

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, SEPTEMBER 9, 2024 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, September 9, 2024, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:30 p.m. with the following members present:

Commissioner Allyson Berry
Commissioner Jay Connell
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 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. Proclaim September as being Childhood Cancer Awareness Month

Mayor Burry read a proclamation proclaiming September 2024 as Childhood Cancer Awareness Month. He encouraged all residents to support this cause because it deeply impacts families in every community across the nation.

B. Hispanic Heritage Month

Mayor Burry read a proclamation proclaiming September 15, 2024, through October 24, 2024, as Hispanic Heritage Month. He encouraged all citizens to observe this month by engaging in programs, activities and ceremonies that celebrate the Hispanic culture, heritage and the extraordinary achievements of Hispanic Americans throughout history.

3. PRESENTATIONS:

A. Certificates to Miss Leesburg winners:

**Miss Leesburg - Madison Rowland
Teen Miss - Claire Carlton
Junior Miss - Harper Richey
Little Miss - Lexi Blasky
Tiny Miss - Michaela O'Neal**

Mayor Burry recognized each Miss Leesburg Winner for their outstanding community service.

Madison Rowland, Miss Leesburg, thanked the city on behalf of her pageant sisters for allowing them to represent the city this year. It has been an honor and a privilege.

B. Employee Service Award Recognitions:

**Five Years: Brad Chase, Electric; Christopher Eagle, IT; Rickey Howell, Building;
and Cliff Kelsey, Public Works
Ten Years: Lisa Robinson, Customer Service
Twenty-Five Years: Alana Swafford, Police
Thirty-Five Years: Andrew Tim Allen, Gas Distribution; Laura "Chris" Freeze,
Accounting; and Michael Thompson, Athletic Fields
Forty Years: Randy Mort, WW Canal Street Treatment**

Human Resource Director (HRD) Melissa Arriaga and **CM Minner** recognized each employee for their years of service and provided each of them with their 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.

Bill Polk of 600 Cascade Avenue, thanked the city for helping him earlier today. A big tree fell from his yard onto the road at Cascade and 6th Avenue. They were Johnny on the Spot getting out there. It looked like they were finishing up with the cleanup as he left. They worked through the rain and did a great job.

Gary McKechnie of 729 South 9th Street said he and his wife had recently moved to Leesburg from Mount Dora. He wanted to compliment the Public Works and Customer Service Departments. There were tree limbs overhanging 9th Street. His wife called, and the guys were out the next day. She made another call when the trees in Palmora Park were getting a little too big. The guys were out there immediately trimming the trees. When some of the streetlights were out, she called, and they were out there with their utility trucks replacing the light bulbs. There are street sweepers going up and down the streets. It is incredible to see how efficient the public works department is. When they moved here, the customer service staff was exemplary. They were great at helping because they had to pull building permits to do a lot of the work on the house because they were renovating. The staff was perfect at providing all the information that was needed. When we followed up, they made the instructions clear and provided them with the information about what they needed to provide. They did a great job all the

way around.

Gary Custer of 8909 East Treasure Island Avenue said he spoke before the commission in July 2023 about the Silver Lake Pointe development and the water running out on the road. The problem has not gotten any better. At that meeting, he was told that this would be taken care of, that they would figure out the problem. The problem is that they have drains on the outside of the entrance, but the water runs down the inside. The lower spot is the center. The water runs out onto CR 44 and floods it. It runs down the hill into another individual's property at the bottom of the hill. There has been no improvement and every time it rains, it floods. One excuse was that a truck dumped part of its load and that is why all the sand and silt were washing down the road. He personally drove a truck for forty-eight years, and never saw that happen, but that is not to say it cannot happen. However, every time it rains, a truck dumps a load every time it rains, because every time it rains it washes the sand and silt down to the bottom of the hill. He did not know if there was any way to fix it. He met with the public works director, and he then met with the developer and apparently nobody wanted to shut this down or force them to fix the problem. It will be an expensive fix now because they will have to put in another storm drain in the center, so the water runs where it is supposed to into the storm drains. It does not even hit the storm drains now. There is one more storm drain down the hill and that storm drain is above the level of the road, so no water can run into it. They can look at it and see it is a problem that needs to be fixed. Someone at some point during a heavy rain will hydroplane on CR 44 and there will be one heck of an accident. Traffic keeps getting worse and worse and their confidence in the ability to solve these problems with Treasure Trove, Silver Lake Woods, and Orange Bend coming online in this area is minimal. If they cannot handle this problem, what problem can you handle? The city needs to get tough with the developers.

