AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, FEBRUARY 12, 2024 5:30 PM

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, February 12, 2024, 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 (5:32 p.m.)
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. He informed the audience that item 6.C.2 had been pulled from the agenda. It would not be heard or discussed at this meeting.

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

2. PROCLAMATIONS:

A. Purple Heart City

Mayor Burry read a proclamation recognizing the Purple Heart and the Purple Heart City. It is fitting for the City of Leesburg to become part of the Purple Heart Trail System as a Purple Heart City. He encouraged all citizens to remember and honor the brave men and women who defended this great nation.

The Commander of the local Chapter of the Military Purple Heart gave appreciation and thanks to the Commission. He was honored to accept the proclamation reflecting the City becoming a Purple Heart City. They were humbled by the support for their organization and the work that they do throughout the community. He was grateful for the wording in the proclamation that acknowledged the sacrifices made by the wounded combat veterans here in the City of Leesburg. He was personally honored to be a part of the ceremony. They will take the steps necessary to place the City on the national register as a Purple

Heart City. He provided each commissioner with a Purple Heart Supporter pin and the Mayor with a flag.

3. PRESENTATIONS:

A. Lee School Update

CM Minner asked Barry Mansfield to provide an update on the Lee School project. There have been discussions about Lee School for some time. This project has gone through a couple of iterations and a number of things have occurred that made this project challenging. First, the old historic buildings are in disrepair and the Historic Board gave a conditional demolition order for those buildings tied to development. As you know, for various reasons, development has not occurred. It started with covid, then there were some inflationary issues and as we got into the iterations of redesign, the commission did not approve the PUD due to parking concerns. Since then, Mr. Mansfield had gone back to the drawing board. He is here to provide a potential modification to the PUD that includes some different concepts. He thought it was a good idea for Mr. Mansfield to appear before the commission and give a quick presentation. This is non-binding, it is just an informational item. They felt it was important to come back and talk about this concept. Now there has been a shift in the proposal, so instead of town homes, we are talking about apartments. From a staff level, we see the trade-off. Even though there may be more density, we would not have a parking issue. He turned it over to Mr. Mansfield to provide a quick presentation.

Mr. Barry Mansfield of 1320 SE First Street, Ocala thanked the commission for allowing him to come before them. He currently sits on the City Council for Ocala. He understands the standards and there have been some struggles with the development of the Lee School property. They have been trying to figure out how to develop this property. When they submitted their first design, it included town homes and that was turned back because the numbers did not work. In the meantime, they started working on a project in downtown Ocala. He asked the city manager to come and look at it the project to see if it would possibly work here in Leesburg. Eventhough this is not the original concept they came up with it, would fit this area nicely. They literally just finished building it and it fits in downtown Ocala. Right now, Ocala is struggling for housing and the only way to do housing is to go up. They came up with this project for downtown Ocala and it is located on Third Street. He went over some slides showing what the development would look like and how it sits on the property in Ocala. The first building has received certificate of occupancy and the second building is ready to recieve certificate of occupancy. There is just a few other things that need to be done. He showed an aerial of the property located in Ocala along with samples of what the apartments would look like. He asked if there was a way to view the video he sent in. **CM Minner** answered that he did not include the video for this meeting. **Mr. Mansfield** stated he could send the video to the city manager so the commission could view it, it was done with a drone. However, the most important thing to mention is the square that this project sits on in Ocala is the exact same square footage of the Lee School property. The project in Ocala is about two blocks off downtown Ocala. The more they thought about it they decided it would be a good project to fit in Leesburg. Residents can actually walk to downtown Ocala so that means residents here could walk to downtown Leesburg. This would be an upscale apartment complex that includes a few three bedrooms, but it would be mainly one and two bedroom apartments. The project in Ocala was targeted for professionals. There could be some kids but it is right downtown near the hospital and stores. It was geared more towards professionals, younger people and singles. This development would mimic what they did in Ocala. The target market will be professionals; nurses and doctors. It would be for professionals who want to live downtown. They are all struggling with that in the City of Ocala. A lot of people want to come back and live downtown. They need to have a place to live that is not necessarily a bunch of houses. That is why they came up with this concept and it has worked in Ocala. The market will be geared to young professionals and people who want to live in downtown Leesburg. People who want to get out and walk a few blocks to either shop or eat. They still talk about the condos but they thought this may be a better product for Leesburg. If anyone wanted to tour the development in Ocala he would be more than happy to do that. They would be able to touch and feel it. It fits well in the neighborhood and it looks nice. There are neighborhoods beyond the development and you cannot tell it is there until you are right on top of it.

Mayor Burry inquired about the number of units. **Mr. Mansfield** replied there would be one hundred and four units. **Mayor Burry** asked about the parking spots. **Mr. Manfield** answered it would be one point five parking spaces per unit. **Commissioner Pederson** said he appreciated their patience with the city. He knows it has been pushed back a couple times due to parking issues. If staff told him they were okay with the parking ratio he would approve it. He really likes this project. To get the parking that is needed he has no problem going up. We are looking to approve a project tonight on CR 44 which includes apartments up to four stories with a maximum of fifty-two feet. He would not care if this development went a few feet higher. He liked the project lot and we need something to happen on that site. He would support an amendment if it was needed to approve it. However, we still need to go back to the Historic Board to have these buildings demolished. It is time to move on with this because this site is a blight. **Commissoner Reisman** mentioned that he was in Ocala about a week ago. He drove by that property, it was done nicely and it fit well. He did not notice it until he was right up on it. **Mr. Mansfied** thanked him for his comment.

A lady from the audience asked if the Leesburg location would have the same amount of units that are in Ocala. **Mr. Mansfied** remarked that he would be copying the exact development that is in Ocala. They would be copying everything from the parking, the pool, the clubhouse, and the units because it is the same square footage. There is no difference in the size of the land. **Commissioner Berry** asked if they were taking consideration for stormwater issues as well as the monument that was requested. **Mr. Mansfield** answered if they were to drive by the location in Ocala they have a monument on it. With the slides he showed they could not see where the monument was. If they view the video of this development that would show the monument. They would be more than happy to put a Lee School monument at this location too.

