363

2. **Resolution of the City Commission of the City of Leesburg, Florida hiring Gray Robinson Attorney's Advisors Consultants to represent the City of Leesburg before the State of Florida on issues related to the executive and legislative branches of government; and providing an effective date.**

ADOPTED RESOLUTION 11,364

3. **Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Anacott Steel, LLC, for the purpose of granting the City an Easement over the property described therein, together with the Joinder and Consent to Utility Easement from Southstate Bank, N.A. joining and consenting to the Utility easement; and providing an effective date.**

ADOPTED RESOLUTION 11,365

4. **Resolution of the City Commission of the City of Leesburg, Florida, approving an Interlocal Agreement between the City of Leesburg and the Eastport Community Development District; authorizing the Mayor and City Clerk to execute the Agreement; and providing an effective date.**

ADOPTED RESOLUTION 11,366

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, annexing certain real property consisting of approximately 60.27 +/- acres and generally located north of Jackson Road, east and west of Park Lane, and west of Radio Road, lying in Section 10, Township 19 South, Range 25 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 5; and providing an effective date. (Silver Lake Woods AX)

ADOPTED ORDINANCE 23-37

Commissioner Reisman introduced ordinances 6.A.1, 6.A.2, and 6.A.3 to be read by title only. CC Purvis read the ordinances 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.

CA Watson said since these are quasi-judicial hearings, if anyone in attendance wished to address the Silver Lake Woods rezoning and the Main-Butler Properties to stand so and be sworn in. He swore everyone in. **PZD Miller** stated this project is Silver Lake Woods; a single-family residential development on approximately sixty acres. It is generally located west of Radio Road and east and west of Park Lane. They are requesting eighty-five units for a density of 1.41 units per acre. Their request is for an annexation, small scale comp plan, and rezoning into the city. There would be twenty-eight acres of preserved wetlands. The only permitted use is for single-families. There are three lot sizes; fifty, sixty, and seventy-feet. The access point is required to be on Radio Road. It will be a boulevard-type access with a landscape median. The sixty and seventy-foot lots will be located on the exterior of the property and the fifty-foot lots will be on the interior. Each home will have a two-car garage and the fifty-foot lots as discussed will have gutters. They have the standard architectural and design standards in place with twenty-five foot buffers around the property. On the northeast and south sides there are storm water ponds and twenty-eight acres of wetlands buffer the west side. There is an option for fencing. They have tree requirements in the front and backyard, along with dark sky lighting. There is a requirement of .4 acres of recreation. The petitioner, Mr. Henin is in attendance if the commission chooses to view a presentation. He noted that the annexation showed commission district three; however, that should be district five. With the commission's permission, he would request that change. **Commissioner Pederson** mentioned when the fifty-foot lots hit the radar about five years ago there was a lot of questions and debate. These lots seem to be selling. He had not heard about any problems with them, but are the fifty-foot lots selling in the developments that were already approved? **PZD Miller** answered that so far everything that has been built is selling. **Commissioner Pederson** said he was just curious. **PZD Miller** mentioned that in total, around thirty thousand lots are either being reviewed or have recently been approved through zoning and they are platted. A majority of the lots are fifty-foot lots. The staff believes we need to mix that up a little bit. **Commissioner Pederson** commented that when it first hit the radar there was a lot of debate and his position was whatever the market wanted. However, he was curious about it five years later and if the market was absorbing the fifty-foot lots. **PZD Miller** said Lake Denham is mostly 50-foot lots. It also has forty-foot lots around the front and that development is almost finished. **Mayor Burry** asked if there were any public comments. There were none.

The roll call vote was:

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

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

2. **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 60.27 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential, for a property generally north of Jackson Road, east and west of Park Lane, and west of Radio Road, lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Silver Lake Woods LSCP)**

ADOPTED ORDINANCE 23-38

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.

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 ordinance.

3. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 60.27 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development) to allow for residential development for a property generally located north of Jackson Road, east and west of Park Lane, and west of Radio Road, lying in Section 10, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Silver Lake Woods PUD)**

ADOPTED ORDINANCE 23-39

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.

