

**AGENDA MINUTES
CITY COMMISSION MEETING
CITY HALL, 501 W MEADOW STREET
MONDAY, SEPTEMBER 23, 2024 5:30 PM**

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, September 23, 2024, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:30 p.m. with the following members present:

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

Commissioner Allyson Berry was absent. 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. None

3. PRESENTATIONS:

A. None

4. PUBLIC COMMENTS:

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

Caroline Van Dyken of 120 Palmora Boulevard said she received a warning in the mail today and within

three hours of posting it on Facebook she could not believe how many other people received one. It was disturbing because it came from Maryland, and it said: Police Department Processing Center. She almost threw it away because she thought it was junk. When she opened it, it said the City Police Department Speed Enforcement Program and if it were a real ticket, she would need to mail the payment to a PO Box in Atlanta, Georgia, which is where the City of Leesburg Police Department Speed Enforcement Program is located. If she needed to make a request saying she was not speeding because she has a decent camera in her car that tracks her speed. However, it said she would have to send a hearing request form through the mail to the City of Leesburg. She also looked this up on Google, and within one minute she found that Winchester hired the same company to do speed cameras, and they were thrown out of Winchester because of the obvious problems and how it was processed through the mail. The worst part was, the law firm at the time said that the company, Altumint, Inc. was in charge of whether your ticket was rejected or if you got your day in court because they were the gatekeepers. She found it interesting that the financial records showed the City of Winchester received \$155,000 and Altumint kept \$69,000. She also pulled the new law from the State of Florida, and she saw that this company lobbied the State of Florida to pass the law. It showed how the costs were broken down and how much money went to which department. The State of Florida receives money every time this company writes a ticket. This company gets money, and all the different entities get money. So, she knew the driving force was money. She could not believe the commission went for this without questioning where the cameras started and stopped. She asked if anyone had gone along Main Street to see how ridiculously confusing it was as far as where it starts and stops. Her last question was, if they used radar, where is point A to point B, and where does point A start and point B end? The striping on the road says school zone and before the striping there is a sign posted that says they are videotaping. However, there is also a sign posted showing the school times for reduced speeds. She talked to Commissioner Reisman earlier and found out that they are not just recording from thirty minutes before school and thirty minutes after school. The cameras run from thirty minutes before school throughout the entire school day until thirty minutes after school. If you go through there speeding, you will receive a ticket. The warnings came through the mail today, but her warning was from a month ago. If she wanted her day in court to protect and defend herself, her camera would no longer have that information because it was dumped long before. She now has to go out to find a new camera that holds information longer so she can protect herself when driving through her own city. She does not speed through school zones, she has never sped through a school zone. There are problems within her neighborhood with speeding. All they have to do is shame those who are speeding, because she knows exactly who they are. Obviously, this was just the beginning, because everybody will get tickets because the warnings were a month ago. They have been issuing tickets since September 16th.

5. CONSENT AGENDA:

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

Items pulled for discussion:

5.C.1 - Approving an Amendment with Kids Central, Inc., to modify the Scope of Services to be provided by Kids Central, Inc., at the Leesburg Resource Center

5.C.4 - Approving the sale of city-owned property located at 305 S. 6th Street with Frostinburg, LLC.

Commissioner Reisman moved to adopt the Consent Agenda except for 5.C.1 and 5.C.4, and Commissioner Pederson seconded the motion.

The roll call vote was:

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

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

A. CITY COMMISSION MEETING MINUTES:

- 1. Regular meeting held September 9, 2024**
- 2. Special meeting (Tentative Millage & Budget) held September 12, 2024**

B. PURCHASING ITEMS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Amendment with NFP Retirement, Inc. (fka Fiduciary First, LLC) for investment advisor services to the City's employee 401(a) Defined Contribution and 457(b) Deferred Compensation plans; and providing an effective date.**

ADOPTED RESOLUTION 11,896

- 2. Purchase request for Advanced Roofing, Inc. to repair the Granular Roofing System to the Leesburg Recreation Center in the amount of \$75,416.35.**

C. RESOLUTIONS:

- 1. Resolution of the City Commission of the City of Leesburg, Florida approving an Amendment to the Lease Agreement with Kids Central, Inc., to modify the Scope of Services to be provided by Kids Central, Inc., at the Leesburg Resource Center; authorizing the Mayor and City Clerk to execute the Amendment; and providing an effective date.**

ADOPTED RESOLUTION 11,897

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 said he had concerns about this. On the surface, it looks like we are approving Kids Central to run a Healthy Start Program, but we already have an agreement and the scope of services for what Kids Central was supposed to be doing have changed. There was a list of eight items in the addendum. He wanted to know what was going to happen to those items. **CM Minner** pointed out that some of the programs that Kids Central did or does less of now include the high school diploma stuff, the GEDs, preparation of resumes, those types of services. Some of the services the city picked up in the housing department, and we will continue to do them. It will not go through Kids Central. We are pretty confident that the Resource Center will still have those uses. Kids Central has moved more into family health service stuff versus being education and career-oriented. The city has picked up those services. **Mayor Burry** stated he did not want to see them go away because some of these, like money management, GED preparation and job placement, are geared more towards upper teenagers and young adults. It looks like they are making a complete change to infants, nursing babies, and those types of programs. He wanted everybody to be aware that we do not have a contract for these things now because their new agenda replaces their old agenda. Therefore, we will have no one doing life skills training except for the city because we are picking that up. **Commissioner Pederson** appreciated the clarification because the way he read it he thought they were expanding services. He did not realize they were replacing services. **CA Watson** mentioned it was his understanding that it was a replacement of prior services and the scope was an attachment to the amendment.

Housing and Redevelopment Manager (HRM) Keara McKnight, said she was a former Kids Central employee, and she was the one that handled those services. The services will continue to run through her. The GED program is run by Lake Tech because they have partnered with them, and it will be held on Tuesdays and Thursdays. She will continue to help residents if they come in for employment or resume assistance. Whatever she cannot do, they will go through Career Source since they are also partnered with them. They would redirect them there. Any previous services that were provided by Kids Central will now go through her, so they will still receive the services. **Mayor Burry** wanted to verify that the city would still provide those services. **HRM McKnight** answered yes. She was previously employed with Kids Central, so she will be picking up those tasks. **Mayor Burry** asked if there were any further questions or comments. There were none.

The roll call vote was:

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

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

2. **Resolution of the City Commission of the City of Leesburg, Florida, authorizing the City to enter into an Encroachment Agreement with Linda D. Lindsey, for the purpose of authorizing the limited continuation of the encroachments subject to terms and conditions described within; and providing an effective date.**

ADOPTED RESOLUTION 11,898

3. **Resolution of the City Commission of the City of Leesburg, Florida**

authorizing the Mayor and City Clerk to execute a lease agreement between the City of Leesburg and VMAX "FOR ONE COMMUNITY", INC., for space at the Leesburg Resource Center; and providing an effective date.

