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

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, August 12, 2024, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:31 p.m. with the following members present:

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

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

INVOCATION

Mayor Burry took a moment of silence to remember Master Deputy Bradley Link. He was a brave Lake County Sheriff's Deputy who was ambushed at a home in Eustis on August 2, 2024. He asked that everyone keep him and his family in their prayers. He then gave the invocation followed by the Pledge of Allegiance to the Flag of the United States of America.

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

2. PROCLAMATIONS

A. Leesburg Lightning FCSL Championship

Mayor Burry read a proclamation proclaiming the achievements of the 2024 Leesburg Lightning. He commended the determination and teamwork they displayed en route to winning the FCSL Championship. He thanked them for being great ambassadors for the City of Leesburg and encouraged everyone to support our home team in the upcoming season. Let's go Bolts!

3. PRESENTATIONS:

A. Susan Street Project Update - Halff

Before moving into the Susan Street Project, Mayor Burry showed a video which provided an overview of the new School Zone Speed Camera Program. This program went into effect on September 10, 2024. The video can be viewed on the City of Leesburg's website under the police department's page.

Recreation Director (RD) Travis Rima said they have been working on the Susan Street project for over a year even though it has been discussed a lot longer than that. They were now starting to see light at the end of the tunnel, so he asked Martin Steffan with Halff to come in and do a brief presentation to show where they were. He asked the commission to provide directions if they wanted to make any changes. He would like to move forward with a 100% design so they can get the bid process started.

Martin Steffan, on behalf of Halff, said he wanted to provide a quick overview of the design. They did change the entrance a few times, because it is now coming in off 14th Street. He showed a rendering of the main entrance which has been completely redesigned. It has a nice boulevard entrance with a welcome to Leesburg sign. The sign will look similar to the one at the Aquatic Center, and it will include some flashing beacons. There will be five rugby fields throughout the complex. He showed one field being full synthetic. They envisioned that field being used for tournament play. Referring to the slides, he showed the other four fields and the buildings. One of the buildings will be restrooms and the other one will be used for concessions, a ticket area, and a locker room. To the left of the field there will be a grand stand and press box, which will match the architecture of a shipping container. It will be similar to the Crate Village in Wesley Chapel. They are currently working with them to come up with a design, but all the architecture will match, and it will be wrapped to reflect Leesburg. He showed an aerial shot of the park which included the two shipping container buildings and a common area to include food trucks. He showed a picture from the opposite angle of the main entrance.

Lastly, referring to a slide he said in the fall/winter of 2023, they kicked off this project, and they have been working diligently with the recreation director and his staff to come up with a design that reflects the highest and best use for the site. In the spring/summer, they continued to refine the site to fit within the budget, which included the new entryway. They will continue to evaluate additional funding sources. They will apply for additional funding sources later this year. There are a couple additional site requirements that they are working on at that site. They will continue to work with the city to develop some creative solutions. Today, Halff finished with the site plan. We are filing for permits with the Water Management District and FDEP. Once we receive final plans for the lighting and shipping containers, they will pass this off to the city. Right now, Halff is penciling down waiting for comments from permitting agencies. They will then move forward with filling out additional funding applications to help alleviate some budget constraints. **Mayor Burry** asked if there were any questions. There were none.

4. PUBLIC COMMENTS:

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

Casey Ross of Rose Family Fabrications, 723 East Main St, Leesburg, said he was a father of three girls; six, four and one, who was born last Thursday. He has a small business located within the city limits. He is the sole provider for his family. Every day has been a struggle with the cost of groceries, gas, and rent, but he wanted to do everything he could to give his family the best possible life. He hoped that whoever was in charge of making decisions about placing a manufactured home and a well on this property would allow them the chance to find their version of the American Dream without adding unnecessary financial hardships. He was having a difficult time making sure they had enough to build on their property due to the inflation of material costs and the increase of interest rates by the federal government. If they are forced to connect to city water that is located one hundred and sixty-five feet away from their property line, along with the additional $50,000 they would have to pay in order to get a modular home due to the in-place city ordinance, it would make their dream of having a place of their own next to impossible. He was told by the utilities department that the best they could do was waive impact fees to connect to city water and, by city zoning, the reason they cannot get the most affordable option of having a manufactured home on two acres of property located near Morrison Road is because it is not in a manufactured home park. Their property is on an unmaintained dirt road that is on the border of Lake County and the City of Leesburg limits. This property is located in district four. This property is not visible to anyone but the two neighbors, because they have to drive through a shared easement and neither neighbor is connected to city water. They have their own wells. **Mayor Burry** inquired about where Morrison Road was located. **Mr. Ross** explained it was located at the end of Main Street. If they take a right at the curve, that is the dirt road. It is where the Minute Press used to be. **Mayor Burry** wanted to confirm it was located near Sunnyside. **Mr. Ross** agreed. **CM Minner** said the city would get in touch with him. He received his email about two weeks ago, but he was out on vacation last week. He would refer to planning and zoning, and they would be in touch. **Mr. Ross** wanted to know if he should expect an email. **CM Minner** said they would call him.