A man from the audience said with there being only one point five parking spots per unit who will be parking there? The husband or the wife, most couples need two parking spots. That has always been an issue for him. **Mr. Mansfield** responded when the engineers did the calculations that was what they came up with. They assume that some will not need two vehicles. The verdict was that one point five parking spaces would be enough for this development. However, if it needed more parking space they would take another look at it. Remember there are one-bedrooms that may not have two people in the household. **Commissioner Pederson** asked if he had a ratio for the one, two, and three bedrooms. He was not trying to hold him to a number he just wondered if there was a rough number for the breakdown. **Mr. Mansfield** answered there would be four three bedroom units and they are located in the corners. The rest of them would be one and two bedroom apartments. **Commissioner Pederson** remarked that he was curious. He wanted to piggy backing off the comment made about parking. **Another guy from the audience** said with this being a four story building has the Fire Chief been involved to make sure there was proper ladder trucks to handle this development should something occur. Are there fire hydrants in and around the buildings. **CM Minner** pointed out that they were just vetting this concept. There are a ton of things that still need to be done on this. There is a planned unit development approval already in place for this development and Mr. Mansfield is seeking to modify that. All the questions about parking, green space and fire hydrants will be included with Mr. Mansfield's submittal of a modification to the existing PUD. He thought it would be important to vet this concept and all the questions being asked by the public will be dealt with through the review process. First it needs to go back to the Historic Board, it will then go to the Planning and Zoning Board before it comes back before the city commission. They just wanted to provide an update and get an initial feedback from the commission. He would talk with Mr. Mansfield about whether he wants to move forward or not on the revised concept. If so, an application will be submitted to the Planning and Zoning Department. For the public there will be more than one bite at the apple for comments, critiques, criticism, and compliments. **Mr. Mansfied** clarified that the development in Ocala is already built and they met with the Fire Marshall before starting construction. He looked over everything and the building was fully sprinkled. The Fire Marshall in Ocala was fine with everything. **Mayor Burry** said for the record he was in favor of having more people live in the vicinity of downtown. It would ultimately be what makes or breaks the downtown. Pedestrian traffic is important and this is an excellent opportunity for the city. **Mr. Mansfield** thanked him for his comment. **Mayor Burry** asked if there were any further comments. There were 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.

Cressida Foster and Shelia Snow were there together representing the Corinne Williams Park community. There is a bathroom located in that park which the homeless people have taken over. Shelia Stone had pictures of the bathroom. As community members, they wanted to know if the city could lock the doors at a certain time, just as they do at Berry Park and the other city parks. They would like to preserve that park and bathroom. They found drugs, syringes, and other harmful items in the park. Children play there all the time, and they do not need to find stuff like that. **CM Minner** stated he would have the public works department come out.

Elizabeth Crouch Payne of 308 Westwood Drive, Leesburg, said under item 6.A.2, 6.A.3, and 6.A.4 she would like to make a public statement. **Mayor Burry** pointed out that she would be given an opportunity to speak about that item later in the meeting.

Mario Nappa of 27548 Stony Brooke Drive, said on April 12, 2022, Commissioner Pederson, then mayor, asserted on Lakefront TV that in Florida we prioritize building communities before roads. While that may be true for the City of Leesburg, it does not accurately reflect the situation in South Lake County. In Leesburg, the city commission appears to use that as rationality to justify unrestricted growth in the City of Leesburg. A notable opposing philosophy of that is occurring with the burgeoning growth in South Lake County rivaling or surpassing that of Leesburg. In a YouTube video from November 2023, Lake County Commissioner Sean Parks expressed concerns about traffic and road construction. He emphasized the importance of establishing a comprehensive road network before experiencing growth. Commissioner Parks can be quoted as saying "what we want to make sure of is that we have the road network in place and have all of that contemplated and brought out before growth occurs". What a novel idea. The video is titled "Exciting Road Updates in Clermont and Minneola". It is available on YouTube. This discrepancy highlights a divergence in approaches between Leesburg and the rest of Lake County. Leesburg is on the verge of approving a new development tonight on SR 44 while only just sending the plans to the state. That is not productive dialogue, it is passing the buck. South Lake County, in contrast, is witnessing significant road projects in the creation of new east/west connectors. He could go on listing five or six of them. However, Leesburg relies on SR 44 and SR 48 as east/west connectors. Both of which are insufficient for the current population and approved developments. The city commission appears to be neglecting its duty to collaborate with the MPO and other county and state agencies to ensure timely improvement of roads, safeguarding existing residents from adverse impacts on the quality of life. The City of Leesburg does not have a representative for the MPO Community Advisory Committee, which is a shock. That shows the lack of commitment the city has to improving its roads. While acknowledging the inevitability of growth, it is imperative that it be managed rather than unrestrained. That has been the trend in recent years in Leesburg. Current commissioners may need to be reconsidered in favor of individuals who prioritize the concerns of existing residents over merely approving every new project presented to them. Commissioner Pederson already said that they were going to approve another project tonight. That is not saying they would vote on it, that was a predetermined situation. It is crucial for the city commissioners to fulfill their responsibilities and truly represent the well-being of Leesburg's existing residents. How many homes have already been approved? Somewhere around thirty thousand. The Planning and Zoning Director said at a planning board meeting last year that with the homes already approved, there were not enough jobs in the city and people would have to commute to Orlando or Ocala for work. Enough is enough, and the craziness has to stop. **Mayor Burry** pointed out that his time had passed. He wanted to know if he attends the MPO meetings. **Mr. Nappa** said yes. **Mayor Burry** pointed out that he attends those meetings and for him to say that nobody from the city attends them is insulting. **Mr. Nappa** continued to say there was no representative for the city. **Mayor Burry** stated for clarification that he was the representative for the city. **Mr. Nappa** stated he asked Michael Woods who the representative was for the city, and he was told there was none. **Mayor Burry** informed him that the information he is providing is inaccurate. **Mr. Nappa** asked why SR 48 was not being improved from US 27 to CR 33? **Commissioner Pederson** encouraged him to go to the county since they said they would widen the roads ahead of time. He encouraged all residents to contact the county and ask for them to do that, since it is their responsibility. **Mr. Nappa** said they have to have dialogue with the county, things just do not happen like that. **Mayor Burry** thanked him for his comment.