ADOPTED RESOLUTION 11,899

- 4. Resolution of the City Commission of the City of Leesburg, Florida approving the sale of city-owned property located at 305 S. 6th Street; and providing an effective date. (Frostinburg, LLC)**

ADOPTED RESOLUTION 11,900

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 asked the city manager to provide an overview, since it was not a big sale, and it tied into bigger stuff. **CM Minner** stated the concept we previously talked about was to bring in more mixed uses to the downtown. He would mark it back as far as the Downtown Master Plan, which was around 2018. The concept being that the more people we bring downtown benefits commerce, and the folks who live downtown help to create a healthy downtown. We have entertained the concept of a high density use at the old Lee School site, and we are still in the process of doing that. Frostinburg, LLC., approached the city about a mixed use/higher-density development. In the contract there are some planning and zoning contingencies due to the need to get the highest density-type zoning requirements. This was strategically placed on the agenda because we received an offer from Frostinburg and as we continued to work with the Lee School, we saw that we would need to expand the central business district, so he wanted to see where the commission wanted to go with this concept. If we expand the central business district to the north, we would also need to expand it to the south. Frostinburg is essentially looking to incorporate a number of lots. However, this facility is still currently open, but it will not be needed in our inventory since we are in the process of playing musical chairs. This property is about one third of an acre on the west side of 6th Street just south of the trail. The trail is at the southern edge of the central business district, and it is currently utilized by the gas department. In FY 25 we are contemplating moving the gas department over to Griffin Road into a larger facility. Their current facility is located on the east side of 6th Street, and we talked about moving the events division there. Again, this is a third of an acre site which houses a shed for equipment storage. Once the gas department is relocated, the uses for this site will be open. He introduced Bret Jones, representative of Frostinburg, LLC.

Bret Jones of 700 Almond Street, Clermont said they would like to acquire this piece of property to aggregate it with the surrounding parcels, since there are vacant fields on 6th and 7th Streets. The purpose of this is to have a trail-oriented development, since the city has an amazing asset running through the downtown. Other cities would metaphorically kill for that, and there are utility type uses on the property. What they realized when looking at this property was, if they could aggregate that block along the trail and orient the units to the trail, they would have no cars parked along the trail because the front doors to the homes would orient the trail. The purpose is to enhance walking ability and living ability, and attract a different demographic to the downtown urban area. It is funny to call it urban living, but it is Main Street USA, towns. In his opinion, Leesburg could fight with Eustis over this, but Leesburg

has the best Main Street in Lake County. He grew up and lives in Clermont where they are trying real hard to do this, but it is not organic. Leesburg has a trail that is two blocks parallel to Main Street. If they built residential units that front the trail, it would attract people who are right out of law school. It would be twenty-five-year-olds, who are brand new baby lawyers. It would attract nurses who work down the street at the hospital. It will attract a different type of demographic, which is the missing middle housing piece. It would be a form of attached housing. He would work with the planning staff to make sure it maps the character and nature of the city. A lot of people want the ability to walk downtown to go out to eat. They want to have this Main Street USA experience and not necessarily live in a big city. That is the goal of this project and aggregating this piece in will make it possible. Currently, on the property is a five or six-car garage that is being used for utility purposes. They hired Jeffrey Mowen, who is a world-famous architect/urban designer. He was the downtown architect for Celebration. He designed Baldwin Park and the neighborhood called Albany Bahamas. He also helped design this project. This is a good faith effort to bring in a type of residential use structure and style that is missing in Leesburg. Historically, our forefathers and foremothers would have done something like this if they were in our shoes today.

Commissioner Connell inquired if an appraisal had been done on this property. **CM Minner** answered no. **Commissioner Connell** wanted to know why it had not been done. **CM Minner** responded that he would ask the city attorney about whether that was a requirement. **CA Watson** agreed no appraisal had been done. He believed \$250,000 was the threshold requirement for appraisals. **CM Minner** continued to say it was not a requirement, and we did not do one because they were trying to process this simultaneously. However, he did not think \$50,000 was market value. The value would come with investing back in the downtown, but that was an option for the commission. If they wanted to beat up Frostburg to get more money out of them, he would recommend doing that. **Commissioner Connell** inquired if they were going to use the swap method for this. **CM Minner** agreed.

Mr. Jones said he did an appraisal the old-fashioned real estate guy way. He looked at the parcel immediately to the south due to proximity. It was the best comp, but it was an older appraisal valuation. It is a public record and that came in at \$133,000 per acre. When they looked at this per acre, he multiplied it by .3 acres, and it came to \$39,000. They will have to wreck the building, so there will be a cost of about \$30,000 as long as he does not have to jump through hoops with the city. **CA Watson** clarified that the appraisal requirement is for the purchase of property. It is not for sale of property. **Commissioner Connell** stated it would be handy to know what something is worth before selling it. **CA Watson** agreed. **Commissioner Connell** asked the planning and zoning director to do to, it being extremely important for some commissioners to address downtown parking and with this location not being that far off of Main Street, how many parking spots could we get on this lot? **PZD Miller** guessed somewhere between thirty-five and fifty depending on design. **Commissioner Connell** wanted to know how far off Main Street this property was. **PZD Miller** replied a little over seven hundred feet, give or take. **Commissioner Connell** remarked that this would be about seven hundred square feet off Main Street, and it would add between thirty-five and fifty parking spaces. He knows they are looking to spend a fortune of money, about 1.6 million dollars, on a study to address downtown parking. If parking downtown is a major issue for the commission, then this property should be something to consider because it will add between thirty-five and fifty parking spaces. If they sell it for \$50,000, they will also look at spending 1.6 million dollars to address downtown parking. **Mr. Jones** said he would be happy to talk about that as an academic, but he was not on the commission. The purpose of having a great downtown is walking ability, and the city has the bones for that already. This is probably the best place in the county for that. What he ventures to do, is create an area for people to live downtown. They could walk to the downtown and utilize all the commerce that is located on Main Street, along with everything else that is one block off on either side, then all the sub-blocks. That critical mass here is that people would not have to drive to the downtown to get to Main Street. Another part is there will be on-street

parking created from this. It will exceed the amounts that are required in the unit calculations under the city code. The on-street parking will have an ancillary benefit for non-residents who want to utilize the downtown. **Commissioner Connell** wanted to confirm that he said there would be on-street parking on 6th Street. **Mr. Jones** responded yes. **Commissioner Connell** questioned how many spots he was talking about. **Mr. Jones** responded that he would have to do the calculations. However, when selling a piece of property to the private sector, they can make parking on the roads a requirement. He could take his property lines and create some diagonal, ninety degree, or parallel parking inside as long as he still meets the sidewalk requirements. That is a common thing to do in walking ability neighborhood developments. If they think about the suburban style or sprawl style, which is a possibility, then on-street parking would not be possible. What he was proposing is a different style, a very old-fashioned style, a pre-World War II style of development where they build urban centers in a grid pattern, and they do not build huge parking lots. They figured out how to make parking work on the actual property they served.

