

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, FEBRUARY 26, 2024 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, February 26, 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 Mike Pederson
Commissioner Alan Reisman
Mayor Jimmy Burry

Commissioner Jay Connell was absent. 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. None

3. PRESENTATIONS:

A. None

4. PUBLIC COMMENTS:

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

Kenneth King of 407 South Childs Street stated he was the pastor of the Mount Olive Progressive Baptist Church. He was concerned about the lift station located behind the church. The issue has been going on

for a while now. When the pipes backup, it sends a bad odor inside the church. Some people from the church have asked the city to do something about it, but the problem has not been resolved. He wanted to know what the steps were to get this resolved. The church is located between Owens and Bourley Street. **CM Minner** stated he would follow up with him and get the public works department out there to see what they could do.

Joyce Caldwell of 206 Mike Street said she was the owner of Sanders Rooming House. She was there because she had concerns about trash on the street. The trash has been there for a while. They also have homeless people throwing trash on the street. The trash has not been picked up in months. There are broken sofas and burnt trash on the streets. She previously called the police department when she saw a brawl going on in the streets. She called and reported it. She had cameras at her house, and when she checked her cameras the next day to see what happened, no one from the police department came out to investigate. She also has a lot of concerns about homeless people. **CM Minner** pointed out that she was referring to Mike Street, which is located in the Pine Street corridor. The city is familiar with the issues, and they are doing their best to police them. He would get with the chief of police and public works to see what could be done.

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

Commissioner Reisman moved to adopt the Consent Agenda, and Commissioner Pederson seconded the motion.

The roll call vote was:

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

Four 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 February 12, 2024

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

1. Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for Eagletail Landing – Phase 2, a subdivision of the City of Leesburg, Florida, being a portion of Sections 18 and 19, Township 20 South, Range 25 East, Lake County, Florida, and accepting and dedicating to the use of the public any easements or public places shown thereon as being dedicated to the public; and providing an effective date. (Eagletail Landing – Phase 2)

ADOPTED RESOLUTION 11,790

2. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Villages VEC, LLC, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

ADOPTED RESOLUTION 11,791

3. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from HHPIZZA Management, Inc., for the purpose of granting the City an Easement over the property described therein; and providing an effective date.

ADOPTED RESOLUTION 11,792

4. Resolution of the City Commission of the City of Leesburg, Florida approving a Downtown Building Redevelopment Grant to CEATEC SURGICAL, LLC, for renovations at 400 W Main Street; and providing an effective date.

ADOPTED RESOLUTION 11,793

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 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)

ADOPTED ORDINANCE 24-11

Mayor Burry asked the city attorney to do the swearing in. **CA Watson** asked for anyone in attendance wishing to provide testimony on items 6.A.1 through 6.A.4 to stand. He swore everyone 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 was the second reading for the Planned Development Overlay (PDO) for the CDC Offices on Pine Street. As a note, they made a correction on the maps. The Planned Development Overlay (PDO) allows office-use to be a permitted use. However, they are required to have the PDO in R-3 zoning. They would also have a waiver of the five-acre minimum requirement. 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 approximately eight thousand two hundred and fifty square feet, which is about two tenths of an acre. It is owned by the Community Development Corporation of Leesburg. They are requesting this because the land development code requires a planned development overlay in the R-3 zoning to allow for this use. The property is currently under renovation. The city staff does consider this an appropriate use for the area as it supports the efforts of the commission in conjunction with the work that has been approved on Pine Street. They anticipate creating a couple of new jobs. Pastor John Christian, president of the CDC, is here to answer any questions. **Mayor Burry** pointed out that he received a letter from Anthony and Bridgette Washington, who are in opposition of the request. **CM Minner** added that the letter was provided to the city late today. Mr. and Mrs. Washington had planned to be there, but something came up. About a year ago, he met with Mr. and Mrs. Washington on a separate issue. However, it involved some of the concerns in their letter. In short, Mr. and Mrs. Washington is opposed to the rezoning. They feel that proper notice was not given and rezoning it would increase the problems with trash, litter, homelessness and loitering in the area.

John Christian of 903 CR 468, Chairperson for the Community Development Corporation (CDC) of Leesburg said office-use would be a better use for this property. Mr. and Mrs. Washington's property is located across the street. It is currently full of litter and tents. People are currently living in the tents. The property is currently zoned for a hotel and when the CDC purchased it there were people living in it. There are no kitchens in the units, so they felt offices would be a better, more appropriate use. They have people lined up ready to move in. The CDC owns most of the property on Mike Street. The parking lot across the street is owned by the CDC. They have the African American Museum and a barbershop which has new tenants moving in. He asked the new tenants to bare with them, because they know about the problem of homelessness. He was there the other day when they were putting new stones on the building. He talked to some of the guys there, and they saw a dog chained up. He had just evicted a tenant who would be moving out on the 29th. They know about the problems on Mike Street and this project should help alleviate some of the issues. They have made contact with the police department, and they will probably get tired of hearing from them because he instructed the tenants, if there was a problem, to call the police department. He has alarms going off all hours of the night, and he has to drive down there. The police department tries their best, but they cannot just stay in that area. He believes doing this project will alleviate a lot of the homelessness because there would be more eyes and ears on Mike and Pine Streets. There will be more people around to call the police. It can be hard for people who

