

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, JUNE 10, 2024 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, June 10, 2024, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:41 p.m. with the following members present:

Commissioner Allyson Berry
Commissioner Jay Connell (5:42 pm)
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, Deputy City Clerk (DCC) Anna Rottermond, the news media, and others.

INVOCATION

The invocation and pledge of allegiance were given at the Carver Heights Montclair Area Community Redevelopment Agency meeting held just prior to this meeting.

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

2. PROCLAMATIONS:

A. None

3. PRESENTATIONS:

A. **Employee Service Award Recognitions:**

Five Years: Curtis Black, Building; Shawna Blunt, Customer Service; Skyler Kirby, Water Distribution; and Tiffanie Morris, Building
Ten Years: Denise Adkins, Customer Service; and Mike Andrews, IT
Fifteen Years: Shannon Walsh, Police
Twenty Years: Patrick Henry, Building
Twenty-Five Years: Claude Allen, Electric Distribution; and Brian Andreichuk, Athletic Fields

Human Resource Director (HRD) Arriaga and **CM Minner** recognized each employee on their years of service and presented each of them with their service award.

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.

Evelyn Gould of 312 Nebraska Avenue stated she was there inquiring about the property located at 1138 Main Street. She sent a letter to the city attorney back in December about the foreclosure. She wanted an update on the property because she was still interested. **CA Watson** replied that he was unsure about the status, but if she provided an email, he would be in contact. **Ms. Gould** provided her email address.

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

Items pulled for discussion:

5.B.1 - Execution of a Construction Services Agreement with Odyssey Manufacturing Company for the construction, upgrade, and maintenance of the Main Water Treatment Plant and a fluoride system.

Commissioner Reisman moved to adopt the Consent Agenda except for 5.B.1, 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 May 28, 2024

B. PURCHASING ITEMS:

1. Resolution of the City Commission of the City of Leesburg, Florida

authorizing the Mayor and City Clerk to execute a Construction Services Agreement with Odyssey Manufacturing Company for the construction, upgrade and maintenance of the Main Water Treatment Plant and a fluoride system; and providing an effective date.

ADOPTED RESOLUTION 11,829

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

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

Mayor Burry requested comments from the Commission and the audience.

Commissioner Connell asked for a brief update. He wanted to know how many cities in the county put fluoride in the water. **CM Minner** stated this would be the last time this item comes before the commission. Based on the vote, if they voted no, they would not move forward with the contract to fluoridate the water. A yes vote would approve the contract for \$519,000, and put fluoride in the water. There was \$600,000 budgeted, and we will be about \$100,000 under budget. This will be the last vote in the series about whether to put fluoride in the water or not. He was unable to answer which Lake County communities currently fluoridate their water, but that information was provided previously. In the State of Florida, the lion's share of communities do fluoridate their water. **Commissioner Connell** inquired about the annual maintenance costs. **CM Minner** responded it was estimated to be around \$60,000 annually. **Commissioner Connell** wanted to verify if that was just for the chemicals or if that included maintenance. **CM Minner** replied both. It covers the chemicals and if something were to breakdown, it would be woven into the operating procedures. He could not say there would not be an increase to operating costs beyond the estimate, because there are possibilities that something could break. However, that would be paid for during that fiscal year's budget. There are always possibilities that something small could break, and they do not feel the ripple, but if something major breaks, they will feel it. He believes \$60,000 is a good operational estimate. **Commissioner Connell** asked if the fluoride would be put into just one well. **CM Minner** answered it would be put in at the main water treatment plant which will serve the lions share of the community. **Commissioner Connell** wanted to verify that they would only be injecting this into one well, and if the fluoride would make it throughout the city at the correct levels? **CM Minner** responded it would make it to the majority of core Leesburg. It would not make it to the peripheries of the Plantation community. That water will not be fluoridated. It will reach the core of Leesburg, which consists of Carver Heights, the downtown, Beverly Shores and Palmora Park. It would cover the core of Leesburg between the lakes. The lion's share of our customers in core Leesburg will have fluoridated water. **Commissioner Connell** questioned the possibility of this affecting the water rates. **CM Minner** mentioned that it would not affect the water rates for FY 24 and right now they do not show an increase for FY 25. Having said that, that does not mean they will not come back to the commission for FY 25 or in the future seeking an increase. If they did seek an increase, it would not be specifically due to fluoride, it would be due to capital issues or inflationary issues, those types of things. **Commissioner Connell** inquired if fluoride could be a factor for an increase. **CM Miner** replied it would be as much of a factor as the pioneering agreement they made on CR 44. If he wanted to single out fluoridation as a sole reason for a potential future increase, the answer would be no. If there was an operational issue or another issue that involved the water treatment plant, then the answer would be yes. **Commissioner Berry** questioned the time frame for putting fluoride in the water. **CM Minner** responded that in order to implement the process, it should take less than six months once they receive the green light to proceed. **Mayor Burry** asked if there was any public comment.

Chris Wollenschlaeger of 33050 Professional Drive said he was an orthodontist. He has been practicing in Leesburg for about six years. He was there representing himself, the Lake County Dental Association and his father, who had been practicing in Leesburg for thirty plus years. His father could not make it because he was seeing a patient. To answer the question about which cities fluoridate the water, that would be Umatilla, Tavares, and Eustis. This issue was brought up a year or two ago when he and his father noticed more and more patients having cavities. The cavities they saw were not in typical areas. They saw teeth with deep grooves, and cavities were on the faces of the teeth. They were finding cavities and decay in areas that could be easily brushed and cleaned. He asked his father if Leesburg fluoridated the water, and he was told that back in 2004 a water report stated the city was no longer putting fluoride in the water. He called the city, and was told the machine broke and that was it. It was over and done. Since 2004, his father has seen a huge increase in cavities and decay. More than he had ever seen in his patients. He was there to ask the city to please put fluoride back in the water. Fluoride is a naturally occurring mineral found in water. In fact, it is in most surface waters, but it is not at a level high enough to protect against cavities. Places like Colorado Springs have a natural level and the rate of decay there is much lower due to the fact that they have fluoride in the water. He was there asking to have a mineral (fluoride) added to the water. It is much like chlorine that is already added to the water. In fact, chlorine is in the water to fight dysentery. He asked to have fluoride added to help fight tooth decay. Fluoride helps people of all ages. It also helps those who do not have access to dentistry and healthcare. Fluoride helps everyone, and in the end, it will save citizens money. The city does pay for the investment, but in the end it will save the citizens' money. It also helps the most vulnerable people in this area.

Commissioner Connell asked, hypothetically, how much tap water does an average person consume in Leesburg? **Dr. Wollenschlaeger** responded that he had asked his patients if they drank the tap water and the response he got was no. He then asked if they drank the water from the refrigerator tap, and they said yes. They drink the water from the refrigerator tap all the time. Well, guess what, those filters do not take out fluoride. He was surprised to learn about how many people actually drink tap water who do not know they are consuming tap water. If people use the ice out of their ice machines, it is also tap water that has fluoride in it. If you cook pasta with tap water, that can convey fluoride to the food they eat. People may not drink the water straight out of the spigot or the hose, but they are certainly consuming the water. Despite the fact that some of this will go into the lawn or down the drain, the amount that is consumed by humans will help fight tooth decay. The amount that goes down the drain is irrelevant, because the amount that is consumed helps, and it will reduce decay by at least 25%. **Commissioner Connell** asked about side effects. **Dr. Wollenschlaeger** answered just like anything, if you consume too much of it, it can be a bad thing. There is chlorine in the water and if the chlorine levels get out of control there could be side effects. In this case, if fluoride levels are properly managed and maintained, the most you may see are some white flecking spots on teeth. The white flecking is called fluorosis, and it could leave little white specks in your teeth. As long as the people in charge of managing the water are responsible and know what they are doing, the side effects are really nullified. If you Google it, there may be arguments about IQ's being decreased, but there has not been any serious research that suggests that. Fluoride has been used for seventy plus years and most people were raised in areas that had fluoride in the water.

Commissioner Connell asked about the average toothpaste and if brushing your teeth a couple of times a day was not sufficient? **Dr. Wollenschlaeger** stated that most toothpaste is not at a prescription strength level. Most toothpaste tends to have very low levels of fluoride, and we have to remember that toothpaste gets brushed and salivated in your mouth. It goes away fairly quickly, and it does not have a chance to absorb into your teeth. In the past, it was suggested to hold a fluoride day in schools, but the issue with that is the administration of it and getting kids to brush their teeth can be a task. Adding fluoride to the water will make it less of a hassle because kids do drink water. When teeth are developing, having fluoride added into the matrix bestows a stronger tooth structure. Brushing your teeth alone will not help with that. You have to remember the adult teeth are still under the gums, so brushing alone will not help. Fluoride helps adults and children, but they still have to brush their teeth on a regular basis and use a

toothpaste that has fluoride in it. A lot of people have to pay extra to get good fluoride toothpaste. It costs anywhere between ten and twenty dollars. If they just added fluoride to the water, it would cost about a dollar per person. They can pay ten to twenty dollars for a tube of toothpaste, or drink some water and call it a day.

Commissioner Connell questioned the average toothpaste and if it had the proper levels of fluoride? **Dr. Wollenschlaeger** responded that typical toothpaste purchased from Walgreens or CVS does not contain the higher levels of fluoride that are prescribed by a dentist.

Don Ikka of 8301 CR 44 said he was a general dentist. He has been in practice for forty-two years. On February 25, 1945, Grand Rapids, Michigan was the first city in the United States to institute fluoridation. That was almost eighty years ago, and through those eighty years there have been numerous peer-reviewed research projects done that prove both the safety and efficacy of fluoride. So much that the Center for Disease Control placed fluoridation of city waters as one of the top ten public health initiatives for the United States in the 20th Century. It has been proven that it works. He asked for the commission's support to fluoridate the water in Leesburg.

Wade Winker of 728 Boylston Street commended the commission for considering this important preventive health care initiative. He asked for their support of water fluoridation in Leesburg. He has practiced dentistry in Eustis for twenty-nine years. Fluoride in toothpaste is almost always stannous fluoride. That is not the kind of fluoride they want in the water supply. It is sodium fluoride. Sodium fluoride gets incorporated into the enamel during development, which gives a much harder enamel. He believed there was a slight breakdown in communication, because when an orthodontist sees a patient with decay, they will put them on a five thousand part per million toothpaste. You cannot purchase it at any regular store, you have to buy it from a pharmacist. Community water fluoridation is a cost-saving intervention treatment and the Center for Disease Control says it is the most cost-effective method of delivering fluoride to all members of the community, regardless of age, education, or income level. It has shown to decrease the burden on our health care system. Many people have to go to hospital due to tooth-related problems, and the hospitals can not treat tooth-related problems. They will put them on antibiotics or pain medication, and tell them to see a dentist. Hospitals do not give dentists any privileges, so adding fluoride to the water will save everyone in the long run. For every dollar spent, there will be twenty to fifty dollars saved in dental expenses per person. In Leesburg, the return on investment over ten years will be over twenty-five million dollars. If they factor the five hundred and seventeen thousand dollar startup cost and sixty thousand dollars annually, this represents a savings of five hundred and seven dollars for every person who lives in Leesburg, along with the reduction of pain, suffering, loss of productivity, and quality of life. He supports community water fluoridation for Leesburg. It will be a tremendous health benefit for Leesburg, and it gives the kids a fighting chance at a lifetime of dental health.