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 Services Agreement with High Performance Technologies, LLC, for the installation of an upgraded IT Infrastructure that integrates with the City's existing system

5.C.5 - Execution of a Commercial Lease Agreement between the City of Leesburg and the Melon Patch Players, Inc.

Commissioner Reisman moved to adopt the Consent Agenda except for 5.B.1 and 5.C.5, and Commissioner Berry seconded the motion.

The roll call vote was:

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

Five yeas, no nays, the Commission adopted the Consent Agenda, as follows:
(Each item has its coordinated resolution number listed below the header)

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held August 26, 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 Services Agreement with High Performance Technologies, LLC for the installation of an upgraded IT Infrastructure that integrates with the City's existing system; and providing an effective date.**

ADOPTED RESOLUTION 11,887

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 Pederson asked for clarification of the numbers because they did not add up. He was fine with how it was bid out, but in the narrative it showed a lower number of five hundred and eighty. Then, to the right of that, they had one hundred and twenty-nine, which mathematically goes to six hundred and forty-nine, which was the number used in the narratives. He wanted some clarification. **Network Manager (NM) Mike Andrews** said it was his understanding that number was the addition of leasing fees. The five hundred and eighty was the cost of the equipment and the fees over the term of the lease is what breaks down to one hundred and twenty-nine per year. **Commissioner Pederson** wanted to make sure he was happy with the results. **NM Andrews** agreed he was pleased with the bid results. **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.

C. RESOLUTIONS:

- 1. 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 Traderscove Corporation, regarding**

offsite development for the provision of natural gas service to the development known as Silver Lake Woods; and providing an effective date.

ADOPTED RESOLUTION 11,888

- 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 Traderscove Corporation, regarding offsite development for the provision of natural gas service to the development known as Treasures Trove; and providing an effective date.**

ADOPTED RESOLUTION 11,889

- 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 Swan Capital Partners, LLC, regarding offsite development for the provision of natural gas service to the development known as Morningside at Silver Lake; and providing an effective date.**

ADOPTED RESOLUTION 11,890

- 4. Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from David A. Knowles and Cheryl B. Knowles, Trustees of the Knowles Family Trust dated September 30, 2009, for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**

ADOPTED RESOLUTION 11,891

- 5. Resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a Commercial Lease Agreement between the City of Leesburg and the Melon Patch Players, Inc.; and providing an effective date.**

ADOPTED RESOLUTION 11,892

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 said we purchased this property three or four months ago for \$2.4 million dollars and that does not take into effect all the other stuff that went along with this tearing down another building and building another building. Anyway, we signed a 2.4 million dollar deal, and we are going to lease it out for fifty years at \$3,000 per year. The city will only get \$150,000 back on a \$2.4 million dollar investment over fifty years, and we are also responsible for maintaining the building. This is a terrible deal. **Mayor Burry** indicated that was for the outer structure. The lease calls for everything inside. **CA Watson** agreed with the structural stuff. The heavy lifting would be the city's responsibility. **Commissioner Connell** said we are only getting \$3,000 annually on a \$2.4 million dollar investment, and we still have to maintain the outside of the structure. This is not a very good deal. Then we are also tying this building up for fifty years. We cannot do anything with it for fifty years. We cannot sell it to anyone because no one is going to buy a building with a tenant that only pays \$3,000 per year. Plus, we are responsible for the outside structure. This is a horrible financial deal for the city. It is absolutely awful. **CM Minner** said the concept of the lease before the commission should not be a surprise because when we discussed the Tropic purchase about two to three months ago, we talked about its use concepts and the use concept at that time was going to be three-fold with the events division, the Melon Patch, and eventually the Center for the Arts. That way we could shift some stuff around over on Magnolia while addressing parking concerns which we talked about during the budget process. He did not believe the commission or the community ever saw this as a profit center. The concept was to purchase a facility that would become a city asset that would help bolster actions in recreation and a drawing cart to the downtown. He did not disagree with Commissioner Connell's remarks as far as financially, because no, the numbers do not add up, but when we endeavored into this project we were not looking at numbers, we were looking at a cultural arts facility to house not-for-profit organizations. To provide not-for-profit organizations with similar lease terms to what they currently have. An example would be the Arts Center. They are in their current city facility for no payment. The Partnership was in that facility for years with no payment. Contrary to the numbers being horrible, the Melon Patch is probably the first not-for-profit agency that brought money to the table. In the long term, it is not a lot of money, but it is more than any other not-for-profit deal that we have made. The judgment here was based on financial dollars, but the intrinsic value is what it brings to the community. The commission will vote on how they feel best about this program. **Commissioner Connell** wanted to know why there had to be a fifty-year lease. **CM Minner** replied that they talked about that a lot at a staff level between himself and Melon Patch. Also, Melon Patch is giving up their current facility with no cost to them other than maintenance costs; it is in a bit of disrepair. They would like a place that is larger so it holds more people, and it is in the downtown and that is attractive to them. They feel that they are selling their facility, which is under contract now, and they would like the long-term security of having a lease and \$150,000 for the Melon Patch is a considerable sum, so they wanted security behind the deal. **Commissioner Connell** said \$150,000 is over fifty years, that is only \$3,000 per year. They are the ones wanting to move, so he does not know why we are giving them such a sweetheart's deal. We just bought it a few months ago, and we removed it from the tax roll, so there will be a reoccurring loss of money every year from acquiring the building, and now we are practically giving it away. Plus, we have to maintain the exterior of the building. This deal makes absolutely no financial common sense at all. **Commissioner Reisman** mentioned that this was part of the downtown master-plan. Although he does not disagree with Commissioner Connell about the cost, he correlated this to how we as a city provide a lot of other assets around the city, whether it be sports facilities like Pat Thomas, there are multiple organizations that do not pay a fee to play there either. So, we, as a city, need to be responsible and provide other avenues for our residents to enjoy, whether it be sports, the arts, or a theater. This will be a huge asset to our downtown, and it will bring in more traffic and people to the downtown and those people will support our downtown. This is a great thing for our city. **Mayor Burry** asked if there were any other comments. 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 resolution.