Commissioner Connell replied that he was having a hard time visualizing how they would get on-street parking on 6th Street. He understands the residential development downtown, but we also have the old Lee School site that has already been approved and that will have a tremendous amount of downtown residential. **Commissioner Pederson** pointed out that the Lee School site had not officially been approved yet. **CM Minner** agreed. **Commissioner Connell** said it has in a sense. **Commissioner Pederson** said he was optimistic that the commission would approve it. **Mayor Burry** asked if it was approved as a PUD. **CM Minner** answered it was approved as a PUD for town homes at sixty-three units. The concept that is currently on the table is to convert them into an apartment complex, which would need significantly more planning and zoning review. It is currently on the table as a PUD, but all indications say the developer wants to go in a different direction and that different direction has not been approved. **Commissioner Connell** confirmed that the PUD was approved for residential and for years they have been wanting to address the downtown parking issue. This would be a great opportunity to add thirty-five to fifty parking spaces downtown a block off of Main Street. Are we going to give this property away at \$50,000 without even knowing what good/fair market value is? He did not believe that to be a good deal. **Commissioner Pederson** said he would support the Lee School site for apartments. He would start with the other parking because it has been talked about for the last twenty to twenty-five years. He was excited that this commission finally approved the money, which included knocking down the old Center for the Arts/Partnership building and re-engineering that whole thing. Yes, it was a lot of money, but when we look at the big picture it is good forward-thinking for the downtown. We have parking downtown now, but it is not in the best locations. The old Center for the Arts/Partnership building would be a premium location. He looked at this site since he was a commercial realtor. He looked at the value and yes, it was at the bottom of the range. However, it is in the range, so he was okay with it. He spoke to the city manager about keeping it for parking or if there were any other needs for that site. They talked about that at length. The city manager said we do not have any other needs for it, yet he scratched his head about using it for a parking lot. He believes we need this kind of housing in the downtown because it all ties together. With the other large parking lot, which will be hundreds of spaces, and bringing this development in would be a good deal. **Commissioner Connell** said he could not fathom spending a million something dollars to address downtown parking when we have a piece of property sitting there that could easily house thirty-five to fifty parking spots. **Commissioner Pederson** said right now we have a lot of scattered parking, and this would be another good example of that. We have lots like this throughout the downtown, but they are all off the beaten path. He has lived in bigger cities, where he had to walk six blocks to work. Yes, this is about a block and a half off, but right or wrong, the people in Leesburg that come downtown want to park closer, and we are trying to make it more convenient for them. He believes this would be a better use even though he has struggled with it, but putting residential homes here is a good use. He understands the comments about parking, but he was optimistic that the big parking project would fix that problem. We need to focus on the residential uses. We have had many consultants come and say we have parking, but it is scattered all over downtown in different places. That includes the multi-level parking garage, which is a little further east, but that is

coming into its own now. He would support this, because he went through the exercises today evaluating whether it should be held for parking. We need this type of residential housing downtown, and it would all go together. **Commissioner Connell** commented that when spending that kind of money, we do not know if they would even get thirty-five to fifty parking spaces out of the 1.6 million dollars. We have this location, and we could get additional parking spaces and the city would save a tremendous amount of money. **Commissioner Pederson** said that is the difference of opinions. We are trying to make it more convenient for the people who park downtown. It would be right up against Magnolia, right in the thick of everything. This lot is set back, so residential would be a great use especially since it is right on the trail. **Commissioner Reisman** agreed and said he would support this. Having residential on the trails is huge and he is a huge trail supporter. Half of the downtown businesses are in the audience, and he believed they would all argue that we do have a parking problem and the plan that we are presenting is something they are all in favor of. **Mayor Burry** asked if there was other property that butts up to this property with more residential development. **Mr. Jones** answered yes. With this property being on 6th Street, if you were on the trail you could walk all the way to 9th Street, so it would be that entire contiguous block. Then, all the way south until you started hitting houses. There is an apartment a little bit further away, but that would be all of that area. It would complete the critical mass calculation. **Mayor Burry** said the reality of the parking issue when looking at Google, and where our parking garage is compared to the downtown. If you look at this site compared to downtown, it is even further away. **Commissioner Connell** agreed, but where else would we put parking downtown without tearing buildings down? **Mayor Burry** pointed out that was not what he said he wanted to do. **Commissioner Connell** said we want more parking off Main Street, and he was trying to save the city 1.6 million dollars on a study to add another twelve parking spaces. **Commissioner Pederson** said that was not an accurate statement. He could not say twelve parking spaces. **Commissioner Connell** wanted to know how many parking spaces there would be. He has been asking this question for six months. He wanted to know how many parking spaces we would get by spending 1.6 million dollars. So far, he has not gotten an answer from anyone. **Commissioner Pederson** said he could guarantee there would be more than twelve. **Commissioner Connell** wanted to know how he could guarantee it? **Commissioner Pederson** said we are talking about knocking down a building and collapsing 5th Street because we do not need it now. We could also pick up some of the land from the gas plant by re-engineering. He would like to think that we would pick up one hundred more parking spots. **Commissioner Connell** stated this piece of property is not too far from that. We are talking about adding spaces there, but this space is not that far away. **Commissioner Pederson** pointed out that this site would not solve the city's parking problem because it is too far out. **CM Minner** pointed out that these are corresponding yet different concepts. The first concept is to address parking, which takes away non-conforming parking on Main Street, so there would be a deficit. Then we would go back to the multiple sites (alt key numbers 1344379, 1344361, 1346525 and 175984). We would also potentially work with Life Stream. Those blocks of area cover everything from the trail north to Magnolia and then working around. That area is where we are trying to pick up parking as well as get rid of the non-conforming parking spaces on Main Street. He has been asked by Commissioner Connell multiple times about the number of parking spots we would pick up and the answer has been and still is that we do not know at this time. We do not know because we have not put a significant amount of money on it. The only money we spent was \$7,500, which was to do the initial study. That study said we needed to focus on that five hundred foot radius so we could get as much parking as possible close to the downtown. What is different about this parcel is its location, and it is on the other side of the trail. He spoke with Commissioner Connell about this on the phone and the difference was this parcel was across the trail, and it was surrounded by other Frostburg property. The parcel we were contemplating demolishing was the gas building, but that will not be demolished because the concept now is to put the Events Division there. He could not dispute the number of parking spaces, but he assumed it would be somewhere between thirty and fifty spots depending on how it was designed. Yes, we will pick stuff up, but it will be outside the area, and we are trying to include the old partnership building, for lack of a better explanation. We want our cake, and we want to eat it too. We want to get as

much business and commerce as we can, and we want to make the parking as friendly as we can. He did not think selling this parcel would hurt the parking objective. He believes it would enhance the multi-use of the downtown. If the commission opts not to, then it becomes an opportunity for additional parking. However, he did not think parking should go into the equation. He would agree that the sales number was a little below value, but we have had this conversation a hundred times in the last year. As a public entity, we do not always make decisions based on money and even though that sounds horrible, it is the truth. We are not always looking to make a buck, because we also look at providing a service. We look at providing concepts that improve the community. If that means this is not the best sale, we are still promoting the concept of bringing people downtown. If we mix that with some other projects, then we are doing our mission. He would say this was a reasonable offer for a concept which will yield back in performance by bringing people downtown and getting into our mix use concepts that we have been struggling to do over the last five years. This is an opportunity to start cracking that nut. **Mayor Burry** asked for public comment.