Lay Brother Steven Gerard of Ohio stated he was on vacation in Florida. He would eventually head west. He has participated in the Christmas parades here in Leesburg. He wanted to continue discussions about Leesburg becoming a personhood city. If anyone wants more information on that, they could email him at brotherstephensgerard@gmail.com. He brought up a safety concern across the street from Publix where there was a bolt sticking out of the sidewalk. It should be taken care of before someone barefoot steps on it. He would be happy to meet with your city manager to show him where it is, so it can be taken care of.

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.7 - Gas Agreement between the City of Leesburg and Cedar Landings, LP, regarding the provision of natural gas to the development known as Blue Cedar Phase 1.

Commissioner Reisman moved to adopt the Consent Agenda except for 5.C.7, and Commissioner Pederson 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 January 22, 2024

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

1. Resolutions amending the FY 23-24 Budget

a. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2023-24 Budget for the General, Stormwater, Greater Leesburg CRA, Carver Heights CRA, Highway 441/27 CRA, Capital Projects, Electric, Gas, Water, Wastewater, Airport, Building Permits, Police Forfeiture, Fire Impact Fees, Discretionary Sales Tax and Fleet Services Funds for the carryovers from fiscal year 2022-23; and providing an effective date.

ADOPTED RESOLUTION 11,781

b. Resolution of the City Commission of the City of Leesburg, Florida, amending the Fiscal Year 2023-24 Budget for the General, Carver Heights CRA, Gas and Airport Funds for the First Quarter; and providing an effective date.

ADOPTED RESOLUTION 11,782

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a satisfaction of mortgage for property donated to Gloria Jean Hill at 108 North East Street through the Infill Housing Program; and providing an effective date.

ADOPTED RESOLUTION 11,783

3. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Task Order with AVCON, Inc., for professional services at the Leesburg International Airport, related to Taxiway Reconstruction of A1, A3, Delta, and A2 Relocation; and providing an effective date.**

ADOPTED RESOLUTION 11,784

4. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Task Order with AVCON, Inc., for professional services at the Leesburg International Airport, related to Fuel Farm Facility Design; and providing an effective date.**

ADOPTED RESOLUTION 11,785

5. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute Public Transportation Grant Agreement FM No. 454122-1-94-01, between the City of Leesburg and the State of Florida Department of Transportation, for Construction of Veterans Road Infrastructure Project, at the Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 11,786

6. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Utilities Improvement and Impact Fee Credit Agreement for Water and Wastewater Utility Line Construction associated with Hodges Reserve, Anthony Property, and LakeCo Dewey Planned Unit Developments; and providing an effective date.**

ADOPTED RESOLUTION 11,787

7. **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 Cedar Landings, LP, regarding the provision of natural gas service to the development known as Blue Cedar Phase 1; and providing an effective date.**

ADOPTED RESOLUTION 11,788

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 Berry seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

CM Minner said he asked Commissioner Reisman to pull this item because there was a blank in the agreement which they received late. He wanted to clarify the blank that is in paragraph four, and the dollar value. This is our boilerplate developers agreement for natural gas service. However, they received the agreement late, but they are trying to help the process along. That blank in paragraph four is the dollar value that the developer has to spend in order to build the infrastructure required pursuant to the PUD. That number is five hundred and twenty-nine thousand eight hundred and seventy-three dollars and sixty-one cents. That value will be inserted in the agreement. **CA Watson** pointed out that he had received the signed original agreement with that amount filled in. They are good to go. **Mayor Burry** asked if there were any other comments. 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 resolution.

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES

1. An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay), with a waiver from Section 25-282(a)(1) PDO five-acre minimum, to the existing C-1 (Neighborhood Commercial) zoning, on approximately 0.34 +/- acres, to allow for a triplex use on a property generally located north of West Main Street and west of Harold Street, lying in Section 28, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (2512 W Main Triplex PDO)

ADOPTED ORDINANCE 24-07

Mayor Burry asked the city attorney to do the swearing in. **CA Watson** asked anyone wishing to provide testimony on any agenda items under 6A or 6B to stand and raise their right hand. He swore them in.

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.

PZD Miller stated this request was for a planned development overlay to allow construction of a triplex on West Main Street. As a reminder, a planned development overlay is similar to a PUD. It leaves the underlying zoning, but adds the uses. This is generally located on the north side of West Main and west of Harold Street. The property is approximately fourteen thousand six hundred square feet, which is about a third of an acre. The current zoning is C-1 neighborhood commercial and the future land use is general commercial. Under the city's land development code, in order to have residential areas in a commercial zoning you must request some type of planned zoning district. That is done by either a planned unit development which changes the entire zoning or a planned development overlay which lays over the existing zoning. In this case, there could be triplexes, duplexes, single-family or commercial in the area. The city staff feels this is an appropriate use. Currently, the property contains one single family residence and commercial is nearby. There are no flood zones or wetlands on this property. The current single family home would be torn down, and a duplex would be constructed. There is enough room to support the duplex, create the parking and any retention if needed. The property owner is Tony Wong. **Mayor Burry** asked if there were any questions from the commission. **Commissioner Pederson** wanted to clarify that this would be a triplex because he mentioned a duplex. **PZD Miller** said yes, he meant to say triplex. He thanked him for that clarification. **Mayor Burry** asked for public comments. There were none.

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.

2. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 316 +/- acres; and being generally located south of State Road 44 and west of Whitney Road, lying in Sections 19 and 30, Township 19 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 2; and providing an effective date. (Village Palms ANNX)

ADOPTED ORDINANCE 24-04

Commissioner Reisman introduced ordinances 6.A.2, 6.A.3, and 6.A.4 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 request is for a project known as Village Palms. They are requesting annexation, a large scale comprehensive plan and a rezoning. The property consists of approximately three hundred and sixteen acres. It is generally located on the south side of County Road 44, west of Whitney Road and east of the Sumter County line. Over three hundred and sixteen acres are undeveloped. The large scale comprehensive plan amendment would go from Lake County Rural and Regional Office to City of Leesburg Neighborhood Mixed Use. It would allow a density of up to four units an acre, plus commercial uses. The zoning would go from Lake County Agricultural and Planned Industrial to City of Leesburg Planned Unit Development. The request is for five hundred and sixty-two detached single family lots, two hundred and sixty-four town homes, one hundred and thirty-four duplexes, three hundred multifamily homes, one hundred and thirty square feet of commercial uses, forty-two thousand square feet of medical professional office and a one hundred and twenty room hotel. There is some room provided for a possible charter school. There would be a total of one thousand two hundred and sixty residential units. Under the conditions of the PUD zoning, the residential area will allow for single family residential and attached single family, which are town homes and duplexes. It also allows for multifamily units, which are apartments. In the commercial area, the permitted uses would include medical offices, pharmacies, general retail, personal services, haircut and nail type uses, those types of things. The hotel, house of worship and professional offices are permitted. This is the standard that we use in all PUD's. In this case, there would be no industrial uses, which include; auto sales, tattoo parlors, check cashing, adult uses, internet cafés, or pawn shops. The development will have fifty, sixty, and seventy-foot wide lots. It will be a mix with a maximum of three hundred and fifty fifty-foot lots, a maximum of one hundred and sixty-one sixty-foot lots and a maximum of eighty-six seventy-foot lots. There will be a variety of lot sizes, and a mix of price points within the development. All lots require a twenty-foot front setback and a twenty-five-foot setback to the garage. It includes gutter requirements on all lots that have less than a seven point five foot setback on the side. They will have the dark sky lighting, two trees in each yard, architectural standards and a two-car garage for the single-family homes. Under the attached I.E, the town homes are at two hundred and sixty-four and those will have twenty-two feet wide lots. The town homes will take up the entire lot width with the same setbacks. There is a fifteen hundred square foot minimum for the living area, to include two car garages. For the duplexes there would be one hundred and thirty-four units with forty-two hundred square foot lots, which makes each duplex a seventy-foot lot. It will be thirty-five and thirty-five put together for the duplexes. It would be twelve hundred square feet per unit, which is twenty-four hundred square feet for the building. For multifamily, it is three hundred and six, which is the number they wanted. There are minimums on the size; a studio unit would be seven hundred square feet, a one-bedroom would be eight hundred, two-bedrooms would be nine hundred and three-bedrooms would be one thousand square feet. On the commercial side, there will be one hundred and thirty thousand square feet and forty-two thousand of that are intended for medical and professional office. They have a one hundred and twenty room hotel and the potential for a charter school. There are a number of different uses and all the development in this PUD have architectural standards required in either the PUD or the city's land development codes. A unique feature here is the site access. There will be three primary access points along State Road 44, which will be boulevard-type roadways with a landscaped island in the center. It will flow south through the residential portion and meet an east/west roadway. Where it meets the east/west roadway there will be a roundabout. The roundabouts help traffic flow because they do not have to come to a complete stop. It helps to keep traffic moving smoothly. There are at least six acres of recreational development with three primary recreational areas. The recreational areas include swimming pools, fenced playgrounds for children, separate dog park areas, and a trail system, which is shown on the conceptual site plan. Generally speaking, all the other requirements in the PUD are standard PUD language. He pointed out that this development has additional guest parking in the residential areas. It has thirty-five percent open space and a twenty-five-foot buffer surrounding the property. There are fencing options on the south and east boundaries. Mr. Michael Rankin from Land Planning Group is here to answer any questions. **Mayor Burry** asked if there were any further questions for the planning and zoning director. **Commissioner Pederson** asked about the parking ratio for the apartments. He wanted to draw a connection to the one that was just talked about downtown, which was one point five. Do we know what this one is? **PZD Miller** said not off the top of his head. Generally, with parking, the ratio is, if it is a one-bedroom, you are required to have one parking spot. If it is a two bedroom, it is usually one point five spaces and a three bedroom is two spaces. He could check that against the code. **Mayor Burry** asked about the three exits on State Road 44. Does that include what was already approved for The Crossings? Will that make four different exits? **PZD Miller** replied that was his understanding. However, that is subject to change because Lake County and FDOT control the roads. If they believe it is better to have fewer access points, that is what they will do. If FDOT and Lake County do not have a problem, they will have four.

Michael Rankin, managing member and owner of Land Planning Group, stated he was there on behalf of the applicant, Village Palms Holding, LLC. Paul Stefan was in attendance along with seven other folks. Village Palms agrees and supports staff recommendations about land use, residential development standards, commercial development standards, parking spots, open space, landscape and buffer requirements. They also support side access, signage, transportation improvements, utility, storm drain management, wetlands and flood zones, wildlife, irrigation and water use, recreational requirements, maintenance development phasing and implementation along with any miscellaneous conditions. As mentioned, this is three hundred and sixteen acres. Of that, there will be five hundred and sixty-two detached single family homes. They will not exceed that and two hundred and fifty-eight town homes. He met with city staff last week, because they had a couple of items they would like to tweak. The items were discussed between the first reading and tonight. They would like to decrease the town homes to two hundred and sixty-four and increase the multifamily. It would be balanced between the two. There would be one hundred and thirty-four duplex units. There would be one hundred and thirty thousand square feet of commercial. Forty-two thousand square feet of medical, professional office and educational uses. This development includes a one hundred and twenty room hotel. With the permitted uses, they wholeheartedly agree. Most importantly, he wanted to look at the prohibited uses to make sure the city clearly knows that they do not intend to bring any of them to this development. As the planning and zoning director mentioned, industrial, recycling, junk and scrap collection, recycling facilities, auto sales, dealerships, tattoo parlors, check cashing stores, adult use, internet café, secondhand thrift consignments, pawn shops, smoke shops, and all others are not permitted use. They do have a couple of things they would like to change; the multifamily would change from three hundred to three hundred and six, and the town homes would change from two hundred and sixty-four to two hundred and fifty-eight. That is the balance between the two. They are seeking a school or educational use and commercial acreage not to exceed fifty acres on the total site. With the sixty-foot lots, they would like to go from seven point five to five on the side setbacks. The town homes are required to have a one-car garage and one onsite parking space. There would be a maximum of ten percent of fifty and/or sixty-foot lots, which may be interchanged providing the minimum and maximum requirements are met within the PUD. This will all be market rate, and not subsidized. It would be full of taxpaying folks that live here. Knowing there would be folks expressing concerns about traffic, he brought reports if the commission needed them. They are also concerned about the traffic and traffic patterns in the area. They strongly feel that in order for Pembrooke to get signalization, a development such as this has to occur. They will work with MPO on that. They would be happy to sit down with anyone from Pennbrooke to navigate through what will probably be a signalized intersection. They want to build a development that people want to live in by choice. This development is heavily amenity driven. It is a massive piece of property at three hundred and sixteen acres. Just looking at the raw numbers, you may think holy moly, that is a lot of units, but remember this is three hundred and sixteen acres. The open space is one hundred and twenty-three acres, which is thirty-nine point two percent. The minimum city requirement is thirty-five percent. The total car parking in the area would be four thousand and eighteen. They spent a year working on this project. They know the challenges of bringing development to any community, not just Leesburg. When developing this, they kept in mind the quality of life and the safety of the people who live nearby and the future residents. **Mayor Burry** asked if there were any questions or comments from the commission. There were none. He opened public comments.