Joel Padilla of 1632 Sterns Drive, said there have been big problems within the Overlook at Lake Griffin community. People have been killed. They hear and have seen gunshots being fired and drugs are being distributed and sold. The homeowners' association keeps referring him to the police department. He has contacted the police department, but they are not getting anywhere. The police will make a quick drive through the area. When they see stuff going on, they will not get out of their cars. On his property alone, a gentleman has been arrested four times for trespassing. This gentleman threatened his family out of nowhere, so he called the police department to have them come out and arrest him. However, the response he received was if they did not witness the gentleman threatening him, he would not be arrested even though it was all caught on his cameras. He also spoke to the district attorney about prosecution, and they told him if he had videos showing he was trespassing, then he should be locked up. The process is getting really tiring. He retired to this area about eight or nine years ago because at that time it was a quiet neighborhood. Then things started changing because it had been left unchecked. He spoke with Chief Hicks when he was the police chief about this situation. He also invited law enforcement to park on his property, and he gave access to his cameras to help get this problem solved. He has lived here for nine years. He has children who he does not let play in the front yard. If they were to go play in the front yard, it could be a disaster because something may happen. On December 13th of last year, he went outside to pick up a Walmart order, and he witnessed a gunfight right in front of him. This is getting out of hand and no one is helping. The homeowners' association points one way and the police department points another. He reached out to the police department about two or three weeks ago. He left voicemails with no returned calls, nothing. On the right side of his house, his property is extremely elongated. There are people parking on his lawn in the early hours of the night between two and three o'clock in the morning. They wait there for someone to bring them drugs or something along that line. This does not represent what the community or what the City of Leesburg is about. When he first moved here it was not like this, and it will keep getting worse because it goes unchecked. There was a young man shot in the front of his driveway about a month or so ago. If there were better police presence, that might not have happened. He was there asking the commission to help with this situation. He had already sent emails, and he was there because the mayor invited him to come speak about this issue. He was unsure which district this was located in, but something needed to be done before another person gets hurt. He does not feel safe in his neighborhood. **Commissioner Berry** asked if he would state his address. **CM Minner** said it was 1632 Sterns Drive. **Mayor Burry** pointed out that this was happening in the Overlook at Lake Griffin subdivision, which is located behind Walgreens off of Picciola Road. **Commissioner Pederson** mentioned that during the budget workshops they approved hiring twelve more police officers. **Mr. Padilla** said he appreciated the commission approving that, but there are situations where the police show up, but they are not doing anything to address the problem. When police officers patrol the neighborhood and see something happening, they do not stop to address the situation. They just keep on rolling. So, what is the use of having them when the police officers are not present? They show up after the events have occurred, and their investigation skills are not up to par. They will come up to a resident's house knowing they have just witnessed somebody being shot. They will ask them in front of everyone in the neighborhood, if they saw something. They will also ask to see cameras in front of everyone instead of asking about it quietly. The police could easily reach out to residents in private, so it does not put that family at risk. They have kids that live there, and those kids go to Leesburg High School, Carver Middle School, Beverly Shores, and Fruitland Park. Right now, it is not a ghetto community, but it will turn into one if this is not checked. There are plenty of videos online showing cops rolling by without stopping when they see something happening. They can roll through a neighborhood, but unless they stop and make their presence felt or address certain situations like loitering or people smoking weed outside or anything else, then what is left? **Commissioner Pederson** said he appreciated him coming to the meeting. The police chief was present at the meeting, and he was sure he heard this loud and clear.

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

Mayor Burry informed the audience that consent agenda item 5.C.5, had been withdrawn. It was for the development known as Arbor Park, Phase 1. There is no need to pull that item because it will not be discussed at this meeting.

Items pulled for discussion:

5.C.2 - Execution of an agreement for School Resource Officer (SRO) services to be provided to Lake County School Board - Leesburg Schools for the 2024-25 School Year starting in August 2024
5.C.4.a - Execution of Amendment 1 to Public Transportation Grant Agreement FM No. 438449-1-94-1 for the purpose of adding additional funding for construction of Phase 1. Aircraft Hangar Buildings and associated taxilanes project at Leesburg International Airport
5.C.4.b - Execution of a Task Order with Avcon, Inc. for construction oversight services for Phase 1 Hangar Infrastructure at the Leesburg International Airport
5.C.4.c - Execution of a construction services agreement with Bulldog Sitework, LLC., for Phase 1 Hangar Infrastructure project at the Leesburg International Airport
5.C.11 - State Revolving Fund Loan Program; making findings; authorizing the Loan Agreement; establishing Pledged Revenue; designating authorized representatives
5.C.12 - Execute an amendment to the Agreement of Purchase and Sale between the City of Leesburg and Blurock Development, LLC., to extend the governmental approval period and closing date and reduce the purchase price by $150,000

Commissioner Reisman moved to adopt the Consent Agenda except for 5.C.2, 5.C.4a, 5.C.4b, 5.C.4c, 5.C.11 and 5.C.12, 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 July 22, 2024

B. PURCHASING ITEMS:

1. None

C. RESOLUTIONS:

1. Resolution of the City Commission of the City of Leesburg, Florida hiring Gray Robinson Attorney's Advisors Consultants to Represent the City of Leesburg before the State of Florida on issues related to the Executive and Legislative Branches of Government; and providing an effective date.

ADOPTED RESOLUTION 11,862

2. Resolution of the City Commission of the City of Leesburg, Florida, Authorizing and Directing the Mayor and City Clerk to execute an agreement for School Resource Officer (SRO) services to be provided to Lake County School Board – Leesburg Schools - for the 2024-25 school year starting in August 2024; and providing an effective date.

ADOPTED RESOLUTION 11,869

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

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

Mayor Burry requested comments from the Commission and the audience.

Commissioner Berry said there were four school resource officers selected. She wanted to know if Carver Middle School could be considered as well. **Mayor Burry** commented that the Lake County Sheriff's Office covers that school. **CM Minner** pointed out that all schools are covered. Historically, there were school resource officers located at all schools, but Carver Middle School is covered by Lake County. **Police Chief (PC) Iozzi** explained, historically, we had all the schools, but there were some contractual issues many years ago, so the sheriff's office took over all the schools. When we initiated working in the schools again, the Sheriff's Office wanted to retain the middle schools. **Commissioner Berry** wanted to verify that Carer Middle School would have a resource officer. **CM Minner** remarked that the school resource office for Carver Middle School would wear a green uniform instead of a blue uniform. **Commissioner Berry** said she just wanted to confirm that someone would be in that school for interaction within the community. She wanted to know if there was an officer in place. **PC Iozzi** said he anticipates a time when they will be in the middle schools as well, but retention and recruiting are variables that come into play too. **Commissioner Berry** stated that was her focus, because she wanted relationship building for the kids. They need to see someone that they can relate to on campus and as well as in the neighborhood. They need to establish some type of report of who lives where if there are any issues. **PC Iozzi** agreed. **Mayor Burry** asked if there were any further 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.

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

ADOPTED RESOLUTION 11,863

4. Resolutions authorizing execution of Amendment 1 to FDOT Public Transportation Grant Agreement 438449-1-94-01, execution of a Task Order with AVCON, Inc., for construction oversight, and execution of a construction services agreement with Bulldog Sitework, LLC, for Phase I Hangar project at the Leesburg International Airport; and providing an effective date.

a. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute Amendment 1 to Public Transportation Grant Agreement FM No. 438449-1-94-01, between the City of Leesburg and the State of Florida Department of Transportation, for the purpose of adding additional funding for construction of Phase I, Aircraft hangar buildings and associated taxilanes project, at the Leesburg International Airport; and providing an effective date.

ADOPTED RESOLUTION 11,870

Commissioner Reisman introduced resolutions 5.C.4a, 5.C.4b, and 5.C.4c to be read by title only. CC Purvis read the resolutions by title only.

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

Mayor Burry requested comments from the Commission and the audience.