Caroline Van Dyken of 120 Palmora Boulevard said she was a longtime resident of Leesburg. She agreed that we have been talking about parking forever, but how many people go to Mount Dora? She had to park five blocks away, but that did not stop her from going to the store or restaurant. There was stuff downtown that she wanted. She apologizes if that offends anybody who shops downtown because she also comes downtown to eat. However, is Mount Dora addressing their parking issue? It sure does not seem like it to her. Last weekend she went there. She could not find a parking space for thirty minutes and that did not stop her from eventually finding a parking space. She still went where she wanted to go. That is the harsh truth of it. We are dancing around and spending money on parking spaces. However, she did not think that is what would bring people downtown.

James Haygood of 501 South 1st Street said he was a business owner downtown. There are consumer reports and what the city manager mentioned was the conversion rate of somebody that comes into an area for the first time. We have a perception of Leesburg as being an old town and, for a long time, we did not have the best things. That is changing because if you have spent some time downtown you will see that the restaurant sector is doing a great job, and they are creating new and exciting shops and things for people to do. We need to provide for our first-time people. They want convenience, and we need to make them want to come back. He was specifically referring to the villagers. They see between fifteen and twenty percent of the consumers being from The Villages, and they do complain about parking because in The Villages they make parking a precedent. With the Mount Dora issue, the majority of their downtown is either parks or it is already developed. They do not have empty gas departments in their downtown area. This would be a great sale that in turn will bring additional residential homes. He fully supports the commission's choice to do the parking at the old partnership building because that would solve a lot of issues for the businesses in the downtown.

The owner of the Blue Line Sports located at 7112 West Main Street said parking was the number one issue for getting people downtown, and the commission was doing a fantastic job. That parking lot will not help because they cannot get people to walk one block. Constant uniform signage needs to be done. That was the recommendation, and he had full confidence that we would get there. We all want the same thing, but parking is a major issue. **Mayor Burry** asked if there were any other comments. There were none.

The roll call vote was:

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

Three years, one day, the Commission adopted the resolution.

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. Public Hearing on the proposed millage and proposed budget for Fiscal Year 2024-25

CM Minner wanted to provide a highlight. In the general fund, we have a significant increase in public safety. We will increase the police department by twelve positions, and we are adding additional firefighter personnel so they can change hours and take the significant stress load off of them. They will be able to respond better to calls. Not that they are not currently, but there will be a higher level of service. In the general fund, we have a reduction of transfers which represents 6% of the current electric customers in the city limits. That is a significant change. It also puts us in a position where an extremely concerned state legislature may lead us, even though it is unwanted leadership. With the utility funds, we will endeavor to continue to provide the same quality service. There was a CPI increase in the utilities except for electric. Moving into FY 25, we will have the same electric base rate, with the noted power cost change that was discussed. The electric advisory board discussed it in great detail last Monday. With that said, we noted inflation and the growth factors in the electric fund. It is inflation as well as some of the expansions we have done to accommodate development. That has put some stress on the electric fund. We will be watching that closely, and it may be one we need to adjust. We may need to adjust the base rate mid-course of the year, and he would report accordingly. Another rate we will keep an eye on is the building department rate. We have done a great job reducing our building fees to where we are the lowest in the region. We did that as an attempt to bring back our surplus and fund it back by lowering the surplus through rates. That one is a time matter for when we may need to bring that back up to a fuller building rate. That will be based on the number of permits and activity in the department. At this time, we are balancing personnel openings, which we are trying to delay to see where we are by measuring the level of service with the need for a rate increase. He would keep a beat on that. With capital projects, we put together a big slate of things to do, which includes the parking conversation, completing Susan Street, finishing up the sewer plant and managing growth. Under a quick microscope, that would be the FY 25 budget. It does maintain the millage rate, and the fire assessment fee is at \$165 per residential unit.

1. Announce the name of the taxing authority, the rolled-back rate, and the millage rate to be levied.

Budget Director (BD) Brandy McDaniel announced the name of the taxing authority, the City of Leesburg, Florida. The current year's rolled back rate is 3.2327. The proposed millage rate of 3.4752 is 7.50% higher than the current year rolled back rate; the millage rate to be levied is 3.4752 mills per \$1,000.

2. Discuss the proposed aggregate millage rate

Budget Director (BD) Brandy McDaniel said on July 8th the commission approved the tentative millage rate of 3.4752 mills per \$1,000. This is the same rate as the prior fiscal year. Whereas, the proposed budget was developed using 3.4752 mills per \$1,000, and the tentative millage rate was approved at the September 12th commission meeting. Therefore, the tentative millage rate of 3.4752 mills per \$1,000

represents a 7.50% increase from the current year's rolled back rate, which is attributable to additional expenses and is a tax increase under TRIM guidelines.

3. Request comments from the public regarding adoption of the final millage rate

Mayor Burry requested comments from the public regarding the adoption of the final millage rate.

James Haygood stated he sat through the budget workshops, and they were highly educational. He publicly thanked the city for their professionalism, including the commission, the city manager, and his staff for putting together all the reports. It was eye-opening to hear all the numbers. He recommended that more citizens come because there were not very many people at those meetings. He encouraged citizens and business owners to come and be a part of the planning. We need to have our opinions heard and be educated on what is happening. A lot of the stuff they are talking about he learned at those meetings. He assured that the commission and the city were doing a great job. They were very professional and thorough in their presentations.

4. Resolution of the City Commission of the City of Leesburg, Florida finally adopting 3.4752 mills as the Fiscal Year 2024-25 millage rate for the City of Leesburg, Florida, representing the current year proposed aggregate millage rate of 3.4752 which is 7.50% more than the current year rolled back rate; and providing an effective date.

ADOPTED RESOLUTION 11,901

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. There were none.

The roll call vote was:

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

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

5. Request comments from the public regarding adoption of the final 2024-25 Budget

Mayor Burry requested comments from the public regarding the adoption of the final 2024-25 budget. There were none.

6. Resolution finally adopting the Fiscal Year 2024-25 Budget

ADOPTED RESOLUTION 11,902

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 said it caught his attention at the last meeting and the city manager said to bring it up at this meeting that we are sitting on \$491,000 in the CRA fund and the Resource Center owes the electric fund \$750,000 in a note. We know the electric fund could use that money, so he wanted to transfer that \$491,000 to help the electric fund, so they would have a little extra wiggle room.