Johnny Johnson, a former pediatric dentist in Florida, said he was clinically disabled from practicing. He currently resides in Chiefland, Florida. He was asked by Dr. Winker to come speak on fluoridation because he is referred to as a subject-matter expert. He has helped other communities around the country with fluoridating the water. As dentists, they want to see dental decay/cavities go away. It is a disease, and it is the most common chronic disease of adults and children throughout the US and the world. It is more common than asthma, obesity, and diabetes. It is an infectious and transmissible disease. When people have a lot of cavities, the bacteria in their mouth produces more acid, and it can be passed onto their kids if they are kissed. Water fluoridation is the next best thing to sliced bread. In 1901, they discovered that at a really high level fluoride could cause a white stain on the teeth, but people had very few cavities. In 1945, the Public Health Service learned that, at a low level, people had very few cavities. By the 1930s, studies were showing that most people had almost no cavities. Jacksonville, Florida has naturally fluoridated water. They do not have to add anything to it and their teeth are great. Twelve

million people in this country have water that has the right amount of fluoride. By approving this, they would add a minuscule amount of fluoride to the water. Most water in Florida has about .2 mg per liter of water and .7 milligrams per liter of water is considered the optimal amount. Therefore, at .7 milligrams per liter of water would have the maximum cavity reduction and there may be a few small white areas called dental fluorosis. Everyone would benefit from having fluoride in the water and the poor would benefit the most. Leesburg has a 20% poverty level, and they have twice as many cavities. Even if someone never goes to go to the dentist, fluoridation will stop 25% of cavities, and they will say 50% or more if they see a dentist. One of the greatest things about fluoridated water is that it prevents about two thirds of children from having a mouth full of cavities. It will save them from having to be put under general anesthesia to fix their teeth. Think about how a child feels having to be put under anesthesia to have their teeth fixed. That has to be tough. There are a lot of opposition claims made against fluoridation, but the overwhelming body of scientific evidence says water fluoridation is effective in reducing cavities, and it is safe. At the right level, fluoride does not hurt your body. The only thing it can do is leave a few little white marks. The EPA sets a maximum amount allowed for water fluoridation. You cannot have a healthy body without having healthy teeth. He could not emphasize it enough. They are advocating for something that would cost dentists money. The dentists will make less money. He does not know any other business model that looks at that positively, but they are. The best way to fight tooth decay is through water fluoridation, routine dental checkups, and toothpaste with fluoride. Fluoride in the water will help with the development of teeth in children up to the age of eight while their permanent teeth are developing under the gums. It will make the teeth harder from the inside out and their teeth will be more resistant to cavities. He humbly asked that the city begin fluoridation.

Summer Young of 31341 Indianola Drive, said she had a general practice in Eustis, Florida and she volunteers her services sixteen to twenty days per year. When she volunteers, she only sees adults and all services are available for free. When she volunteers, the clinic is not available for children. The population as a whole would benefit from water fluoridation. With the aging population, they are on multiple medications due to multiple systemic diseases and that increases the risk of cavities. A lot of people are on selective serotonin reuptake inhibitors (SSRI), which cause dry mouth and that puts them at a higher cavity risk. Water fluoridation helps decrease the cavity risk. This will help fortify children's teeth because many children are picky eaters and/or lactose intolerant. Fluoride exposure during tooth development creates a stronger tooth, and it will be more resistant to cavities. Cavities are dangerous for children because they can travel into facial space and cause an infection quickly. Facial infections can travel to the brain overnight. It can also travel into the mediastinal space, which can travel straight to the heart and cause death. Even if the child receives intervention from a dentist, the danger is not over because that child has to be seen in an emergency room setting. If a child needed to have several crowns at one time with root canals, they would need to be put under general anesthesia. The problem is that some children have never been to the dentist. Oral health increases the overall quality of life. Fake teeth have one fifth the chewing power of natural teeth. She grew up a Medicaid kid, she has a twin and her twin brother hated water. She grew up in Bradenton where the water has been fluoridated since the 1970s. She has no cavities and her twin brother, who never drank water, has only five teeth remaining. She asked that the city put fluoroid in the water for this community.

Mayor Burry asked if there were any other comments or questions. 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.

2. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute a Construction Services Agreement with Bulldog Site Work, LLC., for the construction, upgrade and maintenance of the Center Street Storm Water Project; and providing an effective date.**

ADOPTED RESOLUTION 11,830

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida, approving a Proportionate Share Mitigation Agreement entered into by and between the School Board of Lake County, Florida, Tierra Vista, and the City of Leesburg, Florida to allow for payment of Lake County School Impact Fees; and providing an effective date. (Tierra Vista fka Aguia Property)**

ADOPTED RESOLUTION 11,831

2. **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 James Landing Holdings, LLC, regarding natural gas service to the development known as James Landing, Phase 1; and providing an effective date.**

ADOPTED RESOLUTION 11,832

3. **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 Vetta Pre School, LLC regarding natural gas service to the development known as Sunnyside Oaks; and providing an effective date.**

ADOPTED RESOLUTION 11,833

4. **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. 454745-1-94-01, between the City of Leesburg and the State of Florida Department of Transportation, for Preliminary Environmental Assessment for the Northeast Quadrant of the Leesburg International Airport; and providing an effective date.**

ADOPTED RESOLUTION 11,834

5. **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, for a Preliminary Environmental Assessment of the Northeast Quadrant of the Airport, and providing an effective date.**

ADOPTED RESOLUTION 11,835

6. **Resolution of the City Commission of the City of Leesburg, Florida, accepting and approving a plat for the Groves at Whitmarsh, Phase 1, a subdivision of the City of Leesburg, Florida, being a portion of Sections 35 and 36, Township 20 South, Range 24 East and Sections 1 and 2, Township 21 South, Range 24 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. (Groves at Whitmarsh Phase 1 Plat)**

ADOPTED RESOLUTION 11,836

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND 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)**

ADOPTED ORDINANCE 24-32

Mayor Burry asked the city attorney to swear in anyone wishing to provide testimony. **CA Watson** asked anyone wishing to provide evidence or testimony under items 6A or 6B to stand and raise their right hand. He swore them all 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 back in December 2009 the city commission approved a development order under Resolution 8578 for the property known as Secret Promise. The Villages and their business partners recently purchased this property. It consists of approximately 3,800 acres and is generally located south

of the Florida Turnpike, west of CR 48 and east of the Sumter County line. Chapter 380 of the Florida Statutes allows for a developer to request that a development order be rescinded if certain requirements are met. The requirement in this case is that no development has occurred on the property. In addition, the current development order for Secret Promise is no longer needed as it does not match the new development proposed by The Villages. They are requesting approval of the rescission of the old development of regional impact (DRI). It will be followed by some rezoning cases to cover and correct this. **Commissioner Connell** asked if this property was already in the City of Leesburg. **PZD Miller** answered yes. **Commissioner Connell** wanted to know if it was already approved for development. **PZD Miller** replied yes. **Commissioner Connell** inquired if this was to modify the existing approval to match the layout development that The Villages wants to do. **PZD Miller** agreed. **Commissioner Connell** asked if this were not approved, could the property be, theoretically, developed under the present zoning? **PZD Miller** said yes, it could be developed at the same level of density, intensity, and same numbers. The Villages are not asking for anything extra here. They are simply asking to develop the property under their style of development. **Commissioner Connell** asked about the present density compared to what is being requested. **PZD Miller** said he believed it was 7,000 plus. It was a significant number and 6,800 was an easy number to remember, but The Villages are asking for no more than what was already existing on the property. **Commissioner Connell** wanted to clarify if that was for the number of units. **PZD Miller** answered yes. An advantage of The Villages is that they are a 55+ community, and it has been shown they drive a lot less. If The Villages development request were not approved, the development that could occur would be what they call an open market. It would be open to any age, which is fine, but remember those folks drive a lot more. They would be families who take multiple road trips to get kids around. The 55+ market drives a lot less and The Villages is particularly good at managing the trips inside their boundaries. **Commissioner Connell** asked if The Villages had any long-term goals for addressing the roads on CR 33 and CR 48 with all the development they are adding. **PZD Miller** stated The Villages works with Lake County, and they are happy to do whatever is needed. He would let them address that question, but given the amount of traffic that is happening at that intersection and the amount of development pressure in that area, once the rooftops appear, Lake County will have to work on it. They will not be able to ignore that many voters. There will be enough tax dollars and people to put pressure on elected officials. **Commissioner Connell** said at some point they will have to address the two-lane road after putting twenty thousand additional houses on it. He wondered about the time frame for when that would be addressed. **PZD Miller** responded that he did not know when that would happen.

Marty Dzuro, a representative for The Villages, 3601 Kiessel Road, said one thing to keep in mind is The Villages of West Lake and all of their entitlements have already been approved. Those were the actions before them in earlier days. With the 3,000 acres, they are not asking for anything more than what the entitlements were for Secret Promise. They are taking the same numbers and spreading them out on more land. There will not be any additional impacts. The impacts have already been studied and reported, and they are working with Lake County. There are three phases, and one phase has already begun. They are putting four lanes on CR 470, which includes a bridge over the Turnpike. There will be other intersection improvements but all the impacts, traffic, and schools, have already been studied and approved. All items on the agenda are to bring the Secret Promise property in. They are not asking for anything further. They are not changing any impacts that were already studied and reported on. **Commissioner Connell** commented for the record, as far as Secret Promise goes, it was a previous commission that annexed this property into the city. **Mr. Dzuro** agreed. **Commissioner Connell** stated he wanted to make that clear for the record. **Mr. Dzuro** said Secret Promise right now is a DRI. It would be similar to an owner having property zoned industrial, and the person buying may not want industrial, they want commercial. That is basically what is happening here. What they designed and asked for in 2009 will not work today. It is not The Villages' method of developing. **CM Minner** pointed out that this was the third or fourth meeting where transportation had come up from CR 33, CR 48, and the CR 470 intersection. They have heard a

lot of complaints about traffic and how the government does things backwards. That is not correct, that was not how it happened in the south end of the county. There was a statement about how they did it right in South Lake County, and that they did it before the growth and how Leesburg is doing it wrong. We have heard that time and time again from residents who come up to the podium. They say that and they believe that. They also show data, but it is not factual information. What is factual is that the government in Florida builds roads after they have received impact fee money. Case in point, Lake County had four distinct transportation districts and each district had different impact fees. They had different levels based on where they were and where it was politically acceptable to get more impact fee revenues. The preponderance of expenditure in Lake County on road improvements has been spent in the South District, which includes Clermont, Groveland, Mascotte, and Minneola. That is where the preponderance of growth has come, and the road improvement projects that we now see under construction are being done with impact fee money that was previously collected. So, the road improvement projects we see in South Lake are being built post facto. Within the last year, Lake County has changed the impact fee districts and the amount of money they are collecting. Now, what has changed, they isolated The Villages because The Villages has maintained a lower impact fee than the rest of the county. They did not get a special deal, because The Villages proved that their model has less impact on county, state, and regional roads. The Villages do it time and time again. It was not an advocacy for The Villages, he was just providing facts. The Villages model limits traffic on roads. Now, where is all the traffic coming from at CR 33, CR 48, and CR 470? Is that traffic coming from The Villages? Perhaps some of it is from The Villages, but Leesburg is a crossroads in Lake County. Leesburg has always been a crossroads where all roads in Lake County lead to Leesburg. The planning and zoning director presented this information as part of his comprehensive plan update. He stated the majority of people come to and leave Leesburg for work compared to people living and working in Leesburg. That means growth in South Lake is coming up from CR 33, CR 48, CR 565, and US 19 to US 27. They are passing through. More traffic comes up on SR 44 from development around us than in us. Secondly, the City of Leesburg has seen almost a billion dollar increase in our assessed value and 90% of that increase has come from The Villages. If they look at the monthly reports, the city has tracked and compared The Villages' growth versus Leesburg's growth. Leesburg is everything else outside The Villages. The Villages growth in Leesburg are The Villages of West Lake, which has about 3,200 units and the preponderance of those units are complete. This year we saw an additional increase of about \$700 million in assessed value. We will now see that number return to normal. For months, we have seen certificates of occupancy being issued in The Villages at a rate somewhere between 250 and 300 units a month. It has varied, but the average was about 275ish over the last eighteen to twenty-four months. In the last monthly report, that number dropped off to average what core Leesburg is doing. He defined core Leesburg as being from the US 27 Turnpike Interchange all the way up to CR 44 and Poe Road, up US 441 to Fruitland Park and out to Sunnyside. It is everything in Leesburg except for the Villages of West Lake. The numbers this year for core Leesburg never exceeded forty units a month for certificates of occupancy. That means The Villages has been the growth factor while the rest of Leesburg had pretty slow growth. It pretty much matched the numbers the planning and zoning director showed in his presentation. He is not a traffic engineer, but most of the traffic comes from non-Leesburg traffic and a little comes from The Villages. The county has recognized that CR 48, CR 33, and CR 470 are an issue. There was an expenditure to commence a study on that area, and if that study is approved it will take place during the next fiscal year. That would be after October 1st of this year. That study will dictate what improvements need to be made to that intersection. That was important information to share, because he had just recently received information about a study for that intersection. So, the county is looking at it. Again, any improvements made to CR 48, CR 33, and CR 470 will come from impact fees and those impact fees are created from development in the northern district, not including The Villages. That does not mean if they identify problems that they will not fund an improvement. He could not speak about that because that is a county issue. Right now, the northern district has relatively small collections of impact fees, and they are looking to study that intersection. Hopefully, over the next twelve months,

there will be a solution to how that intersection will be addressed.