The roll call vote was:

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

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

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 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)**

ADOPTED ORDINANCE 23-45

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

PZD Miller stated this was an unusual situation because the zoning district boundaries and the future land use district boundaries on the property are all over the place. He did not know how this happened because it was done decades ago. They had a few gentlemen come in who wanted to utilize the property. In order for them to utilize the property, they need to make some changes. They would like to match the lines with what is under the future land use and zoning, so that they are the same. They will have to do some lot-splits, which they will work on. Doing this, they will have consistency with the lines. The uses will then be C-1, neighborhood commercial and general commercial on the northside along Main Street and R-1, low density residential along Butler Road. Everything would then be consistent. They could put a couple of houses on Butler Road and a small commercial site to the north.

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.

5. **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)**

ADOPTED ORDINANCE 23-46

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.

The roll call vote was:

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

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

B. FIRST READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, Florida, Consenting to the Inclusion of the City of Leesburg, Florida, within the Countywide Municipal Service Taxing Unit for the Provision of Ambulance and Emergency Medical Services, as Adopting by the Board of County Commissioners of Lake County, Florida; providing for the City to be included within said M.S.T.U. for a specific term of years; providing for conflicts; and providing an effective date.**

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

Mayor Burry requested comments from the Commission and the audience.

CM Minner mentioned that this item is a standard operating procedure (SOP) where the city piggybacks with the county for the Municipal Service Taxing Unit (MSTU) for the ambulance district. This is done annually and every resident in the county receives this service. **Mayor Burry** stated this item would lay over until August 28th.

2. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 11 +/- acres from City of Leesburg SPUD (Small Planned Unit Development) and R-3 (High Density Residential) to City of Leesburg SPUD (Small Planned Unit Development), for a property generally located east of Executive Boulevard and south of State Road 44, lying in Section 29, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Good News Church Public / Private Partnership SPUD)

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

Mayor Burry requested comments from the Commission and the audience. There were none. He stated this item would lay over until August 28th.

3. An Ordinance of the City of Leesburg, Florida amending the City Code of Ordinances by amending Chapter 5, Section 5-6, Consumption of and open containers prohibited on public property; exceptions; amending Section 5-6.2 Consumption of or possession of alcohol in open containers near store selling alcoholic beverages; amending Chapter 18, Streets, Sidewalks, and other Public Places; providing for severability; providing for conflicts; providing for inclusion in the Code of Ordinances; and providing for an effective period and effective date.

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

Mayor Burry requested comments from the Commission and the audience. He wanted to mention that he was in favor of this ordinance. He spoke with the city manager about including a sunset clause for one year so they could look at it again. If it works, it works, but if it does not, they can address it. **Commissioner Pederson** remarked that he fully supports this ordinance. He inquired how the rest of the commission felt about this issue, since there were a few people in attendance from downtown. He wanted to be fair to the audience and this has been talked about for a few years. He appreciates Commissioner Reisman bringing it to the table. **Mayor Burry** stated he is all for it with a sunset clause being included for one year so they can look at it again. He stated this item would lay over until August 28th.

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 May 2023

Mayor Burry asked if there were any questions regarding the financial reports for May or

June. **Commissioner Reisman** questioned the projected write-offs and what classifies the ability to determine a write-off for both commercial and residential accounts. The numbers are pretty high compared to last year. **CM Minner** responded once they have gone through the process of trying to collect where they have chased it down as far as they can with the collection agencies. That is the time they write them off. Once all available efforts have been exhausted trying to collect it, they write it off. The numbers are a bit higher because a lot of them were covid induced. They will probably see a little blip in there for a bit. They try to keep them on the books, but they are at the point where they need to be written off. **Commissioner Pederson** asked for clarification. He understands writing it off, but do we give up collection efforts? **CM Minner** replied no. We turn it over and if it comes in they will mark it. However, they need to keep moving forward the best they can. **Commissioner Berry** asked how many months the accounts are in collection before they are written off. **CM Minner** answered a couple of years. That is from the time it is incurred to when they ultimately write it off. The numbers are up about one hundred grand. They are looking at a write-off of around $335,000 out of 90 million. **Commissioner Pederson** commented that in his first year on the commission it was over $400,000 and he made an issue of it. **Commissioner Reisman** pointed out that the city could do a lot with $350,000. **CM Minner** said they look at it that way quite often, but when they compare that to the amount of revenue they bring in and what that does, it is not anything other than private sector write-offs, and that is a pretty good number. They do beat them up pretty well when trying to collect funds. We have this discussion every year and the flipside of the equation is to lower that number, but it would then become more punitive to our customers in terms of deposit policies, utility connections, and disconnection. The trade-off was to ease up on some of the deposit policies. The deposit policy back in the day was considerable and it was not market driven. We have good policies that are customer-service friendly and the write-off amount is not a considerable number.