Commissioner Pederson stated he would maybe do half of it. He would not want to move it all. **Mayor Burry** mentioned that he thought we were putting that \$491,000 aside for a rainy day. **CM Minner** agreed that was what they were doing. **Commissioner Pederson** said he respects what Commissioner Reisman was trying to do. **CM Minner** commented that Commissioner Reisman brought it up to him at first reading and his response was when they had discussions with the Carver Heights CRA board he could have brought that up as an option. At that time, they had several discussions and at the end of the day, we increased the funding for the home grant program to \$600,000 and put the \$491,000 into a rainy day fund. It was left unallocated. That money is open for discussion, and maybe they need to discuss this with the CRA board. It is important to put it on the table because that was an option that we did not talk about. **Commissioner Pederson** agreed, but some of that money was being left unallocated due to the Susan Street project. He thought that was why it was sitting there. **CM Minner** agreed. We kept it in the fund for a rainy day. It was left unallocated because we may need to go back depending on where the Susan Street project goes. It is a reasonable consideration. He would not say it would give the electric fund wiggle room, but it is certainly cash they need. They should have this discussion with the other CRA commissioners. **Commissioner Reisman** asked if they were okay with holding this off until the next meeting to make that decision. **CM Minner** said yes. **Commissioner Pederson** suggested amending the budget during the year if needed.

Commissioner Reisman said he also wanted to bring up another issue. We have already discussed it, and said we would live with what we have, but he believes it is totally different software than what we currently use. He gets calls all the time, and he was sure everyone else did, because our residents did not know where to go or how to do it. He would like the commission to reconsider the SeeClickFix option. It was an option for our residents to report things that they saw around our city. **CM Minner** said that would be an easy fix. The presentation was about \$15,000 to have either TextMyGov and/or SeeClickFix. They are different programs with applications, and SeeClickFix had easier communication for the public to point out problems. **Mayor Burry** asked if that was a presentation made by the IT department. **CM Minner** agreed, and the commission was a bit hesitant to do that. Commissioner Reisman talked to him about it afterward, and he told him to bring it up again. He believes it had some benefits and \$15,000 was not a game changer. It would be appropriate if they wanted to add that to the expense for next year. They could adjust the budget moving forward. **Commissioner Pederson** said they debated, and some neighboring cities were using it. **Commissioner Reisman** answered Eustis and Tavares both use it. **Commissioner Pederson** thought they agreed to see what the other communities thought about it. **Commissioner Reisman** stated they have been using it for a few years. The discussion was to see how TextMyGov goes, but there are two totally different applications. **Commissioner**

Pederson asked what the difference was. **Commissioner Reisman** said SeeClickFix lets residents take a picture of something they see, whether it be a pothole on the road, a tree that needs to be trimmed, or a fence that needs to be fixed. It will geolocate it and send it to our database. We can then sort it and send it to the appropriate department. It opens the line of communication for our residents. **Commissioner Pederson** said he was open-minded, but worried that it might turn into a complaint line. However, it may help his phone stop ringing as much. **Mayor Burry** said the IT Department came in and gave the presentation. He did not come away from that presentation with a good idea of which way to go. It was a little confusing. He was not sure if he was in favor or opposed because he did not have enough information. **Commissioner Pederson** mentioned that they could amend the budget and deal with that over the course of the year, since it was not that much money. He would like to know more about it as well. **CM Minner** said he would have IT do a presentation on SeeClickFix.

The roll call vote was:

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

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

7. Announce the adopted millage rate

Budget Director (BD) Brandy McDaniel announced the adopted millage rate. The current year proposed aggregate millage rate of 3.4752 mills per \$1,000.

B. SECOND READING OF ORDINANCES

- 1. An Ordinance 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 in Leesburg, Lake County, Florida; providing for conditions; providing for severability; and providing for an effective date.**

ADOPTED ORDINANCE 24-59

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 resolution and Commissioner Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

CM Minner explained that this ordinance contemplates the closure of 13th Street from Main Street to Center Street. The concept was to close the street because the First Baptist Church (FBC) has endeavored to buy the Melon Patch, and they will own all but a thirty-foot strip on 13th Street. With the FBC owning about 99.9% of both sides of 13th Street, they approached the city with the concept of owning that right-of-way while keeping our utilities intact. They wanted to close it to create more of a campus atmosphere

for the church congregation and the school students. There are safety and aesthetic concerns with FBC owning a big part of that region of downtown. At the last meeting, William Polk made some comments in opposition and the biggest comment caused a staff review of the project, because he thought 13th Street was already closed. We went back and double-checked, and it was indeed not closed. What we presented at that meeting was proper and accurate. Since that meeting there has been a lot of discussion, and he spoke with Art Ayriss of FBC and there seems to be some accord that instead of closing it from Main Street to Center Street, we would close it from Main Street to Line Street. The mayor spoke about that and part of his correspondence with the First Baptist Church was that they were open to that. William Polk was unable to attend tonight's meeting. He asked the city clerk to read his letter as requested. **CC Purvis** read William Polk's letter aloud which stated he was not against the closing of 13th Street from Line Street to Main Street, but he was against closing 13th Street from Center Street to Main Street. **Mayor Burry** agreed. He would welcome the closing of 13th from Line Street to Main Street, but he would be opposed to closing it from Center Street to Main Street. He would be concerned that we would be doing that based on the First Baptist Church ownership of both sides of the road. When looking at the north side of Center Street, there is a private owner who owns both sides of the road. Would we then afford him the same opportunity? If we did that, what would happen to the traffic lights at Center Street and US 27 because it would become a road to nowhere? **CM Minner** mentioned that the commission may want to amend the motion prior to public comment. **Commissioner Reisman** wanted to know if all parties were in agreement about closing 13th Street from Line Street to Main Street. **Commissioner Pederson** said he would fully support closing Line Street to Main Street. He struggled with the residential houses east of 13th Street. He believed there were to be more postings in the neighborhood about the closure, and he wanted to know if anyone in attendance wanted to speak about that. **Mayor Burry** opened up for public comments.

Art Ayriss of First Baptist Church said he spoke with the city manager, and he understood what everyone had to say. He agreed that it was reasonable to go from Line Street to Main Street, but his only caveat on that which Mr. Polk brought up was that we said we were going to do a lot of stuff downtown. He wanted to shed some color on that because they were not neglecting the downtown. They had a couple of opportunities that came up which they had to do. One was an eight million development in The Villages, and they had to continue doing that. They also had an opportunity to purchase forty acres by Windsong, so both these projects forced them to pull back on the downtown. However, they still plan on doing everything. Originally, when the opportunity came up to purchase Melon Patch, we thought it would create more problems because we would have more kids coming through there. They are still moving forward with the acquisition of Melon Patch, and they are fine with the closure of 13th Street from Line Street to Main Street. Mr. Polk was right, they had plans, but we were not able to get to the downtown due to other projects. However, in the future, if we acquire additional property, or we have a lot of kids going back and forth, he would want to revisit the closure of 13th Street up to Center Street. Right now, the concentration of kids is from Line Street to Main Street. They have hundreds of kids walking back and forth and this closure would solve that problem. However, if they do more development, they will come back to a future city commission to say they need to look at that again. He shared that with the city manager when they went around and looked at all the traffic. Yes, there was a business that would be impacted, but he would still have full access right off of Center Street. He would also have Perkins Street where there were no residents impacted. It was just that business there. He does not want to do anything to harm Mr. Polk's business, and this is a good solution for now, but if they continue to grow as a church and acquire additional property or build more buildings, they may have to revisit it in the future.