Danny Watson, who resides at the tail end of South Quarters Road in Okahumpka, said he heard what was said about the traffic. He has lived there over fifty years and there are senior citizens in his area who are scared to leave their homes. They do not want to go out on CR 470, CR 33, or CR 48. They are suffering from what The Villages and other developers have done in Okahumpka. The developers put all the suffering on them. He knows he cannot stop progress, but he cannot see how traffic is not a problem. They talk about traffic all the time and it is not getting any better. He used to be able to get on CR 470 to come to Leesburg without any problems. Now, if no one is courteous enough to let him in, he has to sit there for ten to fifteen minutes. He knows development is the future, but Lake County needs to do something about the traffic before building homes. They are stuck, and they do not know which way to go.

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 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)**

ADOPTED ORDINANCE 24-29

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 Berry seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller said they approved the rescission of the Secret Promise DRI, and now they need to apply some standards to the property, so work can move forward. The Villages have requested to apply the age-restricted development (ARD) standards which were adopted a few years ago in the city's code of ordinances. There were three cases coming up, and the first was the annexation of eighty acres. Following that is the large-scale comp plan map and text amendment and the rezoning to ARD. The annexation is for eighty acres and the rezoning will cover a little over four thousand acres. It will cover

the entire area, including eighty acres. **Mayor Burry** (referring to the aerial map) asked when crossing CR 470, did they already bring in the two blocks, and would this be the third block to the north end of Secret Promise? **PZD Miller** answered on the annexation, yes. **Mayor Burry** wanted to verify that the two blocks were already in the city and this added another block to the other two blocks and the Secret Promise land located just below it. **PZD Miller** said each block is about eighty acres. To the left of the block is the Sumter County line. They would like to bring in the last block which lines up with the Secret Promise property. **Mayor Burry** wanted to confirm that this would all be part of the whole. **PZD Miller** agreed. **Commissioner Connell** wanted to verify that the 79.2 acres were not presently in the city. **PZD Miller** stated that was correct. **Commissioner Connell** asked if this was being brought into the city and added to the Secret Promise. **PZD Miller** stated it would be added to The Villages. **Commissioner Connell** asked if The Villages wanted to add any additional units on top of what was being proposed. Would it be more than what Secret Promise proposed? **PZD Miller** answered no. They are keeping the entitlements of the Secret Promise the same. They are just adding to the acreage slightly, which reduces the number. **Commissioner Connell** wanted to verify that this would reduce the overall density, and that they are not increasing the number of units. **PZD Miller** said correct. **Mayor Burry** asked if there were any further questions or comments. There were none.

The roll call vote was:

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

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

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)**

ADOPTED ORDINANCE 24-30

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.

Commissioner Connell wanted to confirm that this was a combination of the Secret Promise and the seventy-nine acres. **PZD Miller** answered yes. **Mayor Burry** asked if there were any further questions. 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 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)**

ADOPTED ORDINANCE 24-31

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

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

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

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.

5. **An Ordinance of the City of Leesburg, Florida, Request for a Chapter 163 Florida Statutes Development Agreement amendment for The Villages of West Lake Area A, to incorporate the property known as Secret Promise with other adjacent properties; to update the agreement to reflect year and remove information no longer needed; to clarify the definition of VLC**

(Villages Land Company) to include the affiliates of VLC; to add references to community support districts which allow non-age restricted residential uses; to incorporate and update the provisions that were contained in Chapter 163 Public Facilities Agreement between The Villages and the City. The Public Facilities Agreement and amendments will be terminated when this Chapter 163 Florida Statutes Agreement amendment is completely and fully executed; to update the agreement to reflect the current requirements in Florida Statutes for Chapter 163 Agreements; this request does not include changes to population density, building height or intensity; for a property generally located north and south of the Florida Turnpike, west of County Road 48, and east of the Sumter County line, as legally described in Sections 06, 07, 08, 09, 16, 17, 18, 19, 20, 21, 29, 30, 31, and 32, Township 20 south, Range 24 east, Lake County, Florida; and providing an effective date. (VOWL Chapter 163 Agreement Amendment Area A)

ADOPTED ORDINANCE 24-18

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, in concert with the development of regional impact (DRI) rescission, the eighty acre annexation and the rezoning, they also have two development agreement amendments. They are also called the Chapter 163 Agreements, which are between a local government and a developer. They allow for provisions that give specific long-term certainty in terms of development. They normally cover a 30-year time span, and give the rights and responsibilities of each party. It allows the general-public to see and know what to expect. The city entered into these agreements several years ago under a 163A and a 163B, which reference different geographic areas. Generally speaking, the 163A agreement is the northern area of The Villages development and the 163B is the southern area going south along CR 48. The amendment to the 163A agreement would incorporate the Secret Promise area and is anticipated to be completely age-restricted. Area B will incorporate some community support districts. The Villages have done a really smart thing, because they are allowing folks who are not fifty-five years old who work in The Villages to purchase and live in this community-support district. This helps, so the residents do not have to make long trips back and forth to work. A couple of weeks ago we talked about how we have problems with pass-through traffic and this will help reduce that number. Both agreements have provisions for how the City and The Villages will execute public infrastructure needs, including water, wastewater, solid waste, etc. His office has reviewed the agreements with the city attorney and city manager. The large scale comp plan case was forwarded to the Department of Commerce, and no comments were received. Darren Taylor of Holtzman Vogle in Tallahassee was there along with Marty Dzuro and Brandon Maltook of The Villages. **Mayor Burry** asked if there were any further questions or 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.

6. **An Ordinance of the City of Leesburg, Florida, Request for a Chapter 163 Florida Statutes Development Agreement Amendment for The Villages of West Lake Area B, to update the agreement to reflect year and remove information no longer needed; to clarify the definition of VLC (Villages Land Company) to include the affiliates of VLC; to add references to community support districts which allow non-age restricted residential uses; to incorporate and update the provisions that were contained in Chapter 163 Public Facilities Agreement between The Villages and the City. The Public Facilities Agreement and amendments will be terminated when this Chapter 163 Florida Statutes Agreement Amendment is completely and fully executed; to update the agreement to reflect the current requirements in Florida Statutes for Chapter 163 Agreements; this request does not include changes to population density, building height or intensity; for a property generally located north and south of the Florida Turnpike, west of County Road 48, and east of the Sumter County line, as legally described in Sections 06, 07, 08, 09, 16, 17, 18, 19, 20, 21, 29, 30, 31, and 32, Township 20 south, Range 24 east, Lake County, Florida; and providing an effective date. (VOWL Chapter 163 Agreement Amendment Area B)**

ADOPTED ORDINANCE 24-19

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 Berry seconded the motion.

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

The roll call vote was:

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

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

7. **An Ordinance of the City of Leesburg, Florida, amending and restating Ordinance No. 2018-2, as amended by Ordinance No. 2018-35, and as further amended by Ordinance No. 20-14; providing a short title, providing findings and intent; granting certain non-exclusive Franchises to**

Gibson Place Utility Company, LLC, Gibson Place Water Conservation Authority, LLC, Blue Goose Utility Company, LLC, Blue Goose Water Conservation Authority, LLC, Okeehumkee Utility Company, LLC, Okeehumkee Water Conservation Authority, LLC, and their successors and assigns (Each a Franchise, and sometimes collectively referred to herein as the "Franchisees"); a Franchise period of 30 years to construct, own, operate and maintain certain services and facilities to serve areas within and adjacent to The Villages Age Restricted Development; setting forth the terms and conditions under which such Franchises shall operate; providing for conflict and severability; and providing an effective date.

ADOPTED ORDINANCE 24-24

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

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

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

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.

- 8. An Ordinance of the City of Leesburg, Florida, providing a short title; providing findings and intent; granting a non-exclusive Franchise to Tri-County Sanitation, LLC, and its successors and assigns ("Franchisee"); a franchise for a period of 30 years to construct, own, operate and maintain certain services and facilities to serve areas within and adjacent to The Villages Age Restricted Development; setting forth the terms and conditions under which such Franchise shall operate; providing for conflict and severability; and providing an effective date.**

ADOPTED ORDINANCE 24-25

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

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

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

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.

9. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 47.68 +/- acres; and being generally located east of U.S. Highway 27 and north of Windmill Road, lying in Section 25, 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. (Mar-Jo Pines Sharp Properties ANNEX)**

ADOPTED ORDINANCE 24-26

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 property was generally located east of US Highway 27 and north of Windmill Road. There is a current PUD zoning for the property to the east and the south under PUD Ordinance 22-46. Referring to an aerial map, he showed the subject property, and the surrounding property. The applicants would like to take the existing one hundred acres, which consists of the property under Ordinance 22-46, which includes two hundred and seventy-one units, at 2.7 units per acre. They would like to add the 7.68 acres to give them one hundred and forty-eight acres total. Between all the properties there would be four hundred and two units, which maintains the 2.7 units per acre density. They are taking their existing property, annexing the 47.68 acres to put in a small-scale comp plan of estate-residential. They would apply the PUD to all three pieces which only extends the PUD. It is a standard PUD with 2.7 units an acre. There will be three different lot sizes; 50, 60, and 70. It will include dark sky lighting and two trees in each yard. There will be a roundabout in the design to keep traffic flowing. There is 80,000 square feet of recreation as required, protection of wetlands, a restriction on the types of grass for less water usage. They are working with Lake County and FDOT to provide any necessary transportation improvements which may include signalization. He was almost certain that it would require some turn lanes. **Mayor Burry** asked if this would be off Windmill Road. **PZD Miller** answered yes. This was the second reading and several people were in attendance, including Andrew McCallan and Luke Clawson, to answer any questions. **Commissioner Connell** asked about the additional units they would be adding to what had already been approved. **PZD Miller** answered it would add one hundred and thirty-one units and forty-eight acres to the existing PUD. **Commissioner Connell** questioned if this

would have age restrictions. **PZD Miller** said no, not that he was aware of. **Commissioner Connell** said he was just curious. **Mayor Burry** said, with the other developments surrounding this, could he talk more about inner connectivity? **PZD Miller** stated within the comprehensive plan there are requirements for inner connectivity between neighborhoods. When we have large undeveloped areas such as this where new neighborhoods are coming in, they are required through a comprehensive plan to connect. Once the first subdivision is built, all the other subdivisions will have to join. There will be stub outs, which are basically a street cut off, and the new neighborhoods will have to match up their roads to allow for connectivity between the neighborhoods. **Commissioner Connell** stated that we do not have control over property that has already been annexed into the city, but with this one they were not stuck with it. We do not have to accept this, we do not need to annex or rezone any more property. We have over 30,000 available lots in the city, and based on what the city manager said about our present growth rate, excluding The Villages, we have enough lots in the city for development to last sixty years. How much more do we need to annex? Enough is enough. He knows there have been many conversations about roads, but they are falling behind and we cannot handle the development. The schools are falling behind, the high school is at 90% capacity, the junior high is at 80%. At the current growth rate, it will take over 60 years to develop the property. We do not need to keep annexing property.