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES

- 1. 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, Lake County, Florida; and providing an effective date.**

ADOPTED ORDINANCE 24-56

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 before them this evening are three amendments regarding the Sunnyside area. The first item will establish the Sunnyside Estate's future land use category in the comprehensive plan text. It will contain an objective and six policies. It will also establish residential densities that are compatible with the Sunnyside Estate's area of the city, and it is consistent with Resolution 7158, which was the Sunnyside Task Force Study that was originally adopted back in 2005. **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.

- 2. 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, Lake County, Florida; and providing an effective date. (Sunnyside Estates Comprehensive Plan FLU Map Amendment)

ADOPTED ORDINANCE 24-57

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

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

3. An Ordinance of the City of Leesburg, Florida 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)

ADOPTED ORDINANCE 24-58

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 stated this was the third item which adds the Sunnyside language to the land development regulations, which are in Chapter 25. **Mayor Burry** asked if there were any questions or comments. There were none.

The roll call vote was:

Commissioner Reisman	Yes
Commissioner Pederson	Yes

Commissioner Berry	Yes
Commissioner Connell	Yes
Mayor Burry	Yes

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

B. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida amending the City's Comprehensive Plan Future Land Use Element; Transportation Element; Housing Element; Sanitary Sewer Element; Potable Water Element; Solid Waste Element; Drainage Element; Aquifer Recharge Element; Conservation Element; Recreation and Open Space Element; Intergovernmental Coordination Element; Capital Improvements Element; Aviation Element; Property Rights Element under the procedures established in Sections 163.3184(2) and (4); and to comply with Sections 163 and 373 of the Florida Statutes related to Water Supply Planning Requirements by amending "The Water Supply Facilities Work Plan" and incorporating the Water Supply Facilities Work Plan as an Appendix to the Potable Water Element; and providing an effective date. (2045 Comprehensive Plan Update / Water Supply Facilities Work Plan Update)**