Commissioner Reisman asked the city manager to provide a brief overview that shows we are not spending general fund money on this, since it is coming out of airport revenues. **CM Minner** said a primary objective of the airport advisory board and the city commission was to build additional hanger facilities. They identified an area at the airport across the street from Jenkins and Kia, just east of Wilco. It is located at almost the center of the airport on U.S. Highway 441. That area has the most available space for the development of hangar space. The plan, ultimately, is to have two t-hangars and two corporate hangar rows. The first phase of the project is to develop the site. They need to get the pads ready for construction, so the 1.8 million dollars readies the acreage to put up the facilities later. The subsequent agreements include a grant agreement for funding of 1.6 million dollars from the state and the second agreement is a construction services agreement with Avcon, Inc. to monitor the construction and inspect it while it is happening. The third resolution is for the execution of the contract for construction with Bulldog for 1.8 million dollars and the rest of that comes from the city, the delta to get the site readied and prepped. Once that is done, they will move into the bid phase to start building the facilities as grant money and cash become available at the airport. **Mayor Burry** asked if there were any further questions. 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 resolution.

b. 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 construction oversight services, for Phase I Hangar Infrastructure, at the Leesburg International Airport; and providing an effective date.

ADOPTED RESOLUTION 11,871

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

Mayor Burry requested comments from the Commission and the audience. 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.

c. 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 Sitework, LLC, for Phase I Hangar Infrastructure project, at the Leesburg International Airport, for an amount not to exceed $1,849,637.13; and providing an effective date.

ADOPTED RESOLUTION 11,872

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

Mayor Burry requested comments from the Commission and the audience. 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 resolution.

5. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Electric Service Agreement between the City of Leesburg and Garden Street Communities Southeast, LLC, regarding electric service to a development known as Arbor Park, Phase 1; and providing an effective date.

This item was withdrawn and removed from the agenda. It was not heard or discussed. It will be rescheduled for a future meeting.

6. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and the City Clerk to execute the Third Amendment to the Interlocal Agreement between Lake County, Florida and the City of Leesburg relating to the provision of library services; and providing an effective date.

ADOPTED RESOLUTION 11,864

7. Resolution of the City Commission of the City of Leesburg, Florida authorizing the termination and release of the Participation Agreement for

the Final Phase III Solar Rate Commitment between the City of Leesburg, Florida and Florida Municipal Power Agency; and providing an effective date.

ADOPTED RESOLUTION 11,865

8. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Leesburg Police Department to apply for and, if awarded, accept an Edward Byrne FY 2023 (2024) Countywide Solicitation Grant from the U.S. Department of Justice (JAG) to defray cost for Forensic RFID Blocker systems for the proper storage and protection of electronic devices seized as evidence; and providing an effective date.

ADOPTED RESOLUTION 11,866

9. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Leesburg Police Department to apply for and, if awarded, accept a FY 2024-25 Drone Replacement Program Grant from the Florida Department of Law Enforcement (FDLE) to pay costs associated with the replacement of non-compliant drones (sUAS) currently in department inventory; and providing an effective date.

ADOPTED RESOLUTION 11,867

10. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Agreement for Utility Construction between the City of Leesburg and Integra Isles, LLC.; and providing an effective date.

ADOPTED RESOLUTION 11,868

11. Resolution of the City Commission of the City of Leesburg, Florida, relating to the State Revolving Fund Loan Program; making findings; authorizing the Loan Application; authorizing the Loan Agreement; establishing Pledged Revenues; designating authorized representatives; providing assurances; providing for conflicts, severability; and providing an effective date.

ADOPTED RESOLUTION 11,873

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

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

Mayor Burry requested comments from the Commission and the audience.

Commissioner Reisman asked the city manager to provide a brief synopsis. **CM Minner** said the 19 million dollar state revolving fund loan is actually a grant, but they are calling it a loan. The money stems back to the federal government and its purpose was to fix infrastructure around the nation. We found out about this program this past winter/spring. It was made aware to us by Dewberry, who are the engineers that helped us design the turnpike expansion as well as rehabilitation. Now, since we invested 40 million dollars in that plant, we are now eligible to use these state revolving funds to refund our expenses. This resolution will allow us to complete the application for the grant. We are optimistic and hopeful that this is just a formality. However, we will not count that bird until we catch it outside the bush, but we remain very optimistic. One or two other cities in Lake County received a similar type of funding in previous years when we did not apply because we already had our project underway.
Long story short, we are hopeful that this grant/loan will be awarded to the city, and we should know whether we get it in the next ninety to one hundred and twenty days. If we receive the funding, there will be a couple of options about how to use that money. They could restructure the loan. This project cost 40 million dollars. We used 10 million dollars of cash, and we did a banknote for 30 million dollars. We could restructure that banknote, but he would not recommend restructuring that banknote because the interest rate was favorable, and he was not sure about any restrictions on restructuring a banknote this quickly. We are still in the first year of that 30-year note. Another option is to be able to use that money and replenish the cash of 10 million dollars, which would leave about 9 million dollars available for other sewer improvement projects. It would be used for maintaining and/or increasing lift station sizes and changing out older sewer mains. It would be a good injection for the sewer fund. **Commissioner Pederson** stated this was great news. **Mayor Burry** asked if there were any other 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.

12. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an amendment to the Agreement of Purchase and Sale between the City of Leesburg and Blurock Development, LLC to extend the governmental approval period and closing date and reduce the purchase price by $150,000.00; approving certain deposit payments; and providing an effective date.

RESOLUTION 11,874

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

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

Mayor Burry requested comments from the Commission and the audience.