Denise Cochran, a resident of Plantation, said she moved to Leesburg three years ago and during those three years she has seen change. On her Sunday drive she saw the devastation of trees, and she wondered what was happening. She moved from Orlando. She lived there for forty plus years. She was there before Disney. She saw cows, citrus, and trees. It was wonderful. She moved from Orlando due to traffic, population, crime, and pass-through traffic. This was a beautiful county, and she was afraid of losing it. She was a retired oncology nurse practitioner. She was a neuro-oncologist, so she saw a lot of people driving to Orlando to see specialists. She would direct them to go to Gainesville or Tampa, because there was no local medical care. The level of care needed is not here. Just because we can do something does not mean we should. Annexing property is like a runaway train. There should be a moratorium. They should not sign anything or approve anything for at least two years, so she can catch her breath. Re-evaluate the beauty of this county that is being destroyed.

Carol Kaluchi, a resident of Plantation, said she purchased her house because of the rural feel. She had cities within an hour, Disney within an hour, the beaches and both coasts of Florida were within an hour and a half, and yet she had that small town feel. She understands The Villages will end up taking over because the senior citizens are taking over. She drives to Lady Lake every other day and some days it takes her forty minutes and others it takes an hour and a half with all the construction, trucks and people. Age restriction means nothing, because a lot of the age-restricted residents are taking their motor homes back and forth to Michigan. They are clogging up the roads. We are choking ourselves out. We are losing that small town feel just for a couple extra bucks. It is not fair to the people that have lived here for years. What are they doing for infrastructure? Have any cell phone towers been approved? Has a new community center for the people that have been here for years been approved? We are going all out for the new people and nothing for the people that have been here for years.

Barbera Schmidt, a resident of Plantation, said she wanted to talk about health care. When she moved here, she was a registered nurse. She worked at the Leesburg Hospital for twelve to thirteen years. Do you know it can take up to four months to get a mammogram because we are so congested? When you try to get an appointment with a neurologist, it takes four to six months. Do you know how many people will die because we keep growing and not looking at health care? It takes three to four months to get a mammogram here. If someone finds a lump, they have to wait three to four months. She drives all the way to Brevard County to get x-rays because they will not do it here. They do not have dexta scans for people with osteoporosis. She has to wait seven to eight months to get that done. The city keeps bringing new buildings and homes, but they are forgetting about health care. Everyone needs health care and that

should be added to the consideration. **Mayor Burry** mentioned that he was in health care and the City of Leesburg has three hospital systems within our city limits. How many other cities this size have that? From the audience, **Ms. Schmidt** stated three hospitals were not enough. **Mayor Burry** replied that they would come, and the roads would come. Property owners have a right to do what they want with their property, which is Florida law. The issue is whether we restrict property owners from doing what they want with their property. The residents moved here because it felt rural, and before they purchased their homes there were orange groves. When we talk about trees, the trees everyone talks about are post-1980. They were mostly pine trees, so people could get an agricultural exemption. It was not an old growth forest by any means. Sometimes we get on a path that feels really good, but the reality and truth of the matter is, this was an old orange grove property and people wanted to move there and these builders, developers and landowners have a right to their practice. **Ms. Schmidt** said she has been here for eighteen years. She moved here because four hurricanes hit her in four weeks. That was the only reason why she moved here. She loved this area, and wanted to know what Leesburg was doing with the three hospitals? Where does the city get the nurses and doctors from? Her doctor is across the road, and he said young doctors do not want to come here because there is nothing to do. So, what is the city doing to attract good medical people? If they look at any of the urgent care centers, they are staffed with travel nurses, so what are we doing to attract those people here? **Commissioner Pederson** commented that he has sat in groups, and heard complaints about school teachers and nurses and one reason they are not moving here is because we do not have the right housing for them. We do not have housing they can afford. Also, with development, the city manager discussed the numbers earlier, and he heard a maximum of forty, so this year the city averaged outside The Villages, thirty a month. He is a free market guy, and he does not understand why developers are still doing this, but some of the development will go by the wayside. About one-third will never come to fruition, but the development will take a long time. He feels bad about the roads, he grumbles about traffic all the time. He hears the complaints, but a moratorium will not work. The market just needs to cool off, and it will cool off. It will correct and fix itself to some degree over time. When he looked at the agenda he could not believe they were still coming. He was not convinced that people were following, even though he hoped he was wrong. The city does not want a bunch of bare subdivisions. **Ms. Schmidt** said she was not calling for a moratorium. **Commissioner Pederson** said he understood, he was just saying that was what he heard earlier from someone else. **Ms. Schmidt** said she wanted the city to slow down and focus on health care for the people that live here. **Commissioner Pederson** pointed out that was not the city's responsibility, but from the standpoint of housing, they hear the complaint over and over. The city is doing its best with developments and there is no way all these will come to fruition. There is just no way. **Ms. Schmidt** said she had something growing in her head and she cannot get an appointment with a neurologist for three months. She has looked all the way to Orlando and up to Gainesville. Healthcare has hit home for her. **Commissioner Pederson** said he respected that comment and the free market will correct itself on its own. We cannot absorb all these subdivisions. There is just no way.

Gina Strzeleck, a resident of Plantation, said she was concerned about the police department. There is an influx of units coming into this area, and she lives in a fifty-five and older community. They had an officer do a presentation to explain safety and what they should do if they came across a situation. The police department prioritizes their calls, so when they call 911 it all depends on the problem. She was told there were not enough police officers to cover the growth. There was an interesting statement made about property owners being able to do what they want, and the city cannot impose a restriction. **Mayor Burry** clarified that property owners have a right granted to them by the State of Florida to do what they want with their property. **Ms. Strzeleck** asked if he was there for the taxpayers and property owners of the city? **Mayor Burry** answered absolutely. **Ms. Strzeleck** said they were there to make a decision on behalf of taxpayers. **Mayor Burry** commented that he was there to make a decision about whether they should accept this into the city because they want to come into the city. The city did not go to them, asking them to come in. They came to us. **Ms. Strzeleck** said they would be annexing an "x" amount of

acreage, but they are not keeping up with the flow of people coming into the police department. It is not staffed enough to take care of all the needs of people coming in. **Mayor Burry** remarked that he would let the city manager answer that, because he was unaware that the city could not take care of police department needs. **Ms. Strzeleck** commented that in her fifty-five and older community they have scenarios where people come in through their gate, and they see them as suspicious people walking around. If they call 911 about a suspicious person, that is not a top priority. They have to take care of traffic control, murders, or whatever first. There were not enough police to police all the people. **Mayor Burry** asked if she was referring to the City of Leesburg or the county? **Ms. Strzeleck** said this was her first visit, but the feeling she had was that the city was giving away everything as far as land and annexing. The police department is suffering from the influx of people here and when there is an accident and drivers are speeding, the police department is stretched. **Mayor Burry** remarked that was her belief.

Janet Eisenhower, a resident of Plantation, said about ten years ago there was a town hall meeting hosted by the St John's Water Authority to discuss a permit from the Niagara Bottling Company. They wanted to increase the number of gallons extracted from the water table from one million gallons a day to four million gallons a day. The authorities showed slides and made a very convincing case that we could not approve the permit because there was not enough water. They cited the growth of The Villages and other developers, and with all the city growth, there was not going to be enough water in ten years. By annexing another piece of property with one hundred and thirty more units, where is the water going to come from and does St John's Water Authority sanction all this growth? **Commissioner Pederson** said she brought up a very important point. It will become an issue, and it may be the mechanism that slows growth down statewide, not just Leesburg, but statewide. **Ms. Eisenhower** said there was a bit of a drought and people are restricted to when they can water. People are already complaining about brown spots on their lawns. Brown spots are nothing compared to turning on the tap and having no water. **Mayor Burry** replied that in all PUD's the city requires Bahai or Zoysia grass. They can no longer use St. Augustine grass because it is not drought resistant. **Ms. Eisenhower** questioned if St John's Water Authority had any input in the approval process. **Commissioner Pederson** answered yes. They provide limits on water. **CM Minner** said everyone was going down a tick of a rabbit hole. Our infrastructure levels are where they need to be for our current population, and we put the right tools in place to manage growth. With regard to water, he did not know one city who had been up against their consumptive use permit (CUP) from any of the water districts in the state where they were told they could not expand. To answer that question, yes, the water districts have a voice, and they control water withdrawals throughout the state. Our district is St John's, and we have a permit for 9 MGD. We are currently in the process of expanding that MGD. The example of one to four was used and Leesburg is nine. If we had to expand our consumptive use permit, he would pontificate publicly that the district would open up the permit. He would challenge whether any water district in the State of Florida would not allow a community to increase their consumptive use permit when shown that they need to do it. **Ms. Eisenhower** wanted to clarify that they would not be restricted. **CM Minner** stated that was not what he said. **Commissioner Pederson** added that he wished he could slow growth down, but right or wrong people are pouring into this state because it is a great state, and that is a tough situation. **Mayor Burry** asked if there was any further public comment. There were none. He asked for commission comments.

Commissioner Connell said he hoped the commission would consider slowing down because there are over 30,000 lots on the books. We do not have to continue annexing and rezoning property. They can slow it down. Some growth is important as long as it is smart growth. Out of control growth is a detriment to a city. Based on current inventory, we have enough lots to cover the next thirty years. He did not know if they needed to keep annexing property. **Mayor Burry** asked for any further comments. There were none.

The roll call vote was:

Commissioner Pederson	Yes
Commissioner Berry	No
Commissioner Connell	No
Commissioner Reisman	Yes
Mayor Burry	Yes

Three yeas, two nays, the Commission adopted the ordinance.

- 10. 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 47.68 +/- acres from Lake County Rural Transition to City Estate Residential, for a property generally located east of U.S. Highway 27 and north of Windmill Road, lying in Section 25, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Mar-Jo Pines Windmill Sharp Properties SSCP)**

ADOPTED ORDINANCE 24-27

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

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

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

The roll call vote was:

Commissioner Berry	Yes
Commissioner Connell	No
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Mayor Burry	Yes

Four yeas, one nay, the Commission adopted the ordinance.

- 11. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 147.40 +/- acres from City of Leesburg PUD (Planning Unit Development) to City of Leesburg PUD (Planned Unit Development) to allow for a single-family residential development for a property generally located east of U.S. Highway 27 and north of Windmill Road, lying in Sections 25, 36, and 30, Township 20 South, Ranges 24 and 25 East, Lake County, Florida; and providing an effective date. (PUD Mar-Jo Pines Windmill Sharp Properties)**

ADOPTED ORDINANCE 24-28

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 rezoning for Mar-Jo Pines. The PUD includes the property to the south and east. It consists of 271 units at 2.7 units an acre. The commission over the years has found that to be acceptable. With Ordinance 22-46 and adding the forty-eight acres and 131 units, it will remain at 2.7 units per acre. It would give a total of 148 acres and 402 units. They are expanding the existing PUD to include the legal description of the forty-eight acres. It includes the standard zoning conditions. There would be thirty to thirty-five percent of 50, 60, and 70 foot lots. The architectural standards are a minimum of 1,800 feet under the roof, two car garages, and twenty-five foot setbacks. The dark sky lighting and two trees in each yard are required. It includes thirty-five percent of open space, 1.8 acres of recreational area, protection of wetlands, a swimming pool, a trail system, a dog park, and children's playground are required. There will be a restriction on the type of grass they can use. It will be required to use less water-hogging grass. They will be required to work with FDOT and Lake County, and every development that comes through has to go through a development review process that includes Lake County, all the city departments, St John's, and FDOT. If St John's has a problem with the availability of water, they will say so. In addition to that, every development has to be on city water and waste water. There can be no wells on any development. As the city receives their consumptive use permit (CUP) from St John's, if they slow it down and there is less water, there will be less development. **Mayor Burry** questioned new applications and the updates to the comprehensive plan. Do all new PUD's include the four-year sunset? **PZD Miller** replied that he did not see that in this one, and if it pleases the commission they would add that language. This was an older PUD. There is a four-year provision for a sunset/expiration provision that says after four years, if there has not been any substantial development, it will automatically revert to RE-1 zoning (residential estate) which gives one acre per unit. They would be required to have an acre to build one unit, which changes things significantly. If a developer is not serious about development, this will make them serious. **Mayor Burry** said he could support this with the additions.