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

Mayor Burry said this was the first reading and this would have to be sent to the state. He asked if we had an idea about when this might come back before the commission for a second reading. **CM Minner** replied this item will be sent to the state, and it will probably take a little longer for the state to review it. They will most likely see it come back at the end of November or the beginning of December. **PZD Miller** anticipated a sixty-day turnaround from the state, and they were hoping for the first meeting in December or soon thereafter. **CM Minner** added this was a big report, and it was presented to the planning commission a couple of weeks ago. The comprehensive plan update is about eight hundred and some odd pages. He would save the sarcasm because, honestly, the comprehensive plan is one of the most important documents that the city works with, and the commission deals with a lot of growth issues, so this is one of the biggest documents we work with, and it is pretty comprehensive. We will need to get this up on the website, and they will work with the IT department on that. Public copies are available and if someone wants a copy, they can contact his office or the planning and zoning office. This was reviewed by the planning and zoning Board last month with a seven to zero recommendation for approval. They have a couple of months to read the eight hundred pages. When they go through this at second reading, the planning and zoning director will give a fifteen-minute synopsis of the eight hundred pages. He will give a break-down of the most important things and one of the most important things there will be the Sunnyside plan, which implements the more rural nature of Sunnyside, and it does a few other things. Obviously, water conservation is a big part. We do not look at that section often, but the public works department and the water districts do and that is a significant part of the plan. It will be transmitted to the state, and we are looking at late November or the first part of December for final adoption. If there are any questions, contact the planning and zoning office or the city manager's office, and we will get it up on the website for additional dissemination. **Commissioner Pederson** mentioned on page 190, there was a box that said no designated bike paths/trails, and he thought about the rails to trails. It was also

talked about elsewhere, but he knows we have the rails to trails and other things going on. He wondered if that was a typo, and he wanted to bring that to his attention. **PZD Miller** replied that it sounded like a typo. He would look into that and have it corrected. **Commissioner Pederson** then said he was a bit surprised in the housing section. He could not remember which page, but it talked about the definition of substandard housing being inadequate plumbing and other crazy things, but we were at 5.5% and the county was at 3.5%. He was surprised that we were that high. We talked about that before, and he knows we have issues getting into houses legally and things like that, but he just wanted to bring that to the commission's attention. It was kind of a surprise. It was not meant as a criticism, just a surprise.

Commissioner Berry asked if that was based on the entire city. **Commissioner Pederson** said he guessed it was the entire city. We also had a higher percentage of renters versus owners, but he guessed that is total housing. **CM Minner** responded that both statistics are city wide. **Commissioner Pederson** commented that when he read the definition of substandard he was a little taken back by that. **Mayor Burry** pointed out to the public that roughly every ten years, cities are required to go through the process of addressing a comprehensive plan to make changes that they deem necessary to meet the needs of their city, and they are in that timeframe now with this and that is the main purpose of it. He encouraged everyone to read it, because when people come who want to develop in Leesburg, this is the document that they use and if their ideas are within the comprehensive plan, then we have to pretty much let them do it. He encouraged everyone to read and if you do not like something in it, let them know, because that is how things are changed. **Commissioner Berry** gave kudos to the planning and zoning team and the planning committee. They have all done great work. It looks good, and it is very easy to follow and to acknowledge what the specifics are that you are looking for. The consultants were good at presenting and getting everyone on board. **PZD Miller** thanked her for her comments. The consultant team was Calvin, Gordono and Associates. They do a lot of local government work and Alyssa Livingstone was in attendance. They all did a fantastic job. His team did some fantastic work on this too. **Mayor Burry** asked if there were any other questions or comments. There were none.

2. An Ordinance of the City Commission of the City of Leesburg, Florida, vacating and abandoning a portion of the improved Right-of-Way of 13th Street located between Center Street and W. Main Street and accepting a utility easement; providing for severability; 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.

Commissioner Pederson asked if there was any communication with the residents on Line Street? **CM Minner** answered no, there was no direct communication other than the advertisement. **Commissioner Pederson** inquired if signs were put up? **CM Minner** replied no. If they would like some additional communication done between now and the 23rd, they can do that. **Commissioner Pederson** said he supports this because he understands what the church is trying to do. He just does not want the residents to be blindsided. It was mentioned by Commissioner Reisman that some people may like this because it could stop through traffic, but that was his only question. **CM Minner** said they could get some signs out like we do with the zoning stuff. **Commissioner Pederson** added that the residents deserve that. He would hate for them to find out after the fact. **Mayor Burry** said that was a good idea. **Commissioner Berry** wanted to know if you were driving on Center Street from 14th Street to 13th Street, the only entrance and exit would be US 27, unless you turned left on 13th Street. **CM Minner** agreed. **Mayor Burry** said they could only turn left. **Commissioner Berry** continued to say the homes that are right there on Center Street, their only exit and inbound, would be US 27 or go around to 13th Street, correct?