Elizabeth Crouch Payne of 308 Westwood Drive, said she lives in Pennbrooke. She was a little different from most people because she was born on Main Street in Leesburg. She has seen all the developments, and she was not against progress. She was a mail carrier for thirty years. She delivered mail to the entire City of Leesburg, which was rural. This development is big money for the seller, the developers, and the city through taxes, which is good. When considering developments, they need to consider safety. She lives in Pennbrooke and her grandson has to make a U-turn every day to go to work in South Leesburg. She prays every day that he does not get T-boned coming out of Pennbrooke to make that U-turn. Even though the speed limit is fifty-five, she has clocked people doing seventy. She did that by keeping up with them. The city has a lot of responsibilities to consider, and they need to consider the people that live there along with the people that will live there. Development is going to happen, she does not have a problem with that. She was concerned about safety.

Julia Fronkie who lives in Pennbrooke said she was concerned about the traffic. If there was any influence to put a traffic light there it would be appreciated. She was also concerned about fire and ambulance services because they use a lot of ambulance service. They have their own little station at the corner. She was sure there would be a lot of calls across the street and even though it is county they are cooperative, it is whoever gets the call goes first. If they take their ambulances away, it may be a problem. She asked that they consider that.

Mike Tyson of 406 Grand Vista Trail said they were all from Pennbrooke. They are all worried about safety. From what he understands, there is a good possibility that there will be a light at the main entrance coming out of Pennbrooke. However, nothing is installed at this time. There will be two other exits coming out of the development on the side where Pennbrooke goes out to Whitney Road. When they come out of the complex to go towards Wildwood, they will have to make a right turn. They are not going to go to the light and jog around to make a U-turn. **PZD Miller** remarked that they were getting way ahead. He understood the question, but in the plan there are three places it could go. They were anticipating, hoping, and pushing for a light to be installed there. However, without development of this nature, there would not be a light. Nothing will happen there and it will continue as is. It will be a continued danger for the residents of Pennbrooke. The city will work with FDOT and Lake County. We do not have the authority to make them put up the light, but we will put pressure on them. We do not know yet, but there will most likely be a light. This is a fifty-five mile an hour highway and, as the lady said, people fly down there. We saw it when we went out to post the signs. These folks have a good reason to be here, and city staff will support putting in a light.

A man who resides in Pennbrooke commented about safety and having a light in Pennbrooke. He understood that down the road just past Whitney Road there will be a sports complex that includes a bowling alley. It may not be right away, but it will happen within the next few years. That will add more traffic on Whitney Road and that concerns him.

Dotte Moore, a resident of Pennbrooke, said she heard that the city cannot do anything about the traffic. However, you keep approving more and more developments, and it is the county or the state's problem. State Road 44 is a nightmare. There are accidents every single day. There is one traffic light at County Road 468 and the next one is not until Morse Boulevard. That is how people are flying through there. She was concerned about the impact on schools and the police. Is the city focusing on the impact this development will have on everything? State Road 44 will be bumper to bumper cars from now until who knows when. Especially with the explosion of The Villages. Every day she reads Leesburg is annexing more property. When will it stop, when there is no more land to annex?

A lady named Beverly who lives in Pennbrooke said she was concerned about traffic. However, in the proposal it did not mention the names of the stores they would be putting in. She hoped they would not put in anymore tiny stores that no one goes to. She would like to see an Apple Store and stuff like that because she likes to shop.

Rosalie Slevin, a resident of Pennbrooke, said Florida is in the number two position in the nation for road rage shootings and traffic related to that. Being a retired nurse, she saw the people that came in due to traffic accidents. It was terrible and that concerns her. They do not need any road rage shootings in front of their community. She knows it is something that the county needs to think about, but we are number two in the nation and that is not good. We do not have a good reputation for drivers being patient.

Mayor Burry asked if there were any further comments or discussion on this item. There were none.

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

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.

3. **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 316 +/- acres from Lake County Rural and Regional Office to City of Leesburg Neighborhood Mixed Use, for a property generally located south of State Road 44 and west of Whitney Road, lying in Sections 19 and 30, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Village Palms LSCP)**

ADOPTED ORDINANCE 24-05

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.

4. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 316 +/- acres from Lake County A (Agriculture) and MP (Planned Industrial) to City of Leesburg PUD (Planned Unit Development) to allow mixed-use development, including single-family, duplex, multi-family, and townhouse residential units, commercial, medical/professional office, and a hotel, for a property generally located south of State Road 44 and west of Whitney Road, lying in Sections 19 and 30, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Village Palms PUD)**

ADOPTED ORDINANCE 24-06

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.

B. FIRST READING OF ORDINANCES

1. **An Ordinance of the City of Leesburg, rescinding the development order approved by Resolution 8758 on December 14, 2009, for a Development of Regional Impact (DRI) on property known as Secret Promise; and providing an effective date. (Sec Prom DRI Recission)**

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.