Commissioner Reisman asked the city manager to provide a brief overview. **CM Minner** explained that this issue brewed up pretty quickly. There is a deadline in the contract for the middle of this week, August 15, 2024. This request started a couple of weeks ago, but it really materialized the Wednesday or Thursday before his vacation. In essence, Blurock Development is under contract for 2.75 million dollars for the purchase of approximately 7.5 acres of airport property located at the intersection of College Drive and US 441. They are requesting a reduction in the price. The reduction was due to unforeseen development and engineering costs as a part of the due diligence period. There are three specific issues that Blurock Development states were unforeseen development issues with the state and county regrading ingress/egress issues on US 441. They stated the site had some tricky ingress/egress issues. On US 441 heading northwest, there is a right-hand turnoff that took some considerable work by the county because of the college ingress/egress along with some additional stacking queues. Blurock Development also had to do some additional traffic studies to align the driveway of the college with its entrance. If someone were driving east on US 441, there would not be an ingress/egress from US 441. They would be required to turn left at that light onto College Drive, and then make a left into the site. The county has been strict with their code in terms of queuing and stacking, so Blurock Development had to do some additional traffic engineering along with surveys to show the county that their concerns about stacking back onto US 441 in the westbound lane would not be a concern. Their attempt was to have an entrance from the college and an entrance to the commercial plaza lined up on College Drive. They also had an issue with the water management district on dry retention versus wet retention. There were big engineering issues associated with the FAA because this property is located on the edge of the RPZ where one of our runways is located, so there were some site issues there. They had to go through a number of hurdles to get this done. That is why they are requesting a reduction in price to cover some of the costs. They also asked us to push back the closing dates. **CA Watson** commented that the closing date would move to January 15, 2025. **CM Minner** continued to say this would allow time to comply with the issues of the county. They need to make sure they can get their driveway and the college's driveway aligned on College Drive. The reason this is a critical juncture is that the entry points are close to US 441 and, due to height restrictions, they have to push some of their buildings back. If they have to push their driveway back to the north on College Drive closer to Silver Lake Drive, they will lose the ability to put in facilities because it will trigger height issues. As far as specifics, he could not speak about the costs. He did not have that information, but on a high level he could capitulate that there were a few issues that they ran into. Commissioner Reisman reached out to him about this, right before he left for vacation. He sent correspondence to the airport manager and the city attorney to have this put on the agenda for the commission. The airport manager also had discussions with the airport advisory board to get their input. This morning, he went through some of his emails and read some of their input. There were some concerns from the airport advisory board. He was not sure if any airport advisory board members were in attendance or if they wished to speak. They had questions relating to the details of where the developer's expenses were. It is fair to say that after having conversations with the airport manager and after reading the emails from the airport advisory board, he wondered if they should even consider reducing the price. It would be a reasonable reduction because they did an appraisal of the property, and it was valued at 2.55 million dollars. The city hired Grizzard Commercial Realty, and we worked through Dan Tatro on this deal. Mr. Tatro worked the deal, and he almost got us two offers unofficially. There were two significant developers interested in the property. One was Blurock Development and the other company was called Brightworks. Mr. Tatro leveraged the best deal he could for us, and while we only received one official offer, Mr. Tatro used his skills to leverage the best potential offer. However, one offer was never provided to us, but we may have gotten an offer for 2.45 million dollars from Brightworks; the developers of Wawa. Since entering into this contract, Brightworks, closed on another deal which is now in DRC. It will be located at the northeast corner of CR 468 and West Main Street. Now, whether a deal is still out there makes this question more difficult, because should we stand firm and say a deal is a deal for 2.75 million dollars? Now, nine months into that deal, they are asking for a reduction. Again, we have an appraisal for 2.55 million dollars from market connections, and we received a bona fide offer that we put under contract nine months ago for 2.75 million dollars from Blurock Development. We also had an unofficial kick to the tire, so to speak, at 2.45 million dollars from Brightworks. We also know, due to circumstances through the due diligence period, that Lake-Sumter State College was upset about a historic forty-year-old deal. When the property was given to the city, we promised never to sell it due to restrictions. Now, forty years later, the FAA regulations changed, which opened the window for us to sell this property. That change was made within the last three years and the FAA's inventory regulations were significantly laxed. Their position was, as long as you are getting fair market value for property, the city could sell it. He has been a city manager for thirty years, and he can vouch that this was a new policy. In the past, if they tried to sell airport inventoried property, it would have been a difficult endeavor for the FAA. As he understood it, the city made that promise forty years ago and the FAA has changed regulations over the last three years. A couple of meetings ago, we endeavored to make good with the college. We approved a resolution that said we would endeavor to work with the college, the county, and the mall to relocate the bus stop as a good token effort. That resolution laid out how we would move forward. At that meeting we knew $50,000 would come right off the top of this deal, and if they took another $150,000 out of the deal, that would make $200,000. For comparison purposes and to see what we would walk away with from this asset, there are three numbers to look at. The 2.75 million dollars was the agreed contract with Blurock Development and if they agree to the change, the selling price would decrease to 2.6 million dollars. We know closing costs include real estate commission, doc stamps, and title fees. While it is not an official transaction, the bus stop still needs to go into the equation and that is estimated at $50,000 by the county. If they vote no, the price would not be lowered, and we would walk away with about 2.5 million dollars net. The question now becomes, will the developer walk away? As a side note, they are sitting on $75,000 in escrow money. He spoke with the city attorney today, and they believe $40,000 to $45,000 of that escrow will not go back to them if they do not close on the deal. There was a second payment structured in the escrow payment of $30,000, and there would be an argument about whether we should pay that back. We are confident in saying that if the deal does not close we will get $40,000 to $45,000, and they may have to argue about $30,000. That means some of the escrow money will stay with the city if the deal does not close, but not all of it. That is still to be determined. However, the escrow money is a small amount in this deal, yet important enough to mention. He would not let the escrow money be a factor in how they vote. They have a deal for 2.75 million dollars and, assuming Blurock Development does not walk away, they would pocket 2.5 million dollars. If they agreed to lower the price to 2.6 million dollars, they would walk away with 2.365 million dollars. If they go back and tell Mr. Tatro to go back to the drawing board, and he came back with a deal for 2.45 million dollars, they would walk away with 2.2 million dollars. The two numbers they need to keep in mind are 2.5 million dollars, which may be in jeopardy, and if they agree to the reduction, it would be 2.365 million dollars. They may need to beat Mr. Tatro a little on his commission, but they could figure that out after the fact to help keep a little coin in our pocket. The long story short is, do we want to end up at 2.5 or do we want to play a little roulette with the developer? Once Blurock Development and the county get over this last big hurdle and get the driveway approach for the development and the driveway approach for the county lined up. They are confident that once they have their traffic survey they will be able to convince the county to agree to the alignment of those driveways. It may be a little more than 2.365 million dollars, or closer to 2.5 million dollars. Either way, we are still in the ballpark of what the appraised value was, and we are netting between $100,000 and $200,000. This is a difficult question because we have a good asset and, for lack of better words, it is pretty much gravy because it is an asset. We will not develop this property for the airport, since it is located across the street from the airport, and it has no significant airside/airport value. We would not build hangars over there. It is a difficult site to develop because of the FAA restrictions. It is a difficult site for ingress/egress due to stacking. Blurock Development has done an excellent job with it and some other developers may have potentially let this expire. They would not want to close due to the amount of work that has to happen and the additional transportation studies to get the driveway easements lined up. He recommended that they capitulate to the agreement and approve the resolution that was in the packet. Mr. Tatro is here along with a representative from Blurock Development.