Mayor Burry added that they would then take them down to Webster to Perkins if they were trying to get on Main Street. **CM Minner** stated they would get Center and Line Street onto the list for signs. **Commissioner Berry** wanted to be clear while visualizing the only traffic light would be from 14th Street, which is at the Palm Plaza before the new coffee brewery, correct? **CM Minner** responded it would be Center Street and US 27. **Commissioner Berry** stated there would be no thorough street to get to the Catholic Church. They would have to go around. There would be no thorough street from 14th Street to St. Paul Catholic Church. **CM Minner** replied if they were going up US 27 or coming off Center Street they could still go to Center Street and make a left and that would bend you around to the Catholic Church. **Mayor Burry** asked for any public comment.

Bill Polk of 600 Cascade Avenue said he also owns property at 406 North 13th Street. This is a bad idea. Nobody has thought this through. He did not know if the lawyers had even looked it up, but the city had already closed from Line Street to Main Street. It has been closed for three to four years. Line Street is what Commissioner Berry was referring to, Line Street, when identifying those people that would use that road. Line Street to Main Street has been closed for three to four years. **Mayor Burry** asked if he was talking about 13th Street. **Mr. Polk** said yes. It has been closed for three to four years and the church has not done one thing with the plan that they brought to the city. He could not remember if this was done before or after he was on the commission, but he was very familiar with it. He had a lawyer down here fighting it because they wanted to close the whole road, but we own both sides of the road on 13th Street. Right now, Commissioner Berry is correct. If they want to come from US 27 to get to the Catholic Church, the only way you will be able to get there is to come down Center Street and turn left on 13th Street. Most of those people do that now, and it has become a thing now because of the slow traffic at the church. The church has not thought this process out. They had three to five years if he was not mistaken to do something with 13th Street from Line Street to Main Street, and they had done nothing. They have not even tried to do anything there. They had a grandiose plan that they brought to the city, and it must have been when he was on the commission because he remembers it like night and day, and they had done zero. He agreed with Commissioner Pederson about how great the church is because he goes there. He knows about the church, but the traffic backs up in the morning from 7:45 am till 8:15 am every morning. It goes beyond his office, which is past the bike trail, and it goes all the way down to Webster Street. The speeders are mostly people going to school in the morning because they try to get their kids there before they are late. During the day after 8:15 am, there is hardly any traffic on 13th Street at all. The Catholic Church meets at 9:00 am, but they all go down Center Street and turn left to get to the church. He does not want to close from Center Street to Line Street because the people on Line Street use that road to come to 13th Street. They go down 13th Street to turn left on Center Street to get to Publix. That is the only light they have to get out on the highway. Otherwise, they have to go to Main Street down 12th Street, and they have to turn around because there are people right there by the church. They have to turn around and go backwards to get to Publix or anywhere on US 27. If they want to close it, they already have it closed from Line Street to Main Street. He was totally against closing from Center Street to Line Street. It will cause traffic problems and problems for the people on Line Street, 12th Street and all the people that are going out to US 27 when they want to go shopping or wherever they want to go. Also, the people that go to the Catholic Church to pray every morning will have problems. From 7:45 to 8:15 the traffic is terrible. He cannot get out of his office if he needs to leave there and from about 2:45 pm to about 3:15 pm it is the same thing. All the vehicles are backed up waiting for their kid to get out of school and if he is late coming to work on Line Street, he cannot get out of 13th Street to get to his office. He has to change his schedule just about every day. If they want to close it from Line Street to Main Street it has already been closed. As he understands, they bought the Melon Patch, and they will use the Melon Patch, and they are worried about traffic, yet they have done nothing with what they already had approval to do. The old public works manager explained the whole thing. He went through the whole thing. **CM Minner** said he vaguely remembers, but he would have to double-check the records. **Mr. Polk** commented on looking back to when DC was here. **CM Minner** continued to say he remembered a