live there to call the police because they may feel intimidated. There would be business owners there who are no nonsense, they will call if needed. He just spoke with one guy, and he said if the dog was not gone tomorrow he would be calling animal control. They are serious about paying rent and investing. They would take better care of what is happening and it will help the residents. They will have a nicer place to live.

Joyce Caldwell asked about the hotel. She had never known Mike Street to have a hotel. Her business on Mike Street is the Sanders Rooming House and that was not a hotel. She cannot remember there ever being a hotel. She wanted to know when that was considered. **PZD Miller** responded, according to public records, when this was originally constructed in 1971 it was classified as a hotel. Whether it was actually used as a hotel he did not know, but that was his understanding. **CM Minner** asked, even though it was built as a hotel, what is zoned for now? **PZD Miller** answered it is currently zoned R-3, Residential. **CM Minner** stated under that zoning it could not be used as a hotel. The zoning change they are requesting is very tactical because it only permits for office-use in the R-3 zoning. That is all. It does not open it to any other type of commercial activity. They could not have a store, hotel or a dry cleaner. It would be zoned R-3 with the tactical change allowing for office-use. **Mr. Christian** added that when the building was constructed it was constructed without kitchens. It was built like a hotel, so that is why it was zoned that way. **Ms. Caldwell** mentioned that she never knew it was a hotel. That was why she asked. **Mayor Burry** asked if there were any other questions or comments on this issue. There were none.

The roll call vote was:

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

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

2. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 15.34 +/- acres; and being generally located east of Montclair Road and south of Colonial Street, lying in Section 21, 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. (River Fox Commons ANNEX)**

ADOPTED ORDINANCE 24-08

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 asked the planning and zoning director to provide an update.

PZD Miller stated this was an annexation, small scale comp plan and rezoning for approximately 15.34 acres. It is generally located east of Montclair Road and south of Colonial Street at the terminus or end of Gregory Road, off of Montclair. It is a small scale comp plan from Lake County Urban High Density to

City of Leesburg Low Density. The rezoning is from Lake County R-6, Urban Residential to City of Leesburg Planned Unit Development (PUD). It would allow for multifamily zoning of up to ninety-two units on the fifteen acres. The gross acreage would be 5.99 units per acre. That is very low for apartment-style living. It is also the same density allowable under the Lake County R-6 zoning. The only permitted use would be apartments. The prohibited uses are everything else; tattoo parlors, internet cafés, check cashing, adult uses, everything like that. The development standards come from the standards in the city code. There is a twenty-five-foot perimeter buffer and a minimum of thirty-five percent open space. This development will have quite a bit more than that. There are architectural standards required, and the bedrooms range from seven hundred, eight hundred and nine hundred and fifty square feet based on the one, two or three-bedroom apartments. Respectfully, most of them will be one or two bedrooms. Fencing is required, and an amenity package is required to include a pool, pool house, pavilion and gazebos. Per the request of the commission and feedback from the residents, in the proposal the developers moved the access point from Gregory Road. It will now come off of Colonial. If Gregory Road were to function as anything, it would be emergency access only. The city staff recommended approval and so did the planning commission. **Mayor Burry** inquired if they have access to Colonial? **PZD Miller** answered yes. He said that Stephen Bein of the Paces Foundation was in attendance to answer any questions. **Mayor Burry** asked if seven hundred was for one bedroom. **PZD Miller** answered seven hundred is for one bedroom, eight hundred would be the two bedrooms and any three bedrooms would be nine hundred and fifty. However, they anticipate there being one or two bedrooms because this is a senior living development. **Mayor Burry** questioned when approving apartments. He thought there was a nine hundred square foot minimum. **PZD Miller** responded that the city has approved these sizes in the last several that have been done. **Commissioner Pederson** inquired about parking. **PZD Miler** indicated they are meeting city standards. For the one and two-bedroom apartments, it requires one point five per unit, and they are slightly over that. **Mayor Burry** asked if there were any other comments. There were none.