Commissioner Reisman said when he first started on the commission he asked the city manager to market this property because he knew it would be good revenue for the airport since it was not usable airside. He was taken aback by this since it was unknown territory for a developer, especially for someone like Blurock Development. They made the offer, and we accepted it. We need to stand our ground on this. He is fine with moving the closing date, due to the obstructions they are having with the FAA. Our staff did a good job explaining the process, so he could not support lowering the price by $150,000. They agreed to the agreement, they signed the contract, and they need to stick to it. **Commissioner Pederson** commented when the city manager called him he had the same reaction as Commissioner Reisman, but the more he thought about the FAA and the additional work this created, that tugged at him. Another thing, as great as this property is, the FAA has height restrictions on the property, which is a negative for the developer. The big one is, looking at the property on College Drive, they cannot do residential, which would have been the highest and best use next to a college. The property is unique, and that is why he could support the reduction. Blurock Development has invested in other properties around our city. They are sophisticated developers who understand this. If this went back to market, especially after this conversation in public, he was not sure if we would do much better. There is a time value for money and we have a buyer who seems committed. He would support this. **Commissioner Berry** asked what the recommendation was. **CM Minner** explained that the airport advisory board did not have a recommendation. He was not at the meeting, but the airport manager was, and maybe she could share their recommendations.

Airport Manager (AM) Tracey Dean said she brought this up under the manager update as an informational item. They had a quorum of three members, but they did not make a recommendation one way or another since it was a discussion item. She just brought it to their attention that it would be on tonight's agenda. One member who was present said he was going to try and make it tonight to speak his opposition. Another member who was debriefed after the meeting said he may be here, but neither of the members were present. It was not a formal recommendation one way or another. However, they wanted more information about how they came up with $150,000. **Commissioner Reisman** mentioned that he spoke with his appointed representative, and he was against the proposed reduction. **Mayor Burry** asked if there were any other questions for the airport manager. There were none. He opened it up for public comment.

Joseph Schuemann, President of Blurock Development, said he appreciated the commission taking the time to discuss this. The city manager nailed everything that was happening, including some additional studies being required. He wanted them to keep in mind that he had been very cooperative with some of the cleanup issues and deeds with the property because College Drive seemed to be a private road. They were willing to work with them on this. It was not in his DNA to re-trade. They did proper due-diligence, but when they first contracted on this property they were unable to do the highest and best uses. Some other uses were not in favor by the city, like car washes, and they agreed not to do those. However, if they were to drop this, the next person would uncover the same issues. This site is heavily wooded, and there are additional landscaping buffers they have to put in, which was a cost they did not anticipate. They wanted to over excavate the pond because the site drops off tremendously, but it is a low grade. When they make developments, they over excavate the pond to use that dirt as fill. The water management district said they had to make a dry pond, so they had to import a bunch of fill dirt at an extra cost. To be honest, that cost will be a lot higher than $150,000. After consulting with the planning and zoning director, they agreed to $100,000, but he wanted to ask for $150,000 because there are so many variable costs, including lining the curb cut and dealing with the college, etc. There are a lot of risks they have to take in order to take a site that is irregularly shaped and develop it with all the FAA restrictions. He has already spent a fortune with extra consultants and the FAA. The airport manager has been amazing to work with, but they are not there yet due to the height restrictions. That has put clamps down on the costs. With power lines, they have to be done underground in order to create access, so as a partnership, he would say Blurock Development has been very hands-on and willing to work with the city on deed issues, which includes extra costs. This is a low site that is heavily wooded with tons of deeds and use restrictions. He thought $150,000 was a fair deal. He was not a big trader, but the numbers do not work. With the intersection, who knows how many extra lanes they will have to put in? He may have to put in another turn lane to relieve traffic.

Commissioner Reisman inquired about the landscape buffer and what was being done there. What are the requirements for a landscape buffer? **Mr. Schuemann** said it would be an additional expense due to the number of trees they have to take down and replace. **PZD Miller** added he believed there had to be a fifteen-foot buffer along US 441. **Commissioner Reisman** wanted to know about the RPZ. Are we not doing that? **PZD Miller** responded it was all standard. **Commissioner Reisman** wanted to confirm that it was standard along the highway. **PZD Miller** agreed. **Commissioner Reisman** pointed out that they knew the property was wooded. He asked the airport manager if she could give the height restrictions to the FAA and did they decline any of the points or are they still under review? **AM Dean** answered they were still under review. **Commissioner Reisman** wanted to verify if the FAA declined any of those? **AM Dean** replied it had been a little up and down. There were a couple of hiccups based on the accuracy of the survey. The airspace study program will default to a certain type of survey, which puts imaginary surfaces further out to allow them higher up. However, Blurock Development did an 1A survey, which brought the minimums a lot closer and will allow them to build a lot higher. On the last look, she thought there was maybe one corner of one building out of six structures that might need a little tweaking. However, she believes they will receive the determinations any day. She does not see anything being scrapped. If anything, they may have to change a light to a red light in the corner. **Commissioner Reisman** questioned if it would be similar to what Jenkins Auto Group did with their building. **AM Dean** answered exactly.

Dan Tatro of Grizzard Commercial pointed out on the development side that he has done a lot of development in this city and the county and this was one of the more complicated sites he has seen in quite a while, especially from a commercial standpoint. The FAA has a height restriction which starts on College Drive and goes straight down, which renders part of the property on the airport side useless other than retention and stuff like that. With low areas and having to bring in dirt, it will cost four times as much as it did five years ago. Most developers, in his opinion, would have run already. They would have run six months ago. It got complicated because with College Drive nobody could figure out who actually owned it. It was a situation where someone would say it was the county, it was the city, or somebody privately owned it. Then, with the private sewer line that runs down College Drive, nobody could figure out initially who owned that`. There is a lot of extra stuff in this deal that is abnormal. They are getting there, and Blurock Development has done a great job. In the past, they have developed in the City of Leesburg. He has personally dealt with them. He believes a lot of developers would have run, especially with the FAA stuff and not having approvals yet.