conversation, and we may have closed it, but we will double-check it. **Mr. Polk** did not know if there was a time frame for it and if it ran out, but they never proceeded with their plan. They went to California with three people to look up this grandiose plan and had somebody come up with a great big plan, and they put it up on the board and showed everybody the plan. Everybody was excited about it and nothing ever happened. Now they want to do this, but it will cause traffic problems getting to US 27. You cannot even go down there when school is in because they have cones out when the kids are crossing the road. Anybody with a brain is not going to go there anyway. Most of the speeders that are driving down 13th Street are the people that go to the church. He hates to say that, but they are the people who go to church. You can look at the moms and their faces, their eyes are about to bug out, and they are trying to get their kids to church before they are late. They need to think about this because there is no plan right now and to just say we are going to close without there being a traffic plan is not wise. Even if we close it to Center Street, it will not solve the problem. They have no traffic pattern plan for anybody that wants to go to school there. It is kind of like the airport, where if you build a house next to it, they built a school, but they did not have a traffic plan, and they still do not. He is all for the church because he attends there occasionally, he was just there on Sunday. He would not approve this, or take it to second reading until somebody came up with a new plan, and they showed the old plan, which was a great big plan. He was sure the church would have something to say about it, but he was trying to find out what was happening. **Commissioner Berry** questioned if this request would be a step towards getting a turning lane put in at Center Street and US 27, because that is where the traffic is. They are backed up there. **CM Minner** replied we are not going to have a turning lane on US 27 and Center. **Commissioner Berry** stated there was an issue there. There are no turning lanes in either direction on Center Street. **CM Minner** pointed out that anything we do at that intersection, even on our streets, because it intersects with US 27, we would have to work through FDOT. **Commissioner Berry** asked if that was something to be considered? **CM Minner** replied we would have to go through FDOT. **Mr. Polk** then stated he owned both sides of the road from Center Street to the trail, so would they close that section for him?

A gentleman from the audience said he was sympathetic to Mr. Polk's position. He is both a neighbor and a friend. The church is in a very difficult situation. When they talked to the city about the Melon Patch because they wanted to move downtown, he said he was open to that, but the challenge was that they would be moving further up the street, and they already had six hundred kids crossing the road. We have to do something to restrict that traffic. He remembered the event three years ago, but he did not remember signing a vacation, or anything for any utilities there, so he was not sure if that was followed through. **CM Minner** agreed. That was his recollection. **Mayor Burry** said he remembered a presentation that came before the commission prior to him coming on board, but it had to have been about three or four years ago. He remembers them talking about a large campus. **The gentleman from the audience** said the problem was on Sundays and there is a safety concern because he saw it happen yesterday. When they purchased the Christian Science building, they turned it into an Athletic Facility. When people get up by the Melon Patch as they come down that road, they just pump the brakes at the stop sign, and then they keep on going. He has twice seen kids almost get splattered by cars. He agreed with Mr. Polk, it is very crazy at 8:30 am and 3:00 pm. They do have a problem there that needs to be addressed. However, he does disagree because they do have problems throughout the day. They have the preschool people and the school and people come barreling through there at all different times of the day. They do what they can to get the kids across, but they do have a safety issue. If we do not close it, then we need to have some major restrictions because we do have a major safety problem there. He did not have a great idea for that, but when they made a contract for the Melon Patch, that changed everything because he never had the Melon Patch until just a few months ago, so now we would make a different plan if they went through with buying the Melon Patch. He was willing to work with Mr. Polk and the city because they do need to do something because it is a major safety concern. **Mayor Burry** said Mr. Polk indicated that from Line Street to Main Street it technically was closed. The gentleman from the audience said he never signed a vacation easement. When they purchased the High Street section which

goes up to the brick wall, they signed a bunch of stuff on that. **CM Minner** said those were two different cases. They would not have had to sign anything just like in this situation. This ordinance does not require the First Baptist Church to sign off on it because they own the property on both sides. The law is that when a right of way is vacated it is split down the middle. They would automatically get that. It is silent in the ordinance, so if we did that in the past, they would not have done that. What we would have done in that ordinance was to create a utility easement or the existing utilities would be protected. He remembers the conversation and the displays, but they will double-check the records to see what we did and go from there. We can modify the ordinance on September 23rd accordingly. It maybe that we only need to vacate Line Street to Center Street. He will also talk with Mr. Ayris because he is going to make a presentation to the commission about their plans, which was going to be for second reading. That is a public hearing and that is what we will advertise. He assumes there will be more people here. We have a little bit of homework, and we will double-check those issues and report back on September 23rd accordingly. **Commissioner Pederson** said he was on the commission when Art Ayris did the presentation. He remembers it well, and he is perfectly fine with Line Street to Main Street. He believes the commission gave him the nod on that. There was some discussion from Line Street to Center Street, but nothing was binding. **Mr. Polk** asked who was doing the presentation? **CM Minner** replied that the church would do a presentation on their plans. **Commissioner Berry** added that she was in support, and she hopes we contact the residents as stated. **CM Minner** said that would be done before the 23rd. **Commissioner Pederson** commented that he looked at the maps, is there a way to create a new road or route through there? He knows it is not nearly as easy as it sounds, but is it? **CM Minner** answered no because it is all private property around there. **Commissioner Berry** stated that the one light at the Pep Boys and the little shop next to it used to be a thorough street back in the day and that was closed off to the property. That is also something to think about. The traffic light is there to take you into Palm plaza and if you go straight it takes you to Pep Boys, but you used to be able to go straight to 13th Street.