Lynda Workman said she purchased her house on Herlong Street in 1996, and they have seen a lot of good and bad. They are dealing with a lot right now on their block, and they are not getting any results. They are also dealing with the Lee School site, which is a whole other story. There have been a lot of people moving and some have passed away who did not agree with the First Baptist Church closing High

Street and building a wall. At that time, they also heard about Line Street, so it was interesting to hear Mr. Ayris say that he would bring it up again at a later date if they only closed the road to Line Street. High Street was closed quite a few years ago and they added a wall. They heard back then that Line Street was in the planning. She thought it was ridiculous, absolutely ridiculous. She has driven that way to work for the last fifteen years, and now they want her to drive a different way. She considers that to be a business, whereas she lives in that neighborhood. If the school was going to be that big, maybe it should have been considered that they cannot be that big, or maybe they should move it somewhere else. That is a small area, so where is it going to end? She was really upset that some of her neighbors were not in attendance. There are two people sick and one that is out of town. She also has a neighbor moving, but she sent a letter. She was at all the meetings, and she has been very vocal about Lee School. However, they have now sold their house and they are leaving the neighborhood. Where does this end? **Commissioner Pederson** inquired if she was objecting to the closure of 13th Street from Line Street to Main Street or was she expressing concern overall. **Ms. Workman** responded that, in general, she was opposed to closing any of it. **Commissioner Pederson** thanked her for her comment. He just wanted to be clear. **Ms. Workman** continued to say that she resides on Herlong, and she is at Publix every other day. She takes Herlong, and makes a right on 12th Street. She takes that to Line Street and turns left. So, now she has to change her route. She goes that route every day to get to work in Fruitland Park. **Commissioner Pederson** pointed out that the closure would not change her route. **Mayor Burry** added that the closure would be at the south end of Line Street. She would still be able to drive on Line Street and proceed north on 13th Street to Center Street. **Ms. Workman** wanted to know where they were closing it. **Mayor Burry** replied it would be from the intersection of Line Street and 13th to Main Street. **Ms. Workman** wanted to clarify that she would not be able to drive in front of the school. **Mayor Burry** agreed. She would not be able to drive in front of the church anymore. **Commissioner Pederson** pointed out that they are trying to create a campus environment and make it safer for the children. Her commute would not be impacted. **Ms. Workman** stated she drives home that way every day and some days she sees congestion three ways. **Mayor Burry** indicated that there would be no more traffic on 13th Street between Line Street and Main Street. **Ms. Workman** asked if they would be putting up another wall there? How are they planning to close it to stop traffic from going in front of the church? **Commissioner Pederson** said he did not think the church was trying to stop it, they were just trying to divert it another way. **Ms. Workman** wanted to know what they would put there to keep people off. **Mayor Burry** stated the road would be gone. **Commissioner Pederson** added that her route to Publix would not be impacted. **Ms. Workman** said she did not know that because when she drove through there on Thursday she saw the sign that said the meeting was tonight, and it said Line Street and when she went online, it said Center Street. So it was a bit confusing for her. **Mayor Burry** commented that the original notice said it was from Center Street, but they changed that to Line Street. **Ms. Workman** inquired if 13th Street in front of the church would be a road. **Commissioner Pederson** said he would allow Mr. Ayris to answer that because they are trying to create a campus environment. **CA Watson** stated effectively they would close the public roadway and what the First Baptist ends up doing is up to them. It would be their choice. It would essentially revert to private property so they could put up a barrier and block people from using it or do whatever they want because it would be their private property. **Ms. Workman** said she appreciated the information, but she wanted to know where it would end. Her neighborhood has been done wrong by the Lee School project and everything else that is going on. **Commissioner Pederson** asked about her concerns with the Lee School. **Ms. Workman** replied everything. She was disgusted with it all. **Commissioner Pederson** said there was a lot of controversy about that, but most people were happy that the city knocked it down. **Mr. Ayris** commented that they would bring somebody in to advise them about the closure. They are looking out for the safety of the children who attend school there. They could put up bollards, but they still have to wait to see what happens with Melon Patch, because they may be able to do some cutting across there. Remember, previously we talked about High Street, and part of that has been closed.

Referring to a map, **CM Minner** showed where US 27/14th Street was and then showed the Baptist Church property. The church essentially owns everything from US 27 to 13th Street, from Main Street to Center Street. They are now under contract with the Melon Patch, and they are looking to buy the synagogue, which would be on the southwest corner of Center Street and 13th Street. **Mr. Ayris** clarified that they were not in active discussions, but they have an excellent relationship with them. When that October 7th thing happened, he contacted them and said they were there to help with safety and everything. However, they will be interested at some point. **CM Minner** continued to say that FBC is scheduled to close on the Melon Patch in December, so they will own pretty much everything from the north side of Melon Patch all the way down. Both sides of the street will be FBC. The initial concept was to close all of 13th Street. Through discussion, it was said that there would be a problem because of the neighborhood and the residents who take 12th Street to Line Street. That was their primary traffic pattern to the north.

As the speaker said earlier, the route from the neighborhood to Publix is Line Street to 13th Street to Center Street to US 27 and that route will not change. The compromise was for the south side of Line Street on 13th Street. In the past, the First Baptist Church talked about different ways to close that and have removable bollards. That concept is still up in the air as far as how they would physically do that. He imagined that it may remain a street where they may add some tabletops or speed-reduction stuff, because their concept would be church/school campus type use. They may have some type of physical closure as far as bollards, but those would be added and removed based on when they want traffic to move through that area. That plan is still to be determined. That was the concept, but through discussions tonight, there seems to be some agreement to close the south side of 13th Street between Line Street and Main Street. High Street also came up, and High Street was something we needed to go back because that street needed to be cleaned up. It is a mess and part of it is not closed. However, there is a section of it that is probably still used by the public. The section of High Street from US 27 to the old railroad corridor, that is the city, and from the railroad corridor to the railroad corridor, that is First Baptist Church, and from the east side of the railroad corridor back to 13th Street, that is the city. At that time, there was no practical use of High Street for the city. It does not serve for any kind of cut through, and it runs through a portion of the First Baptist Church's property, so they should ultimately come back and formally close that and protect whatever utilities we have there. As we dug into the closure of 13th Street, we determined the issues with High Street. High Street is not 100% closed to the public, but that center portion is still a street, and it runs through private property. That is not a good thing. However, these things happen, and they need to clean that up. **Commissioner Connell** wanted to know how it will work for emergency vehicles if they have bollards blocking access to the roads? **CM Minner** replied that would be an issue for the First Baptist Church, and they would have to work that out in the design plan. **Commissioner Connell** questioned if it would be reasonable for first responders to get out of their vehicles to pull up bollards in order to drive down there. **CM Minner** answered it would be something to work out during the planning process. **Commissioner Connell** asked if the city, police or fire departments, would have a say in that? **CM Minner** replied yes. Ultimately, they would because whatever type of road improvements they do, it will have to come back through the city for permitting. It would go through the Development Review Committee (DRC), which is set up by the city. We will review the site plan for the development. We would review and provide comments on where they make a means of emergency ingress/egress. **Mayor Burry** asked if there were any other public comments. There were none.