Commissioner Pederson stated that even with the reduction, they would still be above the appraised value, and we sell a lot of properties around the city at appraised value. **Mr. Tatro** commented that the city manager brought up beating him up on this. He had no issues with that if it helped with the reduction. However, they would have to determine what. **Mayor Burry** said yes, they ran into unforeseen problems, but should the city give a reduction on the price? If they did not have these problems, would they have paid the city more? **Mr. Schuemann** commented that the numbers barely work and the wetlands on the property are encumbered. **Mayor Burry** stated they should have already known about that. **Mr. Schuemann** said nobody would have known that. They did not know until they started getting into this and there was a small pocket of wetland that was unforeseen. **Mayor Burry**

wanted to clarify if they bought a piece of property not knowing it had wetlands on it. **Mr. Schuemann** responded that they did their due diligence. They run the numbers and the numbers dictate whether they proceed or not. The city attorney looked at the timelines and this contract was very tricky because it was based on FAA approvals and so forth. He believed they were still in the contract due diligence period, which is why he was trying to uncover the costs associated with doing the development. The unknown is College Drive and what needs to be done to that intersection to improve it and the cost of fill dirt. They were going to dig a pond onsite and take that fill dirt and move it. They cannot over excavate, and they are required to have a dry pond. If they cannot get that fill dirt there, that is a dealbreaker. Like the planning and zoning director said, if it does not work for him, it will not work for the next guy. It is not like people are lined up to be right across from the airport with height restrictions. **Mr. Tatro** added that he has use restrictions that include no residential space on the backside. They also put additional use restrictions on there at the request of a commissioner, for no car washes or dollar stores, stuff like that. It is all in the PUD. **Commissioner Pederson** stated this was a tough one, and he respected all the commissioner's comments. However, his concern was if they did not give him what he wanted, would he walk? Will it be another three, six, nine, or twelve months before we get another contract? At this price he was not sure. He was looking at time, value and money. He sees a chance to put 2.4 million dollars in the airport fund. We still have some way to go, but he supports this. He would like to see this done. We should convert this land into cash. **Mr. Tatro** mentioned the Wawa on CR 468. That was a private sector deal all the way around. They had to have a meeting with the county and the city because the county engineer jumped in on the road situation. He wanted it to line up with the traffic count for a building that had twenty cars coming in and out of it. It ended up shifting everything further north on CR 468 and his client came back with an ask even though he would not provide the numbers, but it was similar to this. His client ended up getting that amount off to make that Wawa deal work.

CM Minner asked the city attorney about the contract dates and if it expired on August 15th? **CA Watson** answered, there was an initial inspection period and an additional governmental approval period. The government approval period ends August 15th. **CM Minner** said if the commission says no, does the developer have to give us notice if they back out of the deal or does it just go silent? **CA Watson** commented that if they do not get their extension, then they could terminate within the governmental approval period which expires August 15th. As the city manager pointed out, the initial deposit of $40,000 would be nonrefundable and the $30,000 has some conflicting provisions in the contract, so it is unclear about what happens with that. There was an additional $5,000 for the extension of the governmental approval period, so if this is not extended, that deposit would not be due to the city. The $40,000 stays if they were to walk away and the $30,000 is unclear. **CM Minner** clarified that this was a difficult decision to make. The point they need to look at as elected public officials is the desire to live up to the contract. We agreed on a contract, and we all signed it. We are stewards of public money. He feels their pain, but they need to put on their business hats. He would say to Mr. Tatro's story about Wawa, which was a closed business deal, but those same business people who yell at him about fiduciary responsibilities will also judge business acumen and that business person cut his price to get a deal done. He reminded them that this was an asset, and it was sitting there. It stinks that they have to cut the price, but he knows they are going to walk away with considerable cash, which helps airport goals. On a personal note, we have a property which is an asset sitting there. Yes, it has some pimples and issues, but they knew they could not do residential. His recommendation was to take the money and run. **Mr. Tatro** pointed out if he has to go out and hunt for other contracts, that could take a long time. Then the process will take another twelve to sixteen months on average. The Wawa deal took them sixteen months to close. **Commissioner Berry** asked about the time frame? **Mr. Tatro** explained that they would have to start the whole process over. They would have to look for a new buyer, and negotiate a contract which would have the same provisions. They will go through the exact same process because every developer will attempt to do the same thing. Some will not last as long as others though, because they will get scared off by certain things sooner than others. **CA Watson** informed them that there was something in a memo about Blurock Development not owing some deposits. They have actually paid the additional extension deposit, which was technically not due. The escrow account includes all the deposits. September 15th is written in as the due date for that payment, but we already have that payment in hand now. **Mayor Burry** believed they had a contract. They were a willing buyer that negotiated a contract with the city, and we should live up to that contract.

Commissioner Reisman pointed out that his company bids government contracts on helicopters. It could be for five years at 15 million dollars, and prices for fuel will change. It could be $2 per gallon today and $7 per gallon in years four and five. However, he still has to eat that cost because he is contractually obligated to. They have to factor all costs into the bid. **Commissioner Pederson** said he was repeating himself, but what moved him to switch his opinion was the FAA and the additional due diligence along with the restrictions on the property. That is what swayed him in the end.

Commissioner Reisman questioned that if they were to decline this agenda item, would they need to make a motion to give the due diligence period extension? **CA Watson** responded yes. They could approve a portion of the question and disapprove the rest. They may need to amend the motion, but he did not recall the motion on the floor. **Commissioner Pederson** wanted to verify that once they vote, they still have a chance to come back and talk about different price reductions? If this gets voted down, he would like to at least talk about a different price reduction. He was not clear procedurally on that. **Mayor Burry** pointed out that the motion says we are reducing the purchase price. **CM Minner** added they would reduce the purchase price and push the closing date out to January. **CA Watson** agreed it would extend the government approval process. **CM Minner** said if they vote this down they could make a motion to continue the discussion on the topic. **Mayor Burry** asked if there were any further comments. There were none.

The roll call vote was:

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

One yea, four nays, the Commission denied the resolution.

Commissioner Reisman made a motion to extend the governmental approval period to November 15, 2024, and to extend the closing date to January 15, 2025, and Commissioner Pederson seconded the motion.

Commissioner Berry questioned whether the closing date could be moved up or back or is it as is? **Commissioner Reisman** responded that if approval came back sooner, the closing could be moved up quicker. This gives them enough time to complete what needs to be done. **CA Watson** stated the closing date is always on or before, so if things wrap up sooner they could theoretically close sooner.

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 approved the motion.