PZD Miller stated this was a request to rescind the development order for the Development of Regional Impact on the property known as Secret Promise. The Villages Land Company, LLC., is in partnership, and they purchased the Secret Promise property. The property consists of about four thousand acres. On December 9, 2009, the city commission approved the development order under Resolution 8578 for this property. That would have allowed them the possibility that when they were ready to go, they would bring in plans to build the Secret Promise property. However, unfortunately, things happened and that never occurred and, since then, The Villages has purchased the land. In Chapter 380.115 (2) of the Florida statues, it allows a developer to request that a development be rescinded if certain conditions are met. Since nothing has ever happened on this property over the last twenty plus years, there would be no problem rescinding the development order. In addition, keeping the Secret Promise development order open would not be consistent with The Villages of West Lake plans or the work they have already done in the city. Basically, it is getting rid of that old order. Following this case, there would be an annexation, a large scale comprehensive plan, and a rezoning of The Villages for the same property. The large scale comprehensive plan will be forwarded as a part of the requirements of Chapter 163 to the Florida Department of Commerce. This is the first reading and Mr. Marty Zuro and Mr. Darren Taylor along with some others from The Villages are in attendance. **Mayor Burry** asked if there were any other questions or comments. There were none. He stated this item would lay over until May 13, 2024.

2. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 79.2 +/- acres; and being generally located west of the Florida Turnpike and south of County Road 470, lying in Section 18, 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 6th SP ANNX)

Commissioner Reisman introduced ordinances 6.B.2, 6.B.3, and 6.B.4 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 needs to be transmitted to the state since it is a large-scale comprehensive plan. It will be submitted to the Department of Community Affairs (DCA) for review. They will need to hold a public hearing to receive public input on this tonight. They will then vote to transmit it to the state. As we have seen, The Villages has been successful with their development in the City of Leesburg. They have already completed two thousand four hundred and ninety-seven homes over the last year and a half. They have done a great job with the property north of County Road 470. In order to develop the Secret Promise property, once the rescission goes through they will need to annex eighty acres. Referring to a slide, he showed the parcel that needed to be annexed at the very top left. It will need to be rezoned to put a new future land use on it. The current future land use is mixed. There are a number of different land uses and several different zonings within the PUD. Through an agreement with The Villages, the city adopted The Villages codes into our future land uses. That was done a few years back. It allows for consistent development throughout The Villages, whether it be Leesburg, Lake County, or wherever. First they need to annex the eighty acres, then the future land use and the following is the rezoning. The cases encompass somewhere around four thousand acres, which encompass the eighty acres. Referring to the slide, **Mayor Burry** asked about the eighty acres and if that was the rectangle at the top left? **PZD** Miller replied yes. **Mayor Burry** asked about the two pieces beside it and if they were already in the city. **PZD Miller** answered yes and the one rectangle at the top left is the annexation case. **Mayor Burry** thanked him for the clarification. They would like to move ahead with these items with the knowledge that the comprehensive plan will be voted on to transmit it to the state which covers the legal bases. This property is near the Turnpike and County Road 48 on the south side and the Sumter County line is on the west.

3. 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 4,192.5 +/- acres of property from Leesburg Conservation, SP Mixed Use, Institutional, Industry and Technology Commerce Park, and Lake County Regional Office to Age Restricted Development for a property generally located east and west of the Florida Turnpike and north of County Road 48, lying in Sections 16, 17, 18, 20, 21, 28, 29, 30, 31, & 32, Township 20 South, Range 24 East, Lake County, Florida; and delete the Secret Promise DRI policies found in Future Land Use Element Objective 1.14.1 and Policies 1.14.1.1 through 1.14.1.6; and to amend Future Land Use Policy 1.1.6 to address wetland and habitat protection, land use planning and other issues; and to amend Future Land Use Policy 1.1.1 to add Commercial Centers to the list of non-residential centers permitted a 3.0 FAR; and providing an effective date. (VOWL 6th SP LSCP)

Mayor Burry asked if there were any public comments regarding this item.

Mario Nappa of 27548 Stony Brooke Drive inquired if this was for the Secret Promise land of four thousand acres. If so, that would add another ten thousand new homes and twenty thousand new cars. They need to improve State Road 48. That road, right now, sits in the thirteenth position on the MPO list. If anyone attended the MPO meeting last Wednesday they would know this. Everyone knows that the first ten projects are being funded. State Road 48 and County Road 470 are inadequate for the current traffic. We need to get something in place before the homes are built and before the rest of The Villages of West Lake are built. There is a section of State Road 48 south of the Sumter County line in the third position. He inquired with the MPO about why it was in the number three spot because it was not nearly as bad, and he was told it was because Sumter County asked for it. **Mayor Burry** informed him that the City of Leesburg has asked for things from the MPO, and we are not getting them. Without arguing, you are acting like the City of Leesburg is not paying attention to the roads and that is just not factual. **Mr. Nappa** continued to say that he saw what was happening in South Lake County. Minneola and Clermont are getting all kinds of new roads and increased capacity. We are looking at a potential population of eighty thousand in Leesburg with all the new homes being built. There are no projects on the books to cover the increased capacity on the roads. That is not good. **Mayor Burry** pointed out that it would be a great question for the MPO because he has been asking that question. **Mr. Nappa** said more people from the commission need to attend the MPO meetings. **Mayor Burry** stated more citizens need to attend those meetings to state their concerns. **Mr. Nappa** remarked that he had been attending those meeting for the last five years. **Mayor Burry** replied that he did not recognize him from those meetings. **Mr. Nappa** pointed out that since covid he only attends those meetings virtually, but three years ago he did attend in person.

Commissioner Reisman made a motion to transmit the letter to the state and Commissioner Pederson seconded the motion.

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 approved the transmission to the state.

4. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 4,192.5 +/- acres from City C-3 (Highway Commercial), M-1 (Industrial), R-1-A (Single Family Residential), PUD (Planned Unit Development), and Lake County HM (Highway Industrial) to City ARD (Age Restricted Development) for a property generally located east and west of the Florida Turnpike and north of County Road 48, lying in Sections 16, 17, 18, 20, 21, 28, 29, 30, 31, & 32, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (VOWL 6th SP RZ)**

5. **An Ordinance of the City of Leesburg, Florida, establishing the Dewey Robbins Community Development District pursuant to Chapter 190, Florida Statutes; providing for authority and power of the district; establishing 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. (Dewey Robbins CDD)**

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.