Greg Frescoln, Principal of First Academy, said he has been there for thirty-two years. When he came here in 1993, there were one hundred and sixty-five kids. There were about fifty to sixty kids at the preschool. We now have five hundred and twenty students in the school and one hundred and twenty kids at the preschool. Mr. Polk is right, it does get very congested in the mornings and that was why they wanted to present this project. With our acquisition of the adjacent properties to the First Academy School, one being a house they purchased and torn down, and with the recent acquisition of the Melon Patch, we can address a lot of the concerns that Mr. Polk has with trying to create a new traffic pattern with the land they now have that will allow them to do some better things. He was unaware that Line Street to Main Street had been closed. In the mornings it does get very congested, but the speeding is bad throughout the day. People go from Main Street down 13th Street at high speeds, while kids are in the crosswalks. He met with a representative of the Leesburg Police Department, but they were not able to put up a camera to help keep the speeding down. They did traffic studies and because we have stop signs at both ends of the block, they slow down at the stop signs, but they speed up in the middle and then slow down at the next stop sign. Right in the middle of 13th Street where the kids cross, it becomes a very dangerous area, but they are not driving fast enough to warrant a camera. Some schools have one camera, like St Paul's because of speeds coming off US 27, and some other schools have two cameras because both directions had higher rates of speed. He was concerned about the speed of people coming down that road during school hours. However, the speed is not raised high enough to warrant a camera. **Mayor Burry** wanted to know if there was a reason why they did not get cameras. **Mr. Ayris** said the speeds did not reach high enough. **Commissioner Reisman** pointed out that each school zone had to do a traffic study in order to qualify. **Commissioner Pederson** said he did not have a solution, but he was sensitive to the cameras because we voted to support cameras at every public school in the city. **Commissioner Reisman** said there were nine schools. **Commissioner Pederson** said he was looking for creativity to help. **Police Chief (PC) Iozzi** said the state statute has a threshold that they did a test on last year so that particular area did not meet the threshold requirement by the state statute, so that is why the cameras are

not there.

Dustin Levine, Executive Director of Melon Patch Players, said he knows that is a very dangerous area. It might not have been shown in the tests that were done, but he watches people go there, and they zip through there. He saw one that may have been drunk going on opposite sides, so there was a definite concern about safety. The only reason they did not go to Center Street last time was because they were there, but without them being there he would say it was something to really consider. He worried about the kids there, but he wanted to put that out there that it was not just the church saying that.

Mayor Burry questioned if 13th Street is north-south, so on the east side of 13th Street at the corner of Center Street does the church own all the way to Center Street? **Mr. Polk** said there was a Jewish Synagogue. **Mayor Burry** wanted to clarify that they did not own all the way to Center Street. **Mr. Ayris** answered no, but they were in the process of talking to the Jewish Synagogue. They own everything up to that. **Mayor Burry** wanted to confirm that on the west side they owned all the way up to Mr. Polk's property. **Mr. Ayris** agreed. **Mayor Burry** stated this would come back on September 23rd, and would like some further detailed information on this. **Commissioner Pederson** said he was comfortable closing Line Street whether we have to re-approved or not. He was comfortable closing Line Street to Main Street and there were some issues from Line Street to Center Street. **Mayor Burry** asked if the city attorney would get back with them on the legal standing before the meeting. **CA Watson** concurred. He would check into all of that so they can address this. **Mayor Burry** asked if there were any further comments. There were none.

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

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

Mayor Burry requested comments from the Commission and the audience.

Commissioner Reisman said this was the entertainment district that is downtown and from talking to the city manager we have not had any issues in the past year, so he wanted to see if they could remove the sunset provision in the ordinance. They can always pull it and bring it back sooner if needed.

Commissioner Pederson said they could also make it longer than one year. **Commissioner Reisman** stated they could pull it at any time if there was an issue. This way, it does not have to keep coming back on a yearly basis. **Commissioner Pederson** said he would support that. **Commissioner Berry** asked what this was for. **Mayor Burry** replied it was for the downtown entertainment district. **Commissioner Berry** wanted to confirm it was for the downtown only and that it did not apply to other areas.