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES

1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 40.61 +/- acres; and being generally located north of North Shore Drive and west of Beverly Point Road, lying in Section 14, 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 5; and providing an effective date. (North Shore Caras Cove ANNX)

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

ADOPTED ORDINANCE 24-49

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 project was known as North Shore Caras Cove. There was a request for annexation, a large scale comp plan, and rezoning of the property. It consists of a proposed PUD on forty acres. It will be strictly used for residential development. The property is currently under Lake County jurisdiction, and is basically surrounded by City of Leesburg property. The future land use is Lake County Urban Medium Density, and they are requesting to go to City of Leesburg Estate and Conservation. The majority of the property is wetlands, so that would be conservation. The current zoning is Lake County C-1 Neighborhood Commercial and the zoning would go to PUD. Again, this is forty acres with the majority of that being wetlands. Only the far southern area of the property fronting North Shore Drive is useful and/or proposed for development. There would be eight single-family detached units. There are no other uses allowed on that property. The minimum lot size is 10,000 feet and the lots would be 90 x 115. There are design and architectural standards that include dark sky lighting, thirty-five percent open space, which they will clearly meet, a small tot-lot is required, and site access for each unit will be along North Shore Drive. There is protection for the wetlands and flood zones via the conservation future land use. There will be no wells or septic and no St. Augustine grass. Jason Lee of H2O Development is here along with Jeff Summit of GL Summit Engineering, to answer any questions.

Commissioner Connell wanted to verify the number of units, and the lot sizes. **PZD Miller** answered eight units and the lot sizes would be ninety by one hundred and fifteen, which works out to about ten thousand square feet. **Mayor Burry** wanted to verify if the lot sizes were comparable to other neighborhood communities in that area. **PZD Miller** agreed. This was pushed back by the planning commission some time ago because they wanted them to go and look at the lot sizes in the area. They wanted this to match up. **Mayor Burry** asked if there were any questions from the commission, petitioner, and 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.

2. An Ordinance amending the Future Land Use Map of the Comprehensive Plan of the City of Leesburg, changing the Future Land Use Map Designation of certain property containing 40.61 +/- acres from Lake County Urban Medium Density to City of Leesburg Conservation and Estate Residential, for a property generally located north of North Shore Drive and west of Beverly Point Road, lying in Section 14, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (North Shore Caras Cove SSCP)

ADOPTED ORDINANCE 24-50

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.

3. An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 40.61 +/- acres from Lake County C-1 (Neighborhood Commercial) to City of Leesburg PUD (Planned Unit Development), for a property generally located north of North Shore Drive and west of Beverly Point Road; lying in Section 14, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date. (North Shore Caras Cove PUD)

ADOPTED ORDINANCE 24-51

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

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

The roll call vote was:

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

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

4. **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 Street Subdivision)**

ADOPTED ORDINANCE 24-52

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 item was known as the Poe Street Subdivision. The subject property is forty-nine plus or minus acres. It is located north of Poe Street and south of CR 473. It includes an annexation, small scale comp plan, and PUD. The property is currently under Lake County Urban Low Density, and they are requesting City Estate which is equivalent to the future land use category. Under the zoning, it is currently Lake County R-6 Urban Residential and Community Facilities District and they are requesting to go to PUD. The petitioners are Brightleaf Properties. They are requesting one hundred and thirty-five single family residential units, which gives a gross density of two point seven five units per acre. No other uses are permitted. There are three lot sizes: fifty, sixty, and seventy. The majority of lots will be split between fifty and sixty with a few seventy-foot lots. All lots are one hundred and twenty feet deep. They will have sizes of six thousand, seven thousand and two hundred and eight thousand four hundred. The minimum house size is seventeen hundred square feet. It will include all the standard design and architectural standards; dark sky lighting, 35% open space, twenty-five foot buffer tract along the exterior and split-rail solid PVC fencing along some of the exterior property lines. There will be two site access points on Poe Road and one will have boulevard access which includes a large area with the landscape in the middle. Again, it includes protection for wetlands and flood zones with the prohibition on St Augustine grass. We now use other types of grasses. The entire development will have to be on city water and wastewater. There will be .62 acres of recreational uses, including a trail around the dry retention flood compensation areas and an amenity center at the head of the trail. Lake County requires the developer to improve Poe Road by widening the road in this development and creating some turn lanes, things like that. This is a pretty standard PUD. There are a couple of issues found, including a typo under Section 7D, landscaping buffers. It says the north-south and western boundaries of the property should contain a 25-foot buffer. However, instead of western boundaries, it should read north-south and eastern boundaries. That was flipped, so he needed to make that change. Then, under 7E, they put some language in regarding the buffer to the west. The property owner who lives there has been working with Brightleaf Properties, and they worked out some agreeable buffer changes. The current wording states additional non-evasive plumping bamboo within the required buffer, and they agreed to provide some acceptable species. Since they have been working with Mr. Bitters (the neighboring property owner), they have come up with a drawing and everyone has agreed to it and the staff is fine with that because it meets our codes. They could change the wording. He also wanted to let the commission know there was a standard under "O" under Section 7 that says the planning director can make variations to the landscape requirements as long as it keeps within the PUD. It is a weasel word just in case they run across something. He would like to be able to use that section just in case. That way, they can change the wording or not because it meets the agreement with the adjacent property owner and Brightleaf Properties. **Mayor Burry** asked if there were any questions.

Commissioner Connell wanted to know how many units would be allowed if this were developed in the county? **PZD Miller** responded under Lake County R-6 Urban Residential that allows up to six units an acre. However, they will not be able to get that. With Lake County Urban Low Density, they would get closer to six. **Commissioner Connell** inquired if this development would have city water and sewer? **PZD Miller** replied yes. **Commissioner Connell** questioned the recommendation made by the planning and zoning commission. **PZD Miller** stated that all members recommended approval. **Commissioner Connell** wanted to compare this case to the one just before where they had 90-foot lots. He wanted to make sure these lots were consistent with the rest of the area. **PZD Miller** said there are a number of subdivisions out there, and they all have different lot sizes. However, from a planning standpoint, this is consistent. **Commissioner Connell** wanted to confirm that it was consistent with the rest of the area. **PZD Miller** answered yes. **Mayor Burry** added there are a couple of big trailer parks that are much denser in that area. **PZD Miller** said down the road there are some other subdivisions as well that have different lot sizes. When you ask a planner about consistency, they do not compare and say it would be 50-foot lots. They cannot do that because it is single-family to single-family. That is how they are required to look at things. **Commissioner Connell** suggested that they start taking a look at the 50-foot-wide lots because they are too narrow. We should push them up to a 60 or 70 foot lot standard because right now we are letting way too many 50-foot lots come through.

Randy Bitter of 10155 Poe Street said he was the landowner of the property on the western boundary. To the question from Commissioner Connell about the Lake County zoning on his fence line, that ten acres are actually zoned CFD and not R-6. He would presume that, under the county guidelines, there would not be six houses per acre there. **Mayor Burry** asked what the CFD zoning meant. **Mr. Bitter** said it was Community Facility Designation, which has a wide set of choices. It could be a gun club or a hotel, something like that. However, he did not know off the top of his head. It is very wide and broad and that was one of the reasons they purchased this property because at the time a church owned it, and they anticipated a church being built there. He had no idea he would have somewhere between ten and fifteen houses running down his fence line. **Mayor Burry** asked if he was good at working with the planning and zoning director because, on the record, we are giving him some leeway on the landscaping. He wanted to verify that he was good at clumping bamboo. **Mr. Bitter** replied that they took the bamboo away. They will be using some Florida native species and that will serve the same purpose. **Mayor Burry** asked if there were any further comments. 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.

5. 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 Street Subdivision)

ADOPTED ORDINANCE 24-53

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 questioned if they were approving the future land use map or the comprehensive plan. In essence, would that be the PUD? **CA Watson** said the PUD comes under rezoning. This would be the future land use, which is the broader category with the different zoning classifications that are permitted. **Commissioner Connell** asked what they were changing in the future land use map to show this? **PZD Miller** answered City Estate. **Commissioner Connell** wanted to confirm if that would be allowed with the PUD? **PZD Miller** answered yes. The estate category allows a maximum of four units per acre and the PUD allows 2.75. It stays within the city estate category. The future land use is a broad category of residential, industrial, and commercial which includes open green space and stuff like that. The PUD narrows it down. **Commissioner Connell** said he would be a no on this because he does not agree with the density. It is too dense. He does not like fifty-foot wide lots. **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	No
Mayor Burry	Yes

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

6. **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 Street Subdivision)**

ADOPTED ORDINANCE 24-54

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	No
Commissioner Reisman	Yes
Mayor Burry	Yes

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

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

ADOPTED ORDINANCE 24-55

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.

CM Minner stated this item was an extension of an annual agreement, and it signs off the county's implementation of the Municipal Service Taxing Unit for ambulance services. The rate they are adopting is .4629 mills. It allows for ambulance service and patient transport to a facility. **Mayor Burry** asked if there were any other questions. There were none.

The roll call vote was:

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

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

B. FIRST READING OF ORDINANCES

1. None

C. NON-ROUTINE ITEMS

1. City Manager Evaluation

Mayor Burry asked how they wanted to proceed with this item. **CM Minner** said the process was established back in April or May for how they wanted to review the city manager's performance pursuant to the employment agreement between the city and the city manager. We adopted a new form which was issued to the commission and four out of the five commissioners completed the form. He also included his self-evaluation which was issued to each commissioner about two weeks ago. So, bearing any comments, he would say the evaluation was satisfactory. The new section of the evaluation included goals and, pending any input, he would sum up the goals and bring back a resolution to establish goals for him and the organization for next year. **Mayor Burry** asked if there were any other comments. **Commissioner Pederson** wanted to verify that the goals provided were reasonable. **CM Minner** answered yes they were all good. Most of the goals provided were discussed already during the budget workshops. Nothing was a surprise. **Commissioner Pederson** thanked him for the comments.

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

A. Financial Reports as of June 2024

Mayor Burry asked if there were any comments or questions regarding the financial reports. **Commissioner Reisman** said when someone comes in for a special event contract with the police department, that item shows a lot of past due balances. He wanted to know if that could be changed so we can request payment of those funds ahead of time versus after? We have already paid the officer, and we still need to collect that money from the applicant. He knows there are a couple of people that still owe money, and he was shocked by some of the names. **CM Minner** responded he would look into that. **Commissioner Reisman** said he would like the fees to be paid ahead of time. That way, the officers get paid, and we do not have to go back to try and collect that money.
Commissioner Berry asked about the fees for housing rent. Is that due to moveouts or changes? **CM Minner** said that covered past due rent where the tenant was evicted. They are trying to work those out. **CA Watson** pointed out collecting unpaid rent is difficult unless they pay the money to the court in connection with a lawsuit. **Commissioner Berry** wanted to know if those fees would be charged as

well? **CA Watson** responded that with lease agreements there are provisions in the lease which allow recovering attorney's fees and costs by the prevailing party. They would have to make a claim under that statute or contract for those fees. **Mayor Burry** asked if there were any other questions. There were none.

8. CITY ATTORNEY ITEMS:

CA Watson had no items to address.

9. CITY MANAGER ITEMS:

CM Minner had no items to comment on.

10. ROLL CALL:

Commissioner Pederson had no comment this evening.

Commissioner Berry said she needed to recommend a new person for the recreation board since the member she appointed was relocating. Deborah Dabney will be resigning, and she wanted to recommend Demonie Nettles. He was in attendance earlier, but he had to leave. Also, in District One, they will be providing neighborhood preparedness information for hurricanes or disasters that may strike. Deputy Chief Henry and Captain Stevenson will be there with Lake County Emergency Office Manager, **Megan** Milanese. She will give a presentation. It will be held on August 29th from 6-8pm at the church located at 1111 Pamela Street. She extended an invitation to anyone wishing to attend.

Commissioner Connell had no further comment.

Commissioner Reisman asked for clarification on the security upgrades for customer service. Are we putting up windows for all the customer service representatives? **CM Minner** answered no. The upgrades are pretty much done at city hall. There are a couple of doors that still do not function properly, so they need to tidy those up. However, most of those doors are private, individual office doors and the elevators are still not working. If there are any additional security measures that they think are necessary, let him know. **Commissioner Reisman** said he came in to pay the bills for his company and a couple of times some residents got very aggressive with the customer service staff. They handled it really well. However, he asked them if it happened a lot, and they said it happens all the time. So, to make them feel a little more comfortable, could we look at adding some kind of protective barrier, so residents cannot get right up there. We also deal with a lot of cash and things like that, so that would be good.
Also, the Chamber put on the Back to School Bash last week. It was a really successful event. He wanted to thank them because it was a great thing to do for the community. On August 24th they will hold the first annual Food Truck and Fly-In at the Airport. There will be a couple of aircraft out, and he believes the sheriff's office will have their medical airplanes there. There will be food trucks and kids/adults can crawl around the aircraft. This event is open to the public and people can learn how to fly. Come enjoy some food and learn about aircraft. And, lastly, the Leesburg Blue Foundation 5k will be held at the Airport on September 21st. He would love to see everyone out there. You do not have to run it, you can walk.

Mayor Burry stated at the last meeting of the Lake County Board of County Commissioners they presented a proclamation on behalf of the City of Leesburg extending its deepest gratitude and heartfelt appreciation for our emergency assistance during Hurricane Debby when they experienced a significant outage of the Lake County's 9-1-1 dispatch during a critical period. The City of Leesburg responded promptly and provided indispensable public safety support, which allowed for the continued coordination of emergency response services during that challenging time.

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 7:20 p.m.