Commissioner Pederson made a motion to amend the closure of 13th Street to go from Line Street to Main Street, and Commissioner Reisman seconded the motion.

The roll call vote on the Amendment was:

Commissioner Pederson	Yes
Commissioner Connell	Yes

Commissioner Reisman	Yes
Mayor Burry	Yes

Four yeas, no nays, the Commission approved the amendment.

The roll call vote as amended was:

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

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

2. **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.**

ADOPTED ORDINANCE 24-60

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 resolution and Commissioner Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

CM Minner said this was also known as the entertainment zone. There was a map included in the packet which covered Magnolia to Meadow, Orange to Canal, and it included an extension down to cover John Sokol's restaurant. It allows for open containers within the district. The only other modification since first reading was that this ordinance would have no sunset. Approving this means that there is an entertainment district which allows for an open container in that box for perpetuity or until the ordinance is modified. **Mayor Burry** mentioned when this was first approved it included a sunset where they had to look at it every year. At the last meeting, the commission overall was in favor of getting rid of that sunset provision. **Commissioner Pederson** added that it could be terminated by the city commission at any time. **Mayor Burry** asked if there were any public comments. There were none.

The roll call vote was:

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

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

C. FIRST READING OF ORDINANCES

- 1. An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 208.5 +/- acres; and being generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Lake Bright/Brighurst ANNX)**

Mayor Burry asked the city attorney to perform his swearing in. **CA Watson** asked anyone in attendance who wished to speak about items 6.C.3 or 6.C.5 to stand. He swore them all in.

Commissioner Reisman introduced ordinances 6.B.1, 6.B.2, and 6.B.3 to be read by title only. CC Purvis read the ordinances by title only.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller said the request was for an annexation, a large scale comp plan, and rezoning. It consists of two hundred and eight plus or minus acres on South County Road 33. This would allow for future development of a new neighborhood to consist of five hundred and eighteen detached single family lots. The property is generally located on the east and west sides of County Road 33 and north of Bridges Road on the far south side of Leesburg. The large scale comp plan request is to change the future land use designation from Lake County Rural to City of Leesburg Estate. The rezoning request would amend the current zoning from Lake County Agriculture to City of Leesburg Planned Unit Development. Under the PUD requirements, the proposal would consist of five hundred and eighteen detached single family lots for a density of two point four eight gross units per acre. There are no other permitted uses. The lot of sizes would be fifty and sixty feet in width, and be six thousand to seven thousand two hundred square feet. The house size would range from 1,600 to 1,700 square feet under the roof. There is a minimum of two-car garages, two floors maximum height, and we have design and architectural standards called out in the PUD. It includes 35% open space, as well as two trees in each yard and dark sky lighting which is included in all the PUDs. They have a prohibition on the use of St. Augustine grass, but Bahia, and Bermuda are permitted. There is a twenty-five-foot landscape buffer required along the entirety of the property boundaries and a fence is required along the frontage on County Road 33, which can be a split rail or an opaque fence. There is fencing required in the remaining areas of the development. The site access is along County Road 33, and it would have applicable acceleration/deceleration lanes as required by Lake County. The access points have to be boulevard roadways with a landscape median of at least eight feet in width and enough lane area to allow emergency vehicles to maneuver. There are 103,000 square feet of recreational requirements, which is about 2.4 acres, which is split on each side of County Road 33 because, essentially, there would be two separate neighborhoods. There is a requirement for the establishment of trails around the large retention ponds. Finally, there is a phasing and/or expiration clause which allows for substantial commencement within four years or an automatic revision to the RE-1 zoning district of one acre per unit. If this was approved, the entire development would be required to

be on City of Leesburg water and wastewater. There will be no wells or septic. At the planning commission meeting, city staff recommended approval. However, the planning commission recommended disapproval by a vote of 6 to 1. Their reasons for their disapproval dealt with traffic, housing density, the total number of housing units, and the need for a solid wall separating the nearby animal and farming operations. Ben Snyder of Hanover Homes and Andrew McCown of GAI Engineering are in attendance to answer any questions. **Mayor Burry** wanted to confirm that this must be sent to the state for review. **PZD Miller** agreed. This is a large-scale comp plan, so it has to go to the state. **Commissioner Connell** asked how many units this was. **PZD Miller** answered the request was for five hundred and eighteen. **Commissioner Connell** wanted to confirm that the planning commission recommended disapproval. **PZD Miller** agreed, and the reasons were noted in the agenda memo. **Commissioner Connell** inquired about the current zoning in the county. What would that density be? **PZD Miller** answered it is currently under county agriculture, which is one to five. **Commissioner Connell** wanted to know how many acres they were talking about. **PZD Miller** replied two hundred and eight acres. **Mayor Burry** stated when viewing the site he saw Lake Thomas Road at the south end of the property and, according to the planning and zoning minutes, that road was not a county road. So whose road is it, because when he looked at the map it looked like somebody had taken a grader to it. **PZD Miller** replied that he could not remember whether it was a county or private road. They could research that, but maybe someone in the audience lives there and they may know. **Mayor Burry** also wanted to know where access was to the property to the west if it was not that road? **PZD Miller** responded that on the site plan there were access points, and it may be Lake Thomas Road. If they purchase the entire property, they would be able to make that road an entrance point. **Mayor Burry** wanted to know if there was an easement for the guy behind the property. **PZD Miller** said if there was not, they would ensure that there was one because they cannot take away someone's access. They would not allow that, and it would be illegal for someone to lose access. **Mayor Burry** said looking at the development picture of the PUD, it does not account for that road at all. **PZD Miller** stated they would fix that, it would be an easy fix. **CA Watson** pointed out that there should be an existing easement governing that. They should take a look at it to see what it says. However, the city would make sure that the folks to the west have the ability to get to a public road.

Ben Snyder of Hanover Land Company said he would be happy to answer any questions. With Lake Thomas Road, the deal on that was that Mr. Hewitt built it personally as a road to get back to his C&D Landfill. They met with him and the plan was to have that as part of the community. They would wait to develop that area until he has finished filling his C&D Landfill, and they would reorient his access. They would absolutely continue to provide access in perpetuity through the neighborhood whenever that south side is developed. He would have to access/monitor that property back there. **Mayor Burry** wanted to confirm that it was a landfill. **Mr. Snyder** said it was a C&D for construction, trees and blocks, stuff like that. He met with Mr. Hewitt and they are being good neighbors by communicating, and they have a plan for it.