B. Financial Reports as of June 2023

8. CITY ATTORNEY ITEMS:

CA Watson had no items to address this evening.

9. CITY MANAGER ITEMS:

CM Minner did not have any further items to discuss.

10. ROLL CALL:

Commissioner Pederson commented that he has been vocal with prior commissions on how he would like the commission to consider knocking down the Wellness Center. He was not taking that mildly, but when he is driving and he gets stopped at that light, he cannot see the Pat Thomas Stadium. We have a thirteen million dollar investment there. The Venetian Center is first rate and then there is this ugly building. We could put a new facade on it, but it still blocks the view of Pat Thomas Stadium. However, there is a parking problem on occasion. For example, the weekend of the Stepping out for Education event, he was down there both Friday and Saturday night, and there was a parking problem. There was an event happening at the Venetian Center, there was a baseball game, and the Ski Beach Restaurant. With that combination and then add in the boat club events that will lead to parking issues. He wanted to throw this out because they were going through the budget process. He wanted to see if the commission would consider merging this into the budget. He waited to bring it to the commission's attention until he had a good number. The city manager gave him the number and it was not good. It will cost about 1.5 million dollars to demolish the building to create parking which is needed. Not having that building there would open up the view to Pat Thomas. They could also renovate the building on Griffin Road that the city owns, which could be used for the Wellness Center. That would be subject to an agreement with the hospital because the city sold the baseball fields to the hospital and we now lease that property from them. **CM Minner** stated there was a lease with a reverter clause. That property was sold to the hospital eons ago and it was to be used for hospital use only. If it was not used for hospital use, then the property would revert back to the city. A hospital use has a pretty broad definition, but essentially the concept was that the hospital cannot turn around and sell it to McDonald's. It has to be some form of hospital use. He has talked with the hospital a number of times about giving it back to the city. About three months ago, he talked to the hospital about it again, and they seemed to warm up to the concept of allowing us a different use. **Commissioner Pederson** added that was what he was proposing. **CM Minner** continued to say that it sort of looked like the stars were aligning. The concept that Commissioner Pederson brought up about knocking down the Wellness Center is not new. It goes back to when they started the Venetian Center and when they purchased the Knights of Columbus building. That building is located right next to the electric department. When they bought that, the ultimate thought was to shift around some uses at the Venetian Center and the Venetian Isles area. However, they recently received the numbers back and, going through the budget process, he wanted to bring it to the commission's attention. **Commissioner Reisman** asked what was currently in the Knights of Columbus building. **CM Minner** answered it was empty. It was the Knights of Columbus and then the Boys and Girls Club used it on an interim basis. Back to the Venetian Isles project, they knocked down the old Boys and Girls Club when they wanted to make the Splash Pad look better. They leased that building to the Boys and Girls Club while the Teen Club was being constructed. They have now shifted out of that and we have a shell building with about one million dollars' worth of work. They could convert that into the Wellness Center, which was the concept they started with. **Commissioner Pederson** added that part of his idea for the baseball field was subject to the hospital's approval. He would like to make it a grass parking lot. He does not want to surface it or spend a lot of money on it. He would like to take down the remaining fence in the back. **CM Minner** remarked that it had already been done. **Commissioner Pederson** said he was referring to the fence behind home plate or the backstop. They could take that out and build a curb cut there. He just wanted to put curb stops on that grass field and lay it out like a parking lot. It could be used for overflow as needed. If we did that, we would not need to knock down the Wellness Center building. We have spent a lot of money on the Pat Thomas project and we need to do it right. We are ninety-five percent of the way there. Even though it is 1.5 million dollars, we could knock the building down and create as many parking spaces as possible. He had inquired if they could move the small retention pond, but that would be too complicated and we have a larger retention pond to the west. He just wants to create additional parking and open up that area. We have spent $750,000 updating Pat Thomas field and it looks great. He would like to open the visibility to that and create more parking. **Mayor Burry** commented that Ski Beach had agreement for the right of first refusal on that property. **CM Minner** agreed and said in the Ski Beach agreement there is a right of first refusal clause where if we did another restaurant pad, they would have the first opportunity to work with the city on that. **Commissioner Pederson** pointed out that would create more parking problems and we already have parking problems on occasion. **Mayor Burry** remarked that it is a great problem to have. **Commissioner Pederson** said he states that all the time, even in the downtown, when people complain about parking, he says that is a good problem to have. **CM Minner** remarked that the clause in the agreement does not really concern him. **Mayor Burry** said personally, rather than tearing down the building and with the potential for another restaurant, they could have parking across the street where the old baseball fields were. They could make that a more formalized parking lot. **Commissioner Pederson** added that the building blocks the view of Pat Thomas heading eastbound. If the commission does not like that idea, he would not argue about it too strongly. **Commissioner Connell** remarked that he had several concerns about this. They had discussions before and he was not in agreement with that. He asked if there had been any geotech reports done on the soil. **CM Minner** answered no. **Commissioner Connell** stated they would most likely find that the soil is not conducive for development and the Wellness Center sits on some major pylons. It would not be easy to tear that building down and put asphalt in that area. Also, how many spots would we actually get? That is not a big lot, especially if we accommodate the extra impervious area for storm water. It would be a complete waste of money and there is nothing wrong with that building. It is in perfectly good shape. For the bang for the buck, we will not get much more than one dozen parking spots for 1.5 million dollars. That is not worthwhile. If we did a geotech survey of the soil, we would find out that it is not conducive for a parking lot, unless you do not mind cars sinking. If we want to dress it up to make it look more compatible to the Pat Thomas and the Venetian Center, he would be all for it, but he does not see the need to tear it down. Across the street at the baseball fields does anyone even use them anymore? Do they practice there or anything? **Commissioner Pederson** said they have been taking the baseball backstops and fencing down. **Commissioner Connell** stated if we had use of that property what would it cost to put parking there? What would the hospital want for it in order for us to do that? **CM Minner** answered the hospital would probably let us use the property for parking, but the hitch with that is that when they want to develop it, we will lose parking. **Commissioner Connell** said, other than when major events are happening there, do we really have a parking problem? **Commissioner Pederson** mentioned that it was not every weekend but when three or four different events are going on at all the facilities, we do have a parking problem. If the commission wants to put a new facade on the building, he would not argue that because it is more fiscally responsible. Right now, it stands out like a sore thumb, so at a minimum, they need to put a new facade on it. **Commissioner Berry** inquired how far the parking deck was from the Pine Street area in reference to walking. **CM Minner** said about a mile. He asked if she was referring to the parking deck near the library. **Commissioner Berry** said she was referring to the parking deck that is just behind the baseball fields. **Mayor Burry** said it would be a couple blocks. **Commissioner Berry** inquired how many parking spots there were. **CM Minner** asked if she was referring to the parking lot at the aquatic facility. **Commissioner Berry** replied yes. **CM Minner** stated the CDC parking lot has about sixty spots. It is located on the corner of Child's and Pine Streets. **Commissioner Berry** said they are talking about putting more parking at Canal and Dixie, which is maybe a block away from that parking lot. **CM Minner** said it would be about a block. **Commissioner Reisman** mentioned that with the way this conversation is going they should continue it at another time.

Commissioner Berry had no comment.

Commissioner Connell had no further comment.

Commissioner Reisman had no comment.

Mayor Burry said he had a couple of items. First, with the Partnership, where are we going on that and what is the city's take? **CM Minner** answered that he had a number of conversations with the Partnership board, along with individual discussions with commissioners. He and the recreation director will bring a presentation about how the city can move forward in terms of events. That presentation will provide some information to help the commission make a decision. They can then proceed with the framework so they can put that in the FY 23-24 budget. The Partnership approached the city asking for additional funding of four hundred fifty thousand dollars. There was no formal motion made by the commission to say let's give them a check for four hundred and fifty thousand dollars. They had a public discussion and the concept was warmly received by the community. Since then, the Partnership began doing some planning and during that time the general manager gave her resignation. Now, there are some questions as to how the Partnership will move forward. In this regard, his editorial revolves around the concept of Bikefest and Mardi Gras and the mechanism of why the city is not in the events business. Back in the day when Bikefest started, Bikefest and Mardi Gras were lucrative enterprises for the Partnership. The concept then was to let the Partnership handle the major events and do tertiary events, which would save the city from having to invest in events. That was the concept and it worked for a long time until about 2015/2016, as Bikefest became less lucrative. At that time, different concepts came up and the city provided additional funding to the Partnership in the form of civic funding. The Partnership held on and the events went off. In more recent years there have been a number of reasons why Bikefest has not been the money maker that it used to be. Some of that goes back to covid and there are a number of other reasons. On a perpetual basis, the funding is not there for the Partnership, not only for Bikefest, but to fund other city events that everyone enjoys. The Partnership voted with the outcome of five to one, to approach the city to see if we would take on all events. They approached him and this editorial came with some trepidation from the Partnership board. There were concerns from the Partnership board. That was when he received a change of request from partnering with them on funding to how the city could take them over. His response to the Partnership board and through individual conversations with the commission was it would not be a major concern for the city commission. The major concern of the city commission is that Leesburg continues to have great events. We want Leesburg to look great and have folks wanting to live, work, and play here. As long as we find that answer, then everybody will be happy. This has been a question since at least 2015, and eight years later we are talking about it again. Based on the Partnership board's request, they would like the city to take on the events. They are currently working on a presentation to outline some concepts. The division between the city and the Partnership is that the Partnership would take on the ticketed events because non-profit organizations do those as fundraisers. Those events include the chili cook-off, the fish fry, and Beast Feast. The city does not want to be involved in those events. They are good fundraisers for the not-for-profits. The framework for how the city would handle the events moving forward is that we take the funds that we were going to consider giving to the Partnership for funding the events and put them in the recreation department's budget. They are finishing the presentation and he will share it with the Partnership board prior to dissemination to the commission to ensure that the Partnership board understands where the city will be going. At the August 28th meeting there will be a recommendation and the commission will make a decision. It will be as simple as they love the concept, let's do it, then weave it into the budget. Or, they could also say this is crazy and they would go back to the drawing board.

Mayor Burry mentioned the Lee school property had a 60-day sunset. The commission wanted them to decrease the number of units from what they applied for. He was curious where that stood.

Commissioner Pederson said his concern was adequate parking, which means they would have to give up some units to create what he would deem adequate parking. **Mayor Burry** continued to say that they approved a PUD that night for fewer units. It was not what the applicant wanted, so they gave them 60 days to come back with a new plan. **CM Minner** pointed out that there was a motion that was loosely worded that if the developer did not come back to the city with a modified plan within 60 days, he would need to start over. The concept was that he needed to redo the site plan and he would need to go back to the historical board for approval. If Mr. Mansfield were to come back with a new plan with fewer units and more parking. They may want to walk back on the sixty days. However, that is probably a conversation he would have with the city attorney. He was not prepared to discuss that in detail now and he did not want to put out any incorrect information. At this stage, the go-no-go of that development falls in the lap of Mr. Mansfield and where he wants to go. The city will continue to enforce codes to ensure that property is kept up under the existing codes. He spoke with Mr. Mansfield about two or three weeks ago and he said he had a new investment group he was working with. They are trying to put the numbers together. They are trying to meet in the middle, between the sixty-three units and the fifty units that the Planning Commission wanted. **Commissioner Pederson** said he would not pick a fight with him over the sixty days. In fact, the sixty days had already expired. However, they do need some direction on this property. He appreciates everything the developer has done to date, but if he does not do something soon, he would want the city to get a bit tougher on cleaning that site up. **CM Minner** pointed out that they have a notice to appear before the special magistrate. **Commissioner Pederson** stated he welcomes this development and he wants it to happen, but it keeps dragging and dragging.

Mayor Burry said the last thing he wanted to talk about and it was mentioned earlier about how busy that weekend was with the Stepping out for Education, a baseball game, and the restaurant. However, he wanted to make sure the public knew that the city had a premier dancer involved in that fundraising event. He wanted to show the public a little preview of what it looks like to be a superstar. A YouTube video was shown of the city manager dancing during that event. The mayor pointed out that John Travolta had nothing on our city manager. **CM Minner** said he had a sneaking suspicion that a video was going to be played. **Commissioner Pederson** commended him on a job well done. He did a great job.

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 6:38 p.m.