Commissioner Reisman agreed it was strictly for the downtown entertainment district. **Mayor Burry** said he would rather have the sunset clause in there. That way, it is a little bit easier for us if this does not work out for some unforeseen problem. He would rather approve it every year. **Commissioner Pederson** asked if he would be comfortable with two or three years at a time? **Commissioner Reisman** pointed out that in reality it saves staff from having to do this every year and if staff sees an issue, whether it be the chief or the city manager, it can always be put on the agenda for them to discuss, to be terminated or to

adjust. **Mayor Burry** asked the city attorney if he had any comments on this. **CA Watson** answered no. Either way they do, it would be fine, as Commissioner Reisman said, if they removed the sunset, the city could always change the law and pass an ordinance to prohibit the downtown entertainment district from open containers and that kind of thing. However, whatever they want to do, is fine mechanically. It is something that could be pulled and terminated if the city believes that it was not going well.

Commissioner Berry wanted to know if there would have to be an incident that would cause something, because did we not already vote on this? **Commissioner Reisman** said it was approved last year with a sunset. **Commissioner Berry** wanted to know if there were any incidents that occurred last year. **CM Minner** answered none of significance. **Mayor Burry** stated the sunset allows that if we do not say yes at an official meeting, then it goes away. We have to look at it once a year the way it is set up right now. Personally, he likes that avenue.

Commissioner Reisman made a motion to amend it and remove the sunset clause and Commissioner Pederson seconded the motion.

Mayor Burry asked for comments on that amendment. **Commissioner Berry** wanted to verify what they were voting on. **Mayor Burry** said they would take the sunset out. We would have an entertainment district, and you can drink in the entertainment district. Removing the sunset means they would have to bring it back in full and vote against it if we did not want to have the entertainment district. **CM Minner** pointed out that this would be a procedural vote. **Mayor Burry** asked if there were any other comments. There were none.

The roll call vote on the amendment was:

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

Four yeas, one nay, the Commission approved the amendment.

Mayor Burry said this would come back on September 23rd for a second reading, and it would be the amended version with no sunset.

James Hobgood of 112 South Fish Street said his confusion was with the zoning maps because he did not see the terminology entertainment district anywhere on it. He was wondering if the central business district which is labeled in pink was what they were referring to. He did not know what the limitations were. **CM Minner** said in the entertainment district there was a map that refers to the CBD only and there is a map in the ordinance that further closes down the area in the CBD where open containers can be had. By memory, it was roughly Main Street, Meadow Street to Magnolia and Canal Street to 9th Street. It goes a little deeper on 2nd Street too. The map will be made part of the ordinance. **Mr. Hobgood** said he was looking at what was available on the general GIS map on the city's website because he did not see it. However, he was in full support of the district.

C. NON-ROUTINE ITEMS

1. None

7. INFORMATIONAL REPORTS:

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

A. None

8. CITY ATTORNEY ITEMS:

CA Watson had no items to address.

9. CITY MANAGER ITEMS:

CM Minner had no items to address this evening.

10. ROLL CALL:

Commissioner Pederson had no comment.

Commissioner Berry asked about a listing that was included in her packet last month regarding proof of publications. Was this a listing of properties in district one? Have they been listed? **CM Minner** answered nothing had been listed, and he would look at that after the meeting. **Commissioner Berry** thanked everyone who attended and participated in the hurricane preparedness community meeting last week. It was a great success and a lot of information was provided.

Commissioner Connell had nothing to comment on.

Commissioner Reisman wanted an update on both CDC's for when they would be coming in to provide their presentations. **CM Minner** answered that the Leesburg CDC is scheduled for the first meeting in October. City staff is still working to get that coordinated with the West Leesburg CDC. **Commissioner Reisman** thanked the city clerk for getting the Haley Strong shirts for everyone. He reminded everyone that the Blue 5K for the Leesburg Police Department is September 21st at the airport. You do not have to walk or run it, you can just come out and support the cause. Tonight showed just how great our staff is, from the top all the way down. The public comments show how hard the staff work. He thanked everyone for their hard work. He also thanked the Deputy City Manager for his monthly reports. They are very informative.

Mayor Burry commented that on several occasions we have had people speak during public comments who wanted to know what the plan was for the homeless situation in the downtown and throughout the City of Leesburg. He wanted to encourage folks to come out to the next scheduled meeting because they would be addressing that.

11. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." The City of Leesburg does not provide this verbatim record.

With a motion by Commissioner Reisman and a second by Commissioner Pederson, the meeting adjourned at 6:44 p.m.