Aaron Struckmeyer of Pulte Home Company, 4901 Vineland Road, Orlando, said they had no objections to adding that condition. They are the developers, and they are under contract to purchase the property. As soon as they purchase it, they intend to move forward with development. There were a couple other questions brought up earlier that he wanted to address. There was a question about this being an age-restricted development. That was not included anywhere, and there is no intention of making this an age-restricted community. They have several developments in Lake County and this is the primary market for them. With connectivity, part of the reason for bringing this parcel in to the PUD was to create connectivity with the forty-nine additional acres. While there would be one or two connections from the existing one hundred acres to the forty-nine acres, there would be five or six connections between the old PUD and the new one. In response to the condition of the four-year sunset that would be acceptable to the petitioner. **CM Minner** questioned if this PUD goes towards the whole parcel and not just the additional acreage. **PZD Miller** agreed and said the forty-nine acres are surrounded on two sides. It is adjacent on two sides to an existing PUD and this would expand the existing PUD. This would be one PUD and there would be inner connectivity all the way around. **Commissioner Pederson** added, for the benefit of the audience, the city recently changed their land development code for any new development. If they do not break ground within four years, it expires. That number used to be ten years. He was convinced that a lot of the developments would not come to fruition. This one would because they are big builders, but there is no way all the proposed developments will come out of the ground. **Mayor Burry** asked if there were any further questions. There were none. He asked for public comment.

A lady from the audience said she knows farmers can sell their land, but where will the animals go? There are bobcats out at Plantation and they also have a wild pig problem. She heard they would have two trees per property, yet they are tearing down fifty trees. They are tearing down a lot of habitat for the animals. **Mayor Burry** questioned when they moved into Plantation where did all the animals go? **The lady from the audience** said she did not know, but as they tear down the habitat they have to go somewhere. If they stir up a nest of wild pigs, they will destroy whatever they can to get food. People moving here will not want that happening to their brand-new property. Kids could be in danger from bobcats who are spooked out of their habitat.

Luke Clawson, Appian Engineering, 2221 Lee Road, Winter Park said he spoke with the planning and zoning director along with the city attorney. They noted a couple small scrivener errors that needed to be corrected. By adding the language about a four-year expiration, they would like to correct the scrivener errors that include some signage changes. **PZD Miller** stated the scrivener errors were minimal. He was not sure about the tower on the sign, but for the most part they were minimal. **CA Watson** stated they could go through them to see what would be good. **PZD Miller** stated they could work with the city attorney to make it work. He did not have a chance to go through them specifically to see how they would impact the rest of it, but for the most part he recalled everything being good by city staff. There were one or two he had questions about, and he could work with the city attorney on them. **Mr. Clawson** stated the scrivener errors were very minor. **PZD Miller** added there was a scrivener's error on page four where it should say seventy foot lot, and it says sixty, but you can obviously tell it was in the seventy-foot lot section. It is those types of things they are talking about. For recreational, they need a better definition as to the power easement and other things of that nature. They are small, and he would like to work with the city attorney to get the language ironed out if that was okay with the commission. They could also bring it back as a scrivener error. **Mayor Burry** wanted to clarify what was needed. **CA Watson** stated whatever pleases the commission because there is flexibility in how they deal with it. They could bring it back with the corrections, or they could approve it now subject to the planning and zoning director working with the city attorney to iron out the scrivener errors. **PZD Miller** stated there was nothing substantial. They were all minor changes. **Mayor Burry** asked if the commission was okay with the planning and zoning director and city attorney working the issues out. **Commissioner Pederson** said he was fine with that, he trusted them to correct the minor errors.

Commissioner Reisman made a motion to amend the ordinance to include the four-year sunset and to allow the city attorney and the planning and zoning director the ability to correct the scrivener errors, and Commissioner Pederson seconded the motion.

The roll call vote was:

Commissioner Connell	No
Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	No
Mayor Burry	Yes

Three yeas, two nays, the Commission approved the amendment.

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	No
Commissioner Connell	No

Mayor Burry

Yes

Three yeas, two nays, the Commission adopted the ordinance as amended.

- 12. 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 10.08 +/- acres from Institutional to General Commercial, for a property generally located north of U.S. Highway 441 and west of College Drive, lying in Section 15, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Silver Lake Commons SSCP)**

ADOPTED ORDINANCE 24-22

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

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

Mayor Burry requested comments from the Commission and the audience.

PZD Miller stated this property was located next to the airport across from the Cracker Barrel. It is about ten acres owned by the city. The city will not be doing anything with it, so they would like to sell it. It would go from institutional to general commercial and the zoning would go from public to small planned unit development. Under the PUD conditions, there would be retail, restaurants, pharmacies, offices, daycare, and fitness centers. There would be a number of things developers could do that would be safe next to the airport. As mentioned at the last meeting, they wanted to add the wording for mini-warehouse storage because there is a triangular point to the north of the property where mini-warehouse storage would work. The standard architectural standards include dark sky, irrigation, and so forth. **Mayor Burry** asked if there were any questions or 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.

- 13. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 10.08 +/- acres from P (Public) to PUD (Planned Unit Development) to allow for commercial uses, including restaurant, retail, and indoor storage, for a property generally located north of U.S. Highway 441 and west of College Drive, lying in Section 15, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (Silver Lake Commons PUD)**

ADOPTED ORDINANCE 24-23

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 Berry seconded the motion.

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

The roll call vote was:

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

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

- 14. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 506 +/- acres from City of Leesburg PUD (Planned Unit Development) to City of Leesburg PUD (Planned Unit Development) to allow for single-family (attached and detached) with commercial and multi-family uses for a property generally located west of County Road 33, north of Florida Turnpike, and south of County Road 48, lying in Section 21, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Denham Village PUD)**

ADOPTED ORDINANCE 24-34

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 Denham Village mixed-use project. The property is located west of CR 33, north of the Turnpike and south of CR 48. The request is for a revision to an existing PUD. The property is currently under Ordinance 16-40, which was a planned unit development. It allows for unique designs, layouts and lot sizes. It includes everything from thirty to sixty-foot wide lots. Many of the lots are based on the concept of what they call a motor-court lot where parking is in the middle and the houses are around the outside. It would be clustered, and it is a little different. It included a lot of very small lots and setbacks. It was a unique design proposed by the developer at that time. Shortly after this came along, covid hit and everything seemed to dry up. That ordinance is still good as we stand. It allows for one thousand nine hundred and ninety-nine lots along with commercial uses. It was an interesting concept, particularly from a planning standpoint, but no one in the market has been interested in developing it. It has been this way for about eight or nine years now. The group, DR Horton, has come along, and they are asking to change it to a more standard type of development. It would be more of what

we do in Leesburg. They increased lot sizes, which caused a reduction in the number of lots. It would go from one thousand nine hundred and ninety-nine lots down to one thousand five hundred. This includes various types of units; single-family detached, single-family attached, some apartments, and commercial areas. Some of the commercial areas have what they call live/work units where people live upstairs and work downstairs. There are twenty-five acres of commercial area, and six point eight acres of recreation area. It reduces the number of already permitted units from one thousand nine hundred and ninety-nine to one thousand five hundred. There are requirements in the PUD for a split rail fence or vinyl fence along the length of CR 33 and CR 48 and a six-foot masonry wall or a five-foot buffer with a six-foot fence. A fence would run along the Turnpike. They have two trees in each yard, dark sky lighting, architectural standards, etc. Mr. Scott Glass of Shutts & Bowen and Tatiana Ross of DR Horton are in attendance along with several other folks to answer any questions.

Commissioner Connell asked if this property was already in the city. **PZD Miller** answered yes. **Commissioner Connell** wanted to verify if this already had a current PUD on it, and if they wanted to modify the PUD to go from two thousand units down to fifteen hundred units. **PZD Miller** agreed. **Commissioner Connell** asked if this PUD was turned down, could they still develop it under the old PUD that would have five hundred more units? **PZD Miller** replied that was correct. **Commissioner Connell** asked if the current PUD had an expiration date. **PZD Miller** answered no. **Commissioner Connell** asked about the year it was approved. **PZD Miller** replied in 2016. It was approved under Ordinance 16-40. It has been eight years and nothing has happened. It was a unique design but what they are proposing now is more traditional and people are more comfortable with it. **Commissioner Connell** added that this was one they are stuck with, and the current commission had no part in approving it. **PZD Miller** agreed. **Commissioner Connell** asked if a traffic study had been done and was the county proposing any type of improvement to CR 33? **PZD Miller** answered the county will require turn lanes, and they may require additional right of way. There had been traffic studies done, but he did not have them in front of him. Whatever the county requires to make this road work under county standards, the developers will have to do. They are aware of that, and they have already talked to the county about it. He was sure there would be road widening, turn lanes, and a potential for future signalization since this would impact CR 33 and CR 470 at the intersection. This gives them the opportunity to participate with the other developers in the area to do something there. **Commissioner Connell** asked if they had county approval for this development. **PZD Miller** answered the county has reviewed it and given comments and the comments were included in the packet. It included the widening of the road, additional turn lanes on CR 33 and CR 48 and the intersection of CR 48 and CR 33 must be evaluated for impacts, including a signal warrant. They will have to participate in getting a signal warrant, and a study. The development may have to do some construction improvements at the intersection. They also require a trail along the development frontage on CR 48, which is part of the county's trail plan. The county looked at it and they had some significant comments. The county said they would be looking at this as part of the solution. Not all of it, but part of it. **Commissioner Connell** questioned if the improvements would have to be put in prior to starting development. **PZD Miller** responded that normally the improvements have to be done at the time of impact, which is when people start moving in. That is when they have to have them completed. In other words, just because they are building houses, that does not mean anyone is there to create traffic. **Commissioner Connell** wanted to know how the county knows when that impact starts. **PZD Miller** answered they work with the developer during the process of having to donate the road widening. The county keeps up and works with the developer. The city is in contact with them as well. **Mayor Burry** asked if the petitioner would be willing to accept the four-year sunset on the PUD.

Mark Thompson of Shutts & Bowen, 300 South Orange Avenue, Orlando asked about the definition of start and if it covered pulling a building permit? **Mayor Burry** replied yes. **Donna Ross** of DR Horton stated they would be amenable to the four-year sunset clause. The planning and zoning director

mentioned that may be something the commission wanted to add since it has been added to the land development regulations (LDR), and they would be okay with that.

Commissioner Reisman made a motion to amend the PUD to include the four-year sunset expiration and Commissioner Pederson seconded the motion.

Mayor Burry clarified that it would include the reversion to one RE-1, one acre per unit.

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 approved the amendment.

Mayor Burry asked if there were any public comments.

Gerald Tucker, a resident of the Plantation, said he was the vice president of the HOA. He asked the commission to consider the number of entrances being proposed on CR 33. One entrance lines up with their west gate and if this moves forward they would push very hard to have a traffic light put there. Since this will not be an age-restricted community, the number of school buses that will have to service that area on these country bumpkin roads is a real concern. He wanted to address the apartment complex being proposed in that development. How many miles do you have to drive before finding another apartment complex? There are mostly single-family homes, and they want to introduce apartment complexes into the area. The roads are a big concern with entrances on CR 33 and CR 48. They may have to put up a traffic light at CR 48 and CR 33 where one of the entrances will go in and out. People will not look both ways and when there is a small opening people will shoot out. First responders will have problems getting to the area due to narrow roads. He asked that they review the entrances and the apartment complexes because that will bring children who ride buses.

George Melcher, a resident of Plantation, said he was a director at large for the HOA board. He did not plan to speak, but when the planning and zoning director commented on the concerns of the county, he read four of the five conditions, and said he left out one very important one, and he found that quizzical. That last point, says a traffic impact analyst, is recommended to be provided and reviewed prior to the PUD hearing. Also, does the city have a planning commission? **CM Minner** answered yes, that it is required by state statute. **Mr. Melcher** asked if the commission ever takes their recommendations. **CM Minner** answered yes. **Mr. Melcher** said if the commission had taken their recommendations on this project they would have denied it because it was denied four to two. He wondered why they even bothered having a planning commission if they did not take the recommendations offered. The fire department's comment cited the NFPA 1710 standard and that the property was outside the four-minute response time for initial response of fire apparatus. That is very important because emergency personnel cannot get there.

George Waters, a resident of Plantation, said at a previous meeting he asked the commission to consider removing one access point on CR 33 because it was only two tenths of a mile away from their entrance. There was mention of apartments, and there are two hundred and forty apartments being jammed onto a 4.3 acre plot. He considered that high density use. The development is far from public transportation, police, fire, and other facilities. The C-3 shopping center proposed is double the size of Palm Plaza. Both

the apartments and the shopping center share one access point to CR 33. The only other way out is to wind through the rest of the community to get out. The shopping center and apartments are congruous in the area of single-family residential, industrial, and agricultural. If this was approved, he would like to see it severely modified to reduce the size of the shopping center and to eliminate or reduce the number of apartments. There are no other cross streets between CR 27 and CR 33 until they get down to Bridges Road.

Mark Tibido of 3020 County Road, Groveland said he has ten acres that border this property. He purchased his property back in July 2020. He previously lived in Clermont, and it was getting overcrowded, so they wanted to move out. His real estate agent found this property. It was only on the market for two days, and it already had a verbal contract on it. He had to act quickly, so he paid cash. He had to pay a little more than what they were asking. He had to move quickly, so he did not have time to find out that this PUD had no expiration date. The modification of the four-year expiration date was good. He wished it had been done back then, because this would be null and void. He likes seeing cows every day. There are five hundred acres there and a lot of animals. Where are they going to go? He hears them every night. He has a shooting range that faces this property, which is allowed by law. The last time he was at a meeting, the planning and zoning director mentioned that they did not have to do the road study until after it was built. He thought that was stupid, but he did not design this stuff. It is absolutely ridiculous to build something and not have a plan. With traffic, if you sit at the intersection of CR 33 and CR 48 in the morning, you see nothing but dump trucks. That is what is causing all that traffic. Whether it be what they are building across from the prison or what they are building down CR 48. There are a lot of dump trucks going seventy to eighty miles an hour past his house. It is impossible to get out sometimes. He goes to the gym every morning across from the Lake Harris Publix. It takes him fifteen minutes to get there, and he lives half a mile up CR 48. He cuts through the business park, so he does not have to wait for the light. It was mentioned that there were no old growth trees. He has at least six to eight one hundred and fifty to two hundred-year-old trees on his property. **Mayor Burry** pointed out that it was his property. The property earlier was an old orange grove. They are talking about two different pieces of property. **Mr. Tibido** said he lives in Okahumpka even though his address is considered Groveland because half an acre of his property is Okahumpka. He does not have representation like the city has unless they count Rhett Fussell, who has lived there for ninety years. There is a minimum of twenty-five to thirty minutes for the police to get from Groveland to his house. It will get worse once more traffic comes. The main reason he moved here was to get away from the hustle and bustle. He came late to the party because he did not know about the existing PUD. He is considered agricultural. He would like to keep some of the land, so the animals have a place to go. He knows there are gopher turtles which cost about \$10,000 to remove and a sinkhole that needs to be addressed.

Ed Fredericks, a Plantation resident, said he downloaded the graphics for this plan. He was concerned about the layout and primarily about the apartment buildings. With two hundred and forty apartments, they will need parking. That is two hundred and forty parking spaces plus another ten percent for guest overflow on four acres. What about the quality of life for people? The apartments will not rent at a premium, they will be moderate to low-income apartments. It was noted that there are eight acres of recreation. Where will that be? It will be mixed with eight hundred single-family homes. Will there be a pool? Will they have all low to moderate income people trucking down to where the single-family homes are to use the pool? The apartments need some recreation. Right out front is a parking lot for a shopping mall. They will have kids living in moderate to low-income housing playing in the parking lot. This is a disaster in waiting. He is a growth guy, he is a free market guy, but they must realize when the market is correct it can be very painful. It behooves the local and federal governments to try to create an environment for what they call a soft landing. If they believe the market has been on fire, they need to start thinking about how to cool it off.

Nate Sands, a resident of Plantation, said in the mornings heading north on CR 33 they can wait three lights to get through. It all depends on the gravel trucks and people turning left. Every other street has a turn lane, but northbound has nothing. He wondered if they could stagger the lights going north and south? That would give the north a chance to go and then give the south to get more people through there. **Mayor Burry** stated the Municipal Planning Organization of Lake and Sumter County (MPO) holds quarterly meetings. They plan out what roads are going to undergo improvements. They take public comments at those meetings. He encouraged everyone to attend and to bring these issues before them. **Mr. Sands** wanted to confirm that there was nothing Leesburg could do about timing the lights. **Mayor Burry** responded that the city has no say whatsoever on the lights.

Dan Watson asked about the four-year sunset and how long that had been in effect. **PZD Miller** replied that was added to the planned unit development zonings over the last few months. A couple of years ago, it was ten years, and several of the existing PUD's still have ten years, but anything new will have a four-year sunset. They will have to have a substantial commencement, which means turning dirt and pulling building permits. They will have to spend thousands and thousands of dollars and if they do not do that, it will revert automatically to one acre per unit. There will be no second chances. **Mr. Watson** asked if the land approved last year was under the four-year terms. **PZD Miller** answered no. **Mr. Watson** said there was some property approved at South Quarters Road and CR 48 a couple of years ago. There were to be about one hundred and sixty homes. **Mayor Burry** replied that was before, so they have a longer expiration on the PUD. **Mr. Watson** questioned CR 48 and the traffic from this development. The shortcut is down South Quarters Road, which comes right by his house. They have already been to the county asking them to keep the trucks off, and they finally got enough money to put up some signs, but that will be the shortcut.

Mayor Burry asked if there were any other public comments. There were none. He asked for commission comments.

Commissioner Connell asked the commission to consider the intersection of CR 33, CR 48, and CR 470. He also asked them to consider this particular subdivision and the number of units. How many school kids will this generate because the school system is already at eighty to ninety percent? **Mayor Burry** stated they just approved Area B, which approved over 6,000 units on 1,200 acres located on CR 48. **Commissioner Connell** asked if he was referring to The Villages. **Mayor Burry** said yes. **Commissioner Connell** said The Villages, based on age, do not generate as many trips. **Mayor Burry** added that included workforce. **Commissioner Connell** said that does not cover the whole six thousand acres. **Mayor Burry** stated there were six thousand units on twelve hundred acres. That is five for one. **Commissioner Connell** said he understood. **Mayor Burry** said it would be a dense development. **Commissioner Connell** mentioned that it would be a different type of development. He was referring to the school system and the kids in The Villages' development will most likely go to the charter school. He was referring to public schools. **Mayor Burry** commented with regard to this PUD, the city had a situation where we had a PUD that was accepted into the city years ago and that PUD expired. They wanted to put a new PUD on it, and we said no. We were sued and we lost. This piece of property right now has an existing PUD on it. If we say no to this PUD, we are going to be in the same situation that we were with Sunnyside, and we will have the same outcome.

A lady from the audience wanted to clarify that the original PUD was for two thousand and that was an archaic plan, a crummy plan that nobody wanted to do. The new plan wants to go to 1,500, so if they approve that, they would get a lower amount of density. What happens if they deny it? Would they still have to do the 2,000 in that configuration? **Mayor Burry** replied yes, as it exists. **A lady from the audience** asked if it would be financially feasible for them to do that? **Mayor Burry** stated the PUD where we were sued had 120 homes on it, and we said no to the increase to 150. We lost that suit and

they got 150. **A lady from the audience** said it was a strange configuration that no one wanted. **Mayor Burry** stated it was a different development. **A lady from the audience** asked if they could hold them to that. **Mayor Burry** said yes. **Commissioner Connell** said if they did that it might slow them down. **Commissioner Pederson** added that PUD, for some reason, did not have an expiration date on it. **Mayor Burry** asked if what she was advocating for was two thousand units instead of fifteen hundred. **From the audience, the lady** said she was advocating for a bad design in hopes that they would back out.

Mr. Thompson said the original PUD ordinance did not expire and, on top of that, it had an equivalency matrix. The equivalency matrix allows for a change in the uses within the approved uses based on traffic analysis. To clarify, they did not advocate the original PUD design when they realized there was no market for it. That was when DR Horton came in and proposed something different, because today it is more marketable, and they also reduced the density to below three units per acre.

A guy from the audience said he was not asking for the city to get into litigation if they could not win. He wanted the city to force the builders not to put apartment complexes in. Could they force the builders to change how many roads dump out onto the highways? He was not asking to go through litigation and lose, but he wanted them to modify the plan because it would take many years for the county to look at the roads. There will be a lot of people living there before anything happens. It will take a long time before any structural changes are made. Look at the density of the apartment complexes for the school system. **Commissioner Pederson** said he would turn to the developer because the state and the county want two points of ingress/egress. He envisioned a red light there eventually.

CM Minner stated for facts, that would not be a statement to advocate for or against a development. Developers are entitled to certain modifications and certain existing conditions pursuant to law. This is a quasi-judicial proceeding that means if a bunch of turtles are going to die, and we do not like that, the developer can say he would save the turtles and that is a mitigating factor. That means the commission cannot vote no because they want to save turtles. If a thousand people come up and say the roads are bad, it would be horrible and people would die at the intersection. They cannot vote no because, by law, and under the quasi-judicial role, the developer has the right to fix the roads. The statement about the planning and zoning director forgetting to mention roads, which is a standard operating procedure in all our PUD's, does not come after, as part of the condition of development road plans have to be reviewed by the county. The county will state if they build this, they will have to build a road. The PUD addresses that. At the end of the day, what they have before them is a PUD that has been reduced in density and it will sunset faster. **Commissioner Pederson** said he can see the county and state pushing for fewer entrances. **CM Minner** stated that it would be reviewed by the county. The PUD requires them to have their plan reviewed by the county.

Evelyn Gould said, being a teacher for Lake County Schools, she hears the concerns expressed about the number of students and buses. When the developments come in, how much money is filtered into the schools, so teachers can help accommodate it without money coming out of their pockets. **CM Minner** pointed out that the school board recently increased their impact fees for a single-family to about eight grand. Using old numbers, a typical impact fee for a twelve hundred square foot home in the city is about \$15,000. Of that \$15,000, \$9,000 is the school board impact fee. \$2,700 is the city sewer impact fee, \$1,500 is the city water impact fee and \$700 is the county road impact fee. The two impact fees that were recently changed were \$9,000 for the schools. That went to \$10,000, and the \$700 county road impact fee went to about \$1,400. **CA Watson** agreed. It was substantially higher. **CM Minner** said it almost doubled. So, almost 60% of all Impact fees go to the school board. **Ms. Gould** asked if that was divided into all schools or was that particular to where the growth was happening. **CM Minner** said it all goes into one pot. The city communicates with the school board and that is called concurrency. The city checks all permits because they are looking for the impact fees to address how they plan for school

growth and typically, 60% goes to schools for school impact fees. They need to contact the school board about how they divide the impact fees. **Ms. Gould** said she would be there tomorrow. She went from a classroom of twenty to twenty-eight this year. They cannot help all the students with what the schools provide teachers. She sees schools like Leesburg Elementary where they have portables outside that are not conducive for educating students, and it is not comfortable for them. **Mayor Burry** informed her that these are questions and concerns for the school board. He asked for any further public comments. There were none.

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes
Commissioner Berry	Yes
Commissioner Connell	No
Mayor Burry	Yes

Four yeas, one nay, the Commission adopted the ordinance.

- 15. An Ordinance of the City of Leesburg, Florida, correcting a scrivener's error on Ordinances 24-04, 24-05, and 24-06, Village Palms Annexation, Large Scale Comprehensive Plan, and PUD Rezoning; pertaining to the legal description; for a property consisting of approximately 316 acres; and being generally located south of State Road 44 and west of Whitney Road, as legally described in Section 19, Township 19 South, Range 24 East and Section 30, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Village Palms Scrivener's Error)**

ADOPTED ORDINANCE 24-35

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

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

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

The roll call vote was:

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

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

B. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida amending the City Code of**

Ordinances by amending Chapter 15, Article I, Section 15-16, entitled 'Sexual Offenders', to encompass amendments to Section 775.215, Florida Statutes; providing for severability; providing for conflicts; and providing for an effective date.

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

Mayor Burry requested comments from the Commission and the audience.

CA Watson said this was a house cleaning item. When the city originally adopted the ordinance, it used a distance measurement for residency of people who have been convicted of sexual crimes. They are not allowed by state statute to live within a certain distance of schools, daycare, and other facilities. The city's ordinance was adopted back when the law was originally passed, and it does not have some of the definitions for childcare facilities and schools, things like that. The changes will add definitions to make everything consistent with state law. One exception being that the city's distance measurement limitation would be 2,500 feet rather than 1,500 feet, which is the statutory measurement. That particular measurement is consistent with most other municipalities, which have increased the distance measurement. That measurement has been looked at by the attorney general's office as being okay. That is the only place where the city differs from the state statute. The city would have a larger distance measurement requirement than the state statute and that is along the line of what other cities in the state have done. **Mayor Burry** stated this item would lay over to the June 24th meeting.

2. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 1.93 +/- acres; and being generally located southwest of Montclair Road and west of Thomas Avenue, 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 (Thomas-Montclair Industrial Flex ANNX).**

ADOPTED ORDINANCE 24-32

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 said this was an annexation, small-scale comprehensive plan, and a rezoning. Basically, the rezoning will go from R-1 low density residential and R-6 urban residential to SPUD Small Planned Unit Development. It would be a small planned unit development to create a small flex industrial space of just under 20,000 square feet on 2.33 acres. It is located west of Thomas Avenue and southwest of Montclair Road. It would include indoor light manufacturing, building trades and contractors and warehousing. They require dark sky lighting, there is a setback of fifty feet on the front and rear, and twenty feet on the sides. It would be two floors maximum height with architectural standards and so forth. It has a lot of the

same things as a residential PUD with grass and no wells or septic fields. There was good conversation at the planning commission level and some concerns were about gardens. Other than that, it is pretty simple. **Mayor Burry** stated this item would lay over.

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 2.33 +/- acres from Lake County Urban High Density and City of Leesburg Low Density Residential, to City of Leesburg Industrial, for a property generally located southwest of Montclair Road and west of Thomas Avenue, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida, and providing an effective date. (Thomas-Montclair Industrial Flex SSCP)**

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

Mayor Burry asked if there were any questions or comments. There were none. He said this item would lay over.

4. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 2.33 +/- acres from Lake County R-6 (Urban Residential) and City of Leesburg R-1 (Low Density Residential) to City of Leesburg SPUD (Small Planned Unit Development) to allow for 19,884 +/- square feet of indoor industrial flex space for a property generally located southwest of Montclair Road and west of Thomas Avenue, lying in Section 21, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (Thomas-Montclair Industrial Flex SPUD)**

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

Mayor Burry asked if there were any comments or questions. There were none. He stated this item would lay over.

5. **An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 37.7 +/- acres from PUD (Planned Unit Development) and C-3 (Highway Commercial) to PUD (Planned Unit Development), for a property generally located north of County Road 48 and west of US Highway 27, as legally described in Section 14, Township 20 South, Range 24 East, Lake County, Florida, and providing an effective date. (CR 48 Brightleaf Residential PUD)**

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 proposal was called Brightleaf Residential. It is 37.7 acres generally located north

of CR 48 and east of Highway 27. The request is to amend the current zoning. There will be no change to future land use. The requested zoning would allow construction in the future of a residential development with a maximum of 253 attached single-family residential units. The current zoning for the property is PUD on the north and C-3 highway commercial on the south. There are two parcels split, and the existing PUD allows for one hundred and sixteen town homes, which are attached single-family homes on twenty acres to the north. The C-3 highway commercial will be on the property to the south. They are requesting to turn the whole property into townhouse units. It would go from one hundred and sixteen on the northern half to two hundred and fifty-three for the entire property. It includes the standard details used in all the PUDs, including the four-year sunset. **Commissioner Connell** asked if the existing PUD was current. **PZD Miller** answered no. This one expired under its reverter-clause, which goes back to 2006. He could not confirm the year, but it did expire. The C-3 in the south is still good. **Commissioner Pederson** inquired about the parking ratio in comparison to some of the other apartments they are looking at. **PZD Miller** responded that a town house would be the same as a single-family. They would have two parking spaces per unit and within the PUD they would require additional parking areas at the end of rows.

Charles Fields of 4148 CR 48, Okahumpka said he represented the household at 4218 CR 48, Okahumpka as well as a number of residents on that stretch of highway from the intersection of US 27 to the intersection of CR 470 and CR 33. That is about a mile stretch there. He did not want to belabor the point in terms of the road impact. Enough has been said about that, and he appreciated the city manager extolling the reasons for why traffic has become so encumbered in that area. When they discussed item 6A1 on the agenda in terms of The Villages and how they reduced their impact, in terms of traffic flow onto the county roads, this particular project was not part of The Villages. It is going to go directly onto the road, and it will have more impact than any of the subdivisions in The Villages. For The Villages, businesses and large businesses, they can be very shrewd, and they manipulate statistics. They all know they can manipulate statistics to their favor throughout the process. He would love to have an opportunity to review whatever was submitted, but that would be a debate for another day. When the public notice was issued, there was a statement about two hundred and fifty-three town homes being built. It did not provide the price point being targeted and that was a great concern. He could only deduce that they were talking about the middle class, because statistics show across the country that crime rates and that sort of thing is impacted by whatever level they target. Also, there was great concern about what the land would be used for with regard to associated use. That is a very nebulous term. What do they mean by associated use? He would like some examples. Would that include storage facilities and that sort of thing? If so, that would be another attraction for criminal activity.

Mayor Burry asked if there were any further comments or questions. There were none. He stated this item would lay over.

6. An Ordinance of the City of Leesburg, Florida, amending the City of Leesburg Comprehensive Plan Future Land Use Element to establish the Sunnyside Estates Objective and Policies, previously set forth in Resolution 7158, and known as the Sunnyside Task Force Study Report, for properties generally located in Sections 19, 20, 21, 28, 29, 30, and 32, Township 19 South, Range 25 East; and providing an effective date.

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

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

7. **An Ordinance of the City Of Leesburg, Florida amending Part II, Chapter 25 of the Municipal Code, adding Section 25-269 (3) Future Land Use Districts; and providing an effective date. (SS Ordinance Amendment Chapter 25 - Zoning)**

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

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

8. **An Ordinance of the City of Leesburg, Florida amending the Comprehensive Plan Future Land Use Map by redesignating the future land use designation of certain property from Low Density Residential, High Density Residential, and Estate Residential to Sunnyside Estates (SE) for properties generally located in Sections 19, 20, 21, 28, 29, 30, and 32, Township 19 South, Range 25 East; and providing an effective date. (Sunnyside Estates Comprehensive Plan FLU Map Amendment)**

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

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

9. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 49.12 +/- acres, and being generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 5; and providing an effective date. (ANNX Poe Road Subdivision)**

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 item includes an annexation, a small scale comprehensive plan, and a rezoning. However, the applicant contacted them this afternoon. They are currently working with the neighbors and city staff. They requested that this be postponed until the next meeting. They would like to postpone the first reading, so they can make changes to the buffer language. They would like all three cases postponed. CA Watson stated they need to make separate motions for each of the hearings. They need to

include the time, date and location of the continued meeting, so a re-advertisement would not be necessary.

Commissioner Reisman made a motion to table this item for the June 24th meeting, here at city hall in the commission chambers at 5:30 p.m. and Commissioner Berry seconded the motion.

The roll call vote was:

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

Five yeas, no nays, the Commission approved the motion.

- 10. 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 49.12 +/- acres from Lake County Urban Low Density to City of Leesburg Estate Residential, for a property generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (SSCP Poe Road Subdivision)**

Commissioner Reisman introduced ordinances 6.B.10 and 6.B.11 to be read by title only. CC Purvis read the ordinances by title only.

Commissioner Reisman made a motion to table 6.B.10 for the June 24th meeting at City Hall in the Commission Chambers at 5:30 p.m. and Commissioner Berry seconded the motion.

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 approved the motion.

- 11. An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 49.12 +/- acres from Lake County CFD (Community Facility District) and R-6 (Urban Residential District) to City of Leesburg PUD (Planned Unit Development) to allow for a residential subdivision for a property generally located north of Poe Street and south of County Road 473, lying in Section 02, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date. (PUD Poe Road Subdivision)**

Commissioner Reisman made a motion to table 6.B.11 for the June 24th meeting at City Hall in the Commission Chambers at 5:30 p.m. and Commissioner Berry 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 motion.

C. NON-ROUTINE ITEMS

- 1. Resolution of the City Commission of the City of Leesburg, Florida relating to the provision of Fire Protection Services, Facilities and Programs in the City of Leesburg, Florida; Imposing Fire Protection Assessments against assessed property located within the City for the Fiscal Year beginning October 1, 2024; Approving the Rate of Assessment; Approving the Assessment Roll; and providing an effective date.**

ADOPTED RESOLUTION 11,837

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 will set the fire assessment fee for FY 25, beginning October 1, 2024. There are no changes proposed. The institutional and commercial square footage numbers remain the same and the equivalent residential unit or single-family residential unit is \$125.00 per year. **Commissioner Pederson** questioned why they were doing it now versus during the budget. **CM Minner** said this requires a separate action. **Mayor Burry** asked if there were any further questions or comments. There were none.

The roll call vote was:

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

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

- 2. Resolution of the City Commission of the City of Leesburg, Florida, endeavoring, in good faith, to relocate the Lake County Express Transfer Station from the Lake Sumter State College Campus to the Lake Square Mall in Leesburg, Florida; and providing an effective date.**

ADOPTED RESOLUTION 11,838

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 said this was an odd request. Earlier this evening, they approved the PUD for Silver Lake Commons, which is the property the city is selling to Blue Rock Developers. Apparently, this parcel has a bit of history. It is an airport parcel located west of College and north of US 441. Once upon a time, when the Department of War owned this property, they dedicated it to the school board. In 1986, the city requested that this property be dedicated back to the city for our use. At the time, Lake Sumter Community College was part of the school board. The city attorney did some extensive title work on this and nothing was found through the title work. When this was put on the agenda, we received comments from the college stating the city, once upon a time, promised and coerced the college to give us this parcel back, so we could have it to hold forever as part of the airport. Part of the request was that we said it would never be developed. However, it is not in writing anywhere and that was the conversation. The college President, Heather Burgard, is aware of some type of promise. She believes the city should not be developing this property, if, in the past, we ever thought it was promised not to be developed. Since that promise was made and if it was ever agreed, a lot of water has gone under the bridge. One of the biggest being, over the past three to five years, the FAA reversed course on how they approve selling off surplus airport property. At the end of the day, the FAA still has significant regulations over the city and how we use property that was granted to us by the federal government. He was not joking about the War Department, because at the time it was known as the War Department. It was the Department of Defense (DOD). The surplus properties and airport properties were part of the World War II effort. After the war, it took several years for the federal government to give away the property to different airport authorities or cities who operated municipal airports or different regional airports under the restrictions that were developed in the 1950s. In our case, we got part of the property back from the school board with this covenant, a handshake deal, that was we would never develop it. The FAA controls how we sell properties and that policy has really changed in recent years. Now, when the FAA approves these types of sales, they approve it with the caveat that we have to follow FAA federal regulations and that the money goes to the airport fund. In both cases, they are doing that action. At the end of the day, we are stuck with the belief that the college believes we are changing a promise made in days gone by, and that may or may not be the case. The easy solution to this is if we can facilitate the relocation of the Transfer Station, which is on college property, to the Lake Square Mall. That will bring happiness and détente to the relationship between the city and the college. That is important moving forward. The cost to relocate is fifty grand and this resolution does exactly what it says. They just approved the PUD that the college has a potential beef with and this resolution is an olive branch that says we will endeavor to move the bus stop and absorb the costs, which may be up to fifty grand. That move requires another agreement that will come before this body. That would be a tri-party agreement between the county, the city, and Lake Square Mall. He has been in contact with the county manager, Jennifer Barker, and she is working with her legal counsel to draft that agreement and, upon the city's review, it will come back to the commission in about thirty to ninety days. When they approve that agreement, that will solidify the expenditure of money. This resolution is a good-faith effort. To clarify what happened in days gone, he has not found a smoking gun that says what was said, promised, or if a handshake was made. However, today, around 4:15, he found a letter from William, Smith, and Summers PA, dated May 6, 1986, to the city. It says congratulations you just received a final judgment and the judgment was a joint stipulation for settlement

of a case between the City of Leesburg and the District Board of Trustees of Lake Sumter College. The writing goes on to say that this was for the property given and there was a beef between the college and the city. He believes that document alludes to the recollection that Ms. Burgard had about a promise made with the city and that we were now double-crossing. He did not find a smoking gun, but he found some smoldering flames that indicated there was a beef, so that does provide some credence to Ms. Burgard's concern. **CA Watson** asked out of curiosity who signed that letter. **CM Minner** replied it was his former bosses, Robert Q. Williams and Gary L. Summers. Those were the attorneys of that firm and the letter was addressed to Rex Taylor, City Administrator. He could locate Mr. Taylor because they are colleagues. In essence, if they say no to the resolution, the case is closed and therein lies the college's answer. If they approve the resolution, he will endeavor to dig deeper into this. He will either have the same story when they consider the joint agreement between the three parties, or he will have some more detail. Again, this is the first olive branch that tells the college we heard, and we will endeavor to make the sediment of the past correct. **Commissioner Berry** asked if this would squash any conflict or issue. **CM Minner** answered that was his understanding. **Mayor Burry** asked, in essence, if this moves the bus stop to the mall? **CM Minner** said it was the Transfer Station. There will still be a bus stop on US 441. What the college sought was to relocate the transfer station where buses enter their property into the west parking lot, off College Drive. That would potentially be put somewhere at Lake Square Mall.