PZD Miller stated this request is to establish a Community Development District for the Dewey Robbins Community Development District. It would serve Hodges Reserve and the subdivisions in the area around Dewey Robbins Road. It is generally located east of US 27. Community Development Districts are allowed under Chapter 190 of the Florida Statutes. The districts allow for services to include, but not limited to construction, operation of water, wastewater, roads, bridges, environmental conservation areas, parks and schools, those types of things. It also includes security and infrastructure services. They are limited to a specific geographic area. Some of the ones the city has approved in the past include County Road 33, Tara Oaks, Arlington Ridge, and The Villages of West Lake has a number of them. They cannot incumber debt to local government, and they have no zoning or police powers. Michelle Ragoni of Kutak Law firm out of Tallahassee is in attendance to answer any questions. **Mayor Burry** wanted to know how many Community Development Districts are currently in the city. **PZD Miller** believed there were seven. He has the list in his office. **Mayor Burry** remarked that these are becoming a common thing. **PZD Miller** added in the city we have seven districts, which do not include The Villages. **Mayor Burry** pointed out that this covers two Hodges Developments for Dewey LLC. **PZD Miller** agreed it will serve two developments including Lakewood Reserve. **Commissioner Pederson** asked if this would mirror the other CDD's in the city. **PZD Miller** answered it is pretty much standard language. They can vary a little in terms of what they cover, but it is general standard language. **CA Watson** mentioned there are some variations in the statutes. There is a general power section and a special power section. However, most of them ask for the same special powers, like parks and security services. That was consistent in this application. **Mayor Burry** asked if there were any further questions or comments. There were none. He stated this item would lay over until the March 11th meeting.

6. An Ordinance of the City of Leesburg, Florida, adding a PDO (Planned Development Overlay), with a waiver from Section 25-282 (a) (1) PDO five-acre minimum, to the existing PSC (Pine Street Commercial) zoning, on approximately 0.16 +/- acres to allow for an office use for a property generally located north of Pine Street and east of Childs Street, lying in Section 25, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (PDO CDC Offices on Pine Street)

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.

PZD Miller stated this was a Planned Development Overlay (PDO). It will allow for an office use in the R-3 zoning district, and it gives a waiver from the five acre minimum requirement, which is something they would like to change when they update the land development code. The building was constructed in 1971 as a hotel. It is generally located on the north side of Pine Street, east of Childs Street. It is a very small piece of property, just under two tenths of an acre. The property is owned by the Community Development Corporation and the city's land development codes are the reason we require the Planned Development Overlay in the R-3 District. City staff believe this proposal will allow for appropriate uses in the area, as it will support the efforts the commission has made throughout the Pine Street area. It may even create a few new jobs. It is a good adaptive reuse of an old structure. **Mayor Burry** questioned if the structure itself was located at Mike and Pine Street on the corner next to the barbecue place. **PZD Miller** said yes. **Mayor Burry** asked if there were any further questions or comments. There were none. He stated this item would lay over until the February 26th meeting.

C. NON-ROUTINE ITEMS

1. Resolution of the City Commission of the City of Leesburg, Florida establishing the special events venue area for the Annual Leesburg Bikefest event, taking place April 26-28, 2024; and providing an effective date.

ADOPTED RESOLUTION 11,789

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.

CM Minner stated this item would typically be under the consent agenda. He pulled it off there to provide the commission with some clarification. With this being the first year the city is handling Bikefest, there are some considerations to be made. In the past, we just hosted Bikefest. We did not produce it. In the past, we had to do two ordinances; the first ordinance recognized it being a major event for above thirty thousand people. The commission would have to give their approval. This would section out the area where the event would be held. The second ordinance created the agreement between the City and The Partnership to allow businesses to sell alcohol outside their premises. Businesses like bars and restaurants typically sell alcohol in that zone during Bikefest. This resolution would approve that. Typically, businesses do not sell alcohol outside their establishments, but during Bikefest we see businesses selling outside their establishment on the sidewalk or on an empty lot they own which is bigger. In the past, we created a charge for that and to ensure that we capsulated the alcohol sale revenues. It would then go to the event. We had an existing charge that was established by the city that said whatever collected was paid to The Partnership. This year we are not doing that resolution. From his read of the commission through comments made about the concept to host the event, we wanted to help local businesses profit from Bikefest. Therefore, he did not see the need for that resolution. By code, this resolution has to be done for major events. The second resolution is no longer required. The topic of alcohol sales, in the zone, out of the zone, in the business, out of the business, was touchy. We discussed that issue, and it was part of the concept. However, Bikefest is seen as a successful event and now that The Partnership is longer, it has fallen into the city's lap. If we do not enforce or make that rule, we cannot collect the money and that money will stay with the businesses. This year he recommended doing the event without the outside sales agreement. **Mayor Burry** clarified that we would not be charging the downtown businesses if they want to sell outside their business. **CM Minner** answered they could set up a beer or wine booth in front of their business on the sidewalk. Under normal conditions, businesses are not able to do that. However, for this event, this resolution would allow them to do so. The other resolution would be for the businesses who would operate outside their business. They would be taking up one hundred square feet of sidewalk, so the city would charge two hundred and fifty dollars per square foot. That money would be paid to the City for the businesses' right to operate outside their business. We used to do that, but sometimes we never collected. The history of collecting is limited for obvious reasons. This year we do not believe the city should do that, unless the commission wants to. There may be a handful of businesses that set up beer carts in front of their business. If the commission wants to move forward with that resolution, now would be the time to let him know. He would bring that resolution to the next meeting. However, based on comments and feedback, the only thing we need to do to produce Bikefest, pursuant to the code, is to approve this resolution establishing the zone. **Mayor Burry** added the zone itself is from about Ninth Street down to the Magnolia Trail, it then wiggle wags up towards RoMac and Cutrale at that corner. It then follows the basic old railroad track back up to Canal Street. That zone is not as big as it used to be. It used to encompass the area all the way down to Perkins Street. It has been shortened and that will help traffic flow for local people. **Commissioner Reisman** asked if it would be beneficial for local restaurants to communicate with city staff if they plan to put alcohol booths out. That way they will not impede on anything we may put in the general area. **CM Minner** answered that city staff would have that contact. This is pretty much standard operating procedure. However, they will have contact and the Recreation Director and Special Events Manager will be on that. **Commissioner Berry** asked if a business could set up shop selling other things other than alcohol outside their establishment. **CM Minner** responded that the business would have to sell what they normally sell. The funeral home cannot sell beer, but a restaurant could. It will allow a business to sell their product in the public right of way. **Commissioner Pederson** stated he did not want to put words in her mouth, but he thought she was referring to a clothing store. Could we have all the retailers in town on our sidewalks? If so, that could be detrital to them and the event. **CM Minner** answered without speaking definitively. He was not concerned about that. It is typically the restaurants that sell beer on the sidewalks. There have not been any issues in the past with retailers selling their goods and blocking the sidewalks. **Commissioner Reisman** mentioned the establishments could communicate with city staff to ensure there will not be a safety issue. **CM Minner** stated the city has worked hand in hand with The Partnership in the past. This was not an unusual issue. He wanted to bring this issue up because the second resolution was a money resolution, and we would not collect it.

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 resolution.

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 had nothing to report on.
Commissioner Connell asked about agenda item 6.C.2. **Mayor Burry** informed him that item was pulled at the beginning of the meeting because something needed to be ironed out.

9. CITY MANAGER ITEMS:

CM Minner stated with agenda item 6.C.2, at the eleventh-hour Commissioner Reisman contacted him and the bottom line was the proposal for the 400 West Main Street project is not in compliance with the grant requirements. The grant requirements are for multi-use/multi-story. Multi-use is further defined in the program to require a residential component. We defined this project as multi-use because it had different variations of commercial. However, on second thought, at the eleventh hour, we realized the residential component was not there. Therefore, it did not meet the litmus test of multi-use/multistory. He would go back and speak with the petitioner, Dr. Khan, to see if there is an ability to change concepts. If he cannot change it, this may be an item the commission may want to consider an exception for because we all want to see 400 West Main redeveloped. He will follow up with Dr. Khan tomorrow.

Next, about a month ago, he sent out information to the commission regarding the city manager's evaluation, which included concepts as discussed in the fall. They were to come up with a new program for handling the city manager evaluations. He sent out forms and suggestions and asked for feedback. He would like to collect that feedback. Once he receives it all, he will disseminate it back to the commission. The next step would be for the commission to collectively agree on how to handle the evaluation process. Right now, he has received feedback from two commissioners. He would like to get the rest of the commissioners' feedback. After that, the commission will need to discuss and formalize the evaluation process moving forward. He would like to wrap this up at the next meeting or in March. That way, if the process needs to be changed or modified, they have time to work that out. The evaluation is currently scheduled for August.

Lastly, about events, the Recreation Director has been busy, and he asked him to provide an update. He wanted to remind everyone that this Thursday, The Spring Games start. He encouraged everyone to go to Sleepy Hollow and watch the girls' NCCAA softball tournament. Those girls can really throw a ball. They are awesome and fun to watch. The Division One teams include the University of Kansas, University of California, Riverside, Coastal Carolina, Ohio State, Penn State, Iowa, Illinois, and Liberty to name a few. Those are some powerhouses. He gave a shout-out to the Public Works crew for doing an awesome job getting the fields already. They look awesome and everything is in tiptop shape. With the Blues' n Q, that event is scheduled for this Saturday in the town square. It will be from twelve to four. He encouraged everyone to come out and have some fun.

Commissioner Pederson inquired about the grant. He met with Dr. Khan through his day job as a commercial realtor. He had discussions with him, and he made a comment that they could not economically develop the top floor as residential due to different building code requirements. He was not an expert in that area, but he presented this property to a couple of potential buyers since Dr. Khan expressed interest in selling it for the right price, and he heard the same concerns from them. This grant was for residential, and he fully supports that, but this building is a signature building downtown, and he would support amending the grant program for this building. They could say that is unfair for other people, but this is a unique building. Upstairs there are big rooms that could make spacious offices. He does not know how anyone could take that floor plan and turn it into residential. He would support amending the grant program for this building. This is an important building that needs to be renovated. This building is referred to as the old First Federal Building. It was a very stately former bank in the heart of downtown. **CM Minner** duly noted his comments. He would talk with Dr. Khan tomorrow. **Commissioner Pederson** said he would love to see it become residential, but he would rather see it become offices. It would be better than the building just sitting there. **CM Minner** said he was correct in that analysis and that was why he did not go there in the beginning. If he decides to go that route, he would be back with some type of proposal. **Commissioner Pederson** said Commissioner Connell could probably help with the building codes. However, he did not want to get bogged down on the difference between office and residential. People have complained to him about it, and there is a big difference to make it residential.

10. ROLL CALL:

Commissioner Pederson had nothing to comment on.

Commissioner Berry had no further comments.

Commissioner Connell had no comment.

Commissioner Reisman had nothing to comment on.

Mayor Burry had no further comments.

11. SUSPEND REGULAR MEETING

Commissioner Reisman made a motion to suspend the regular meeting at 7:09 p.m. and take a five-minute break. Commissioner Pederson seconded the motion.

12. OPEN the CLOSED ATTORNEY-CLIENT SESSION

Mayor Burry opened the attorney client session at 7:15 p.m.

13. EXIT all BUT THE FOLLOWING INDIVIDUALS:

A. Jimmy Burry - Allyson Berry - Jay Connell - Mike Pederson - Alan Reisman - Mark Brionez - Stephanie Brionez - John Metcalf - Al Minner - Court Reporter

14. END CLOSED SESSION and REOPEN COMMISSION MEETING

Mayor Burry closed the attorney client session and reopened the regular meeting at 7:44 p.m.

15. 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.

Commissioner Reisman made a motion to adjourn the meeting at 7:45 p.m., seconded by Commissioner Pederson.