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

The roll call vote was:

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

Four 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 15.34 +/- acres from Lake County Urban High Density to City of Leesburg Low Density Residential, for a property generally located east of Montclair Road and south of Colonial Street, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (River Fox Commons SSCP)**

ADOPTED ORDINANCE 24-09

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 Reisman	Yes
Commissioner Pederson	Yes
Mayor Burry	Yes

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

4. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 15.34 +/- acres from Lake County R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for residential uses for a property generally located east of Montclair Road and south of Colonial Street, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (River Fox Commons PUD)**

ADOPTED ORDINANCE 24-10

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
Mayor Burry	Yes

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

B. FIRST READING OF ORDINANCES

1. **None**

C. NON-ROUTINE ITEMS

1. **None**

7. INFORMATIONAL REPORTS:

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

A. Financial Reports as of October 2023

Mayor Burry asked if there were any questions about any of the financial reports. There were none.

B. Financial Reports as of November 2023

C. Financial Reports as of December 2023

8. CITY ATTORNEY ITEMS:

CA Watson had no items to address.

9. CITY MANAGER ITEMS:

CM Minner had no items to discuss.

10. ROLL CALL:

Commissioner Reisman gave huge kudos to the special events department, including all the city staff that helped out to put on a successful event this past weekend. This Friday is Taste of Lakes, which is put on by the Leesburg Chamber of Commerce. It will be held at the Venetian Center. On Saturday and Sunday, the Leesburg Center for the Arts will have their Arts Festival downtown. On Sunday there will be the relaunch of The Market on Market. There will be a lot of stuff happening in Leesburg this week.

Commissioner Berry had no comment.

Commissioner Pederson had no further comment.

Mayor Burry stated it was brought to his attention at the last commission meeting about the citizens' advisory committee for the Lake Sumter MPO that we did not have anyone attending those meetings regularly. He has someone who would like to volunteer to attend those meetings as a citizen advisory. He is a retired physician from Leesburg who lives in the city. He would like to become more active in the community. He is a smart guy, and he would be good for the city. His name is Dr. Leach. He asked to get a consensus from the commission on this. By the nod of heads, the commission concurred that Dr. Leach would be the citizen advisory member for the Lake Sumter MPO. **CM Minner** stated he would reach out to the MPO to let them know he was coming. **Commissioner Pederson** asked if this was the same meeting he attended. **Mayor Burry** answered there was a citizens' meeting last Wednesday and this upcoming Wednesday will be the regular MPO meeting. The upcoming meeting is run like the city commission meeting where there is one representative from each city and the county commissioners. They hold two meetings a month and the citizens' committee is not well attended. If they look at their website, there is not a lot of participation, and we are not getting our fair shake in regard to the stretch of US 441. That keeps getting pushed off.

Secondly, he had a citizen request for some information about the Bass Tournament that was held about a week ago. At this particular Bass Tournament, the boat ramp located on Lake Griffin in Herlong Park was so overcrowded that people were parking on US 441 with their boat trailers. That is pretty dangerous

because there were a lot of trucks and trailers everywhere trying to get in and out of there. That is an overstuffed facility. He sees this happening more and more, and it is not just during tournaments. It happens just about every day. Driving by, you see them parked all over the place because that boat launch does not have enough room. He would like the city to consider, in the future, advocating for a public boat ramp to be constructed on Lake Griffin. Right now, on Lake Griffin, Herlong Park is the only launch. People have to drive out to CR 42 in Marion County because there are no public boat ramps on Lake Griffin. We are the Lakefront City, and we are encouraging folks from out of town to come and drop some coin in the city. We have had a great deal of success with fishing, and it brings people to our city. It would be a good idea to have another boat launch on Lake Griffin. He spoke with the city manager a little bit, and this is on his agenda to look at. He did not know the status of the property at Bourlay Park because it was under the Lake County Water Authority. However, now that they have been defunded, it could be under the county. If we could have a project to potentially put up a boat ramp open for public use, it would increase the use of Lake Griffin. **Commissioner Pederson** remarked that it was a good idea. He wondered if the issue was more about the parking lot. **Mayor Burry** said there is only one ramp. If you look at Venetian Gardens, there are four ramps. Lake Griffin only has one ramp, and they have to launch one boat at a time. As a fisherman, Lake Griffin is the better lake. It would be used more if there was better access. **Commissioner Pederson** thought the surrounding land was wetlands. He wondered if there was any way to expand that park. **Mayor Burry** said he did not think it could be expanded. He would like the city to talk to the county about putting up another boat ramp. He was not sure if the property was donated by Buddy Bourlay to the Lake County Water Authority. There were certain circumstances that said they could not do anything with that property. It cannot be developed. He wanted to know if putting up a boat ramp would be considered. A public boat ramp would enhance the park rather than take away from it. **Commissioner Berry** asked where the location of that park was. **Mayor Burry** said driving west on US 441 after passing Herlong Park, you would turn right on Canal Street. You will take that past Lake Griffin Estates, where the mobile home park is the park is located back there. He was unsure, but he believed it was about forty acres. The park goes all the way to Lee Street. If you drive up Lee Street and hit the woods that is part of Bourlay Park. If the city could somehow have a corner of that park to construct a boat ramp, that would be a huge asset to Leesburg.

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 5:58 p.m.