Commissioner Pederson said he would support this, but at some point in time, he bets they will bring the buses back. He wants to keep peace with the college. **Commissioner Connell** wanted to know why they would consider spending up to \$50,000 on a supposed verbal agreement that happened thirty-eight years ago? Why would they move a county bus stop from state-owned property, based on a verbal agreement that supposedly happened thirty-eight years ago? He did not know why the city would move a county bus stop off a state property. He thought that would be between the state and the county. Why would the city pay for it, and why does the college want the transfer station moved? **CM Minner** answered the college wants it moved because they feel the transfer station brings unwanted activity. If relocated, that would not harm the college. **Commissioner Connell** wanted to know what the unwanted activity was. **CM Minner** answered it could be homeless folks, criminal activity and mischief that is transported by public transportation. **Commissioner Connell** asked if the mall wanted it. **CM Minner** replied that the mall sees beyond that. They see a benefit from public transportation, and they are hopeful that there would be less riff-raff associated with the transfer station. It would also bring people who may want to patronage the mall. **Commissioner Pederson** wondered if there was a conversation about a split. **CM Minner** stated that he talked with the developers today to see if they would be willing to kick in a couple of bucks and the reason they would was because there could be some potential concern to have a bus location in their PUD. If they noted that in the PUD there would be a consideration. They do not want to deal with that and by having this location pushed somewhere else they may provide a contribution. **Commissioner Reisman** wanted to confirm that this action just gets the ball rolling and there will be a final agreement to approve at a later date. **CM Minner** responded yes. **Commissioner Connell** wanted to know what they were voting on. Are they voting for the city manager to look more into this? **CM Minner** replied yes. **Commissioner Connell** wanted to make sure they were not agreeing to anything. **CM Miner** answered yes.

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 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 stated the Venetian Isles bond extension from the last meeting has been extended. They turned the bond in, and they have an extra two years.

9. CITY MANAGER ITEMS:

A. Bikefest 2024 Update

CM Minner commented that Commissioner Reisman had talked to him about having consultation with the city attorney about abbreviated short readings. They will look into it, but there seems to be a hiccup in that and in the past they did something, but he could not recall. He will work with the city attorney and do some research on that.

Secondly, when the city attorney came over to speak with him, it was about an email challenging the new financial disclosure law. Everyone is supposed to fill out the financial disclosure statement online and this was the first year that everyone had to complete the detailed financial disclosure. There were a few Florida cities where a number of the commissioners quit over this question, so it has now been formally challenged. **CA Watson** stated a preliminary injunction has been entered by a federal court in the Southern District of Florida. He has not had a chance to review it since it is a forty-page order, but he will look into it. The preliminary report appears to be that a federal judge has entered an injunction to prevent the enforcement of the Form 6 requirement. **CM Minner** added at this point they do not have any idea what that means, but the safe thing is to fill out the financial disclosure form and have it in by July 1st. **CA Watson** agreed and said they would look into it in the interim. He will work with the city manager to get some further information. They will look at the impact and get the information out to everybody.

CM Minner said with Bikefest the concept was to provide the numbers for where they finished up with Bikefest and let the commission think about it. He will come back to them for some formal directions. At that time he would like to confirm if they want to do Bikefest again. He was under the assumption that the answer would be yes. He thinks Bikefest was well received and everybody received very positive comments. The recreation department team did an awesome job getting it set up. They started in November, which was relatively short notice. Next year they could look at modifications to handling alcohol and entertainment, given there will be more lead time. He promised the recreation director and special events manager that he would get directions from the commission by the end of this month, at least by July 1st, so they could be off to the races. With that, he wanted to provide a high-level approach, and he included a couple of spreadsheets in the packet. They were really just worksheets to provide numbers.

The first spreadsheet compared the budget versus the actual. When they pulled \$500,000 out of the bank

account to do Bikefest, they put together about \$520,000 in revenue dollars and \$520,000 of expenses. Where that ended up was \$392,898 in revenues and \$401,990 in expenses. We almost broke even, we were in the hole about \$8,300. As they got into it, they decided to do alcohol a little differently. They wanted to share the profits with civic organizations. The first stab at this was to enter into a one-year agreement with the Leesburg Chamber, and we ended up with actual alcohol sales of \$164,000, over the six different stations. He wanted to hit the expenses line item by line. We paid the Chamber a fee of \$50,000, which was a fundraiser for them. In exchange for that, we said we would not give any more money this year. Fifty grand was it, and that was probably a net bonus to the Chamber of about \$25,000. We had a \$48,300 insurance bill, and we had reimbursements to the Chamber for various expenses of \$55,405. All receipts were brought to the city, which included ice, forklifts, paying folks to monitor stuff, and food carts. Another big one was civic funding, and the expense of \$50,000 went to the Chamber and \$37,500 went to the other civic groups. In that number, remember there was about \$90,000 that the community received as a benefit from this and there were some other staffing costs. Long story short, at the surface level, revenue from alcohol sales was \$164,100 and the expenses were at \$200,000, so that was a loss of about \$36,700.

The next chart married everything together and that would be the snapshot of what a Bikefest budget would look like. As we go into the FY 25 planning process, with the assumption that we continue Bikefest, they will set up a separate Bikefest budget under a specific fund. They will allocate and be transparent about Bikefest and where it all goes. They will probably incorporate the partnership funds that we are sitting on, which is about \$250,000. They would marry all this together. We had \$557,000 in revenue and \$602,000 in expenses for a total deficit in Bikefest 24 of \$45,002.93. He hoped that the delta was plus or minus one hundred, so we are pretty much where we thought. **Commissioner Berry** asked if the total included all vendors? **CM Minner** answered yes. It included everything. Everything has been accounted for. The numbers should not change and if they did, it would be very minor with documented reasons for why it changed.

The next sheet, one expenses the city has always had with Bikefest has always been an issue one way or another, and that is the in-kind services we provide. Since he has been the city manager, there has always been a question about how much the city gives to Bikefest. That question has always been a hard question to answer, because there are different splits between different organizations. It includes rent and utilities paid along with overtime pay. The city would pay them, and they would pay us back. There has always been an overtime expense in the general fund that includes public works, fire, and police. That expense is incorporated into the overtime expenses which are included in the budget every year. So, is it an in-kind expense? Yes. Do we feel that we would say no because we have always budgeted for it one way or another, or should we count it as an expense? Yes. If we make money and profit off Bikefest, we should take some of the profitable money, which would be an allocated expense for alcohol consumption because that was the cost of doing the event. Maybe we could pay down some of that and help the general fund. That would be the ultimate win-win scenario. So, what is the number? \$78,778.51, and they could probably see that grow by whatever the pay increases are next year. It may be about eighty grand next year. The total deficit of Bikefest would be overtime plus \$45,000, so we are out a negative \$123,781, but we split it and bifurcated it as he mentioned.

The next question becomes how we can do better next year. He believes there are a number of different answers to that and the recreation director and special events manager are of the opinion that with more time they can get more sponsors. They are of the opinion that we can do different things with vending and one thing the Chamber brought to his attention was the Tropic, now being owned by the city. That is a potential area where the city does not have so many sales leaks, so that could help. It really comes down to a couple of different things, and that is the intent of Bikefest. Do we go a more profitable way on the surface, which is to go it alone and cut out the civic funding portion of this, which has always been a

major factor in why we do Bikefest through the sale of alcohol and volunteers are brought in? Different civic organizations benefit from it and this year six different civic organizations benefited from it, along with the Chamber benefiting. Although the city did not have any say in the civic organizations, we agreed to let the Chamber run that model. The other model would be to not go the nonprofit way and to let the city manage and control the whole thing. When it comes to alcohol sales, we would have an outside vendor come in to do the sales. The benefit of that is, we could potentially make more money and have less liability. They put together a quick chart of what that could look like. They tried to run the chart with the actual numbers of expenses that we had on the Chamber side and the city side of the house. If we do it again next year, we could assume the same \$123,000 in the hole and \$44,500 in the hole and do we want to look at it with overtime or without it? If they do it again next year, they can anticipate a \$44,500 deficit and if we count the overtime, that would be \$123,000. If we do it professionally and bring in a corporation to man all the booze, and they do what we say; we would take a cut. The model made back in the fall/Christmastime was that we knew there were companies out there that do this. Typically, we would pay a flat fee, which was \$10,000, and we would get 30% of the take no questions asked. When we put that into the model, the numbers flip and there would be a profit of \$31,600. If they did that model based on the assumptions of a couple of vendors and throw in the overtime, they could recoup about half of the over time. So, instead of being in the hole of \$123,000, we would be in the hole of about \$47,000. The question becomes how they want to move forward. He wanted everyone to absorb the numbers, have time to ask questions or give him a call. He did not want to spring a big decision like that this evening. We do need that answer because if we change the model we will need to do a procurement process to bring in a professional vendor. Staff also need extra time to book entertainment as well as start earlier on the sponsorship. Another one area they could change is to bring in more sponsorship revenue. **Mayor Burry** asked if we were to go private, does that mean thirty-five or thirty-eight go to civic organizations and fifty to the Chamber. That is eighty-five thousand that they would not get. **CM Minner** answered if they were to sum up on a high level, if we went private we would make a little more money. If they stayed the way we do it now, they would still have an injection of around ninety grand into the different organizations.

From that summary, they would have all the tertiary models and what ifs? If we cut the chamber back a little and put our thumbs on it, there would be layers that unroll on each side of the house. **Commissioner Berry** asked if they would still need to have the insurance through the Chamber? **CM Minner** responded not if the city went private. If we decide to go private, the insurance will be provided for by the entity. They would hold the city harmless and make an agreement. **Mayor Burry** verified that he was not looking for an answer tonight. **CM Minner** replied he was not looking for an answer tonight. He was asked to provide an update, but it will be on a future agenda. **Commissioner Pederson** complimented the recreational department because they did a great job for the first year. **Mayor Burry** asked if there were any other comments. There were none.

10. ROLL CALL:

Commissioner Pederson had nothing to comment on.

Commissioner Berry stated Pine Street is now open, they can drive through it. That is wonderful news and a great accomplishment.

Commissioner Connell had no comment.

Commissioner Reisman commented that he was looking forward to seeing everyone at the Pine Street ribbon cutting on June 19th.

Mayor Burry had nothing further.

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 Berry, the meeting adjourned at 9:24 p.m.