William Robertson of 23404 County Road 33 said his property butts up to the proposed development. They have a deeded access and their driveway runs out to County Road 33. Their property line runs along the entire south side of phase three, which is 2,161 feet. Their property line runs from County Road 33 back to the USDA Citrus Testing Lab. They are not happy about this proposed development. He is a retired City of Orlando firefighter/paramedic, so he has been around fires his entire career. With the density they are proposing to build, it is as close to a zero lot line as you can get without having a lot line. There is zero space. They are frame-built construction with vinyl siding, so if one house catches on fire, the City of Leesburg will be in an uncomfortable situation and that concerns him. They own thirty-three acres, and they lived there for thirty-six years. It used to be a dead orange grove many years ago. When they bought this property, he spent days out there on a frontend loader tearing out orange trees to build their home. They understand development but they want responsible development. The neighbors in the

area are concerned about it too, because it will change things for them greatly. Referring to an aerial photo, he showed the entrance to their property and on the left side of their gate was the property in question. Their driveway runs about 900 feet and their house is located on the hill. Their driveway will run along the right side of the fence which borders the property in question, and they will be looking at the back of the homes as they drive into their house. Of course, there will be a 25-foot buffer but the way they are proposing now, with a split rail or a poly fence, they will be able to look into the homes and see ladies washing their dishes. This development will greatly diminish the value of their property. They raise cattle, and it will affect them as far as people coming and/or jumping over the fence. They have problems now with dogs getting through, and they go after their cattle. A cattle operation is a dangerous operation and if people or kids come over, there could be problems. They also have a 7,000 volt electric fence that goes around their property and that will be dangerous for a lot of people. If someone has heart problems, that could be deadly. This is something that has come all of a sudden, and they feel like it is an invasion of their area, especially with the way they want to build. They have no consideration for the properties around there. Their house is 4,800 square feet with an 832 square foot garage. Adding those together, they have over 5,000 square feet of living space. On County Road 33, if they drive towards the City of Mascotte, there is a neighborhood there which is pretty similar to what they want to build, except for one thing: that development has an actual concrete wall that runs all the way around the perimeter of the property. That subdivision is called Roper Trails. They should look at the density of these places because those houses are only ten feet apart. This type of density does not fit their area, and it will change things not only for them, but for everyone else who lives around there. They spoke with an attorney, and they were advised that they needed to demand if this were to pass, even though planning and zoning turned it down six to one, but if this passed they would have a bunch of homes right next to them. If they do this, they should demand a solid concrete wall, much like The Villages has. They talked about that at the planning and zoning meeting and their spokesperson said that people would consider the concrete block wall to be like living in a prison. Well, the most popular homes in The Villages are Veranda Homes, and they have concrete block walls around them. People like them because it is safer for their pets. At any rate, they are concerned about liability because they own a very dangerous bull. He is fine when he is inside his electric fence, but if somebody comes over they will be in big trouble. Plus, the planning and zoning commission said they regret approving a lot of the smaller properties with fifty to sixty-foot lot sizes.

Tyler Robertson of 23404 County Road 33 said he grew up in Leesburg. He attended Leesburg High School. He lived in Lake County most of his life but recently moved to Sumter County. His father laid out most of the argument as far as the issues with the development. The primary concern here is that they are not being mandated or required to put a continuous wall of at least six feet high, as opposed to some split rail fence that they are proposing. That is not responsible development. Responsible development does not infringe upon the surrounding property owners and cause them to incur property devaluation or expose them to liability or risk. Someone can easily get through a split rail fence as opposed to a concrete barrier wall. People may come into contact with cattle and other livestock in the vicinity, but basically, that is part of owning property and a home. If someone were to make their way onto our property and get injured, they could sue our homeowners' insurance. The planning and zoning board already disagreed with this development due to the way it was presented. They are not against development, but they would like to see development gone about in a way that ensures responsible development. He was a firefighter/paramedic for the Orlando Fire Department. He used to work for The Village's Fire Department, so he knows what responsible development looks like. He also worked down in Lake Nona where Travis Docks Development is building, so he has seen different developers go about development in responsible ways and both areas have continuous walls ranging from five to six feet tall. At the planning and zoning meeting, the developer said they did not want to put up a wall because people would feel like they were in prison. Well, in The Villages, the most popular home being sold has concrete walls. So that is a bit disingenuous. Something else he saw as a red flag was when the builder's representative

was asked about the price range for homes the representative said they did not know. Now, anyone who deals with a development of this size knows the first thing you do is find out if it will be profitable. They will make sure their investment is feasible before spending this much money. So, the fact that they were not forthcoming about their expected price range shows there may be some lack of forthrightness.

Jerrill Robison of 3520 Desert Lane, said, looking at the map where it said Desert Lane was the northwest corner of his property. He owns the corner piece bordering two sides of this development. As the other gentleman said, we are not opposed to development because development is going to come. What we are opposed to is the density of development. They want to put 4.25 homes per acre and that is too dense. If they look at the properties, there are a lot of open places without trees. He has dealt with construction for forty years and as the property on the west side of County Road 33 gets developed, all the big oak trees will be bulldozed down very much like they were in Lake Denham Estates. That was a nice-treed property, and they planted little ones to get approved for certificate of occupancy. He has lived there for thirty-three years and when they do their environmental study they will dig up a couple of gopher turtles and say they have relocated them, and they will be done. However, there are a lot more animals that live out there. He has seen bobcats, indigo snakes and other wildlife. As soon as they start to develop, they will be pushed elsewhere. A lot of times it is not about the dollar, it is about community, and there is a community out here already. They should be able to have some input on what their community looks like. With that many homes going in that area and that concentration of people, they will have thousands of people in that area. The statistics show that crime, noise, and traffic are going to go up. He had to change his work hours so he could get to work on time due to traffic. He would sit in his driveway on Desert Lane and count the trucks that went by before he could get out on County Road 33. Then, the economic boom dropped off, and it slowed down, but then The Villages came and construction traffic started again on County Road 33. He rides a motorcycle but not as much as he would like to because of the traffic in that area. There is a bus stop on Desert Lane at the top of a blind hill. They do not want school buses being hit by cars because people are not paying attention. The density being suggested will have a negative effect on all the houses around there.

James Revels of 3430 Desert Lane stated the fence line also adjoins his property. He owns a little over ten acres. County Road 33 has a blind hill and traffic comes over that hill anywhere between 55 and 70 miles per hour. He saw a school bus last week pulled over on the grass. The bus driver was talking to the lady and the child was pointing at a road. He assumed he was trying to tell her that she needed to take the child down the hill.

With the maintenance of the roads, Desert Lane is maintained by the people who live on it. It has ingress and egress, but most of the roads are rural roads. His family has a history here and the USDA has been there since he was a kid. He was told his family owned it. That is the US Agricultural Research on Bridges Road. His grandfather was born in 1913, so they have lived there for 111 years. When he was a little boy, his grandfather told him a story about the low in the road on County Road 33. He said when he was a little boy he went to school in Okahumpka. There is a historical school in Okahumpka, but he said the school bus would stop to pick up the little kids, but the big kids could not ride on the school bus because the mule and wagon could not tote the load. His grandfather used to stand in the middle of the road in the wagon ruts catching fish. He pointed to the aerial map to show where a big sinkhole was. There is a history of sinkholes in this area. That sinkhole was big enough to put a house in. Back in the 90s, by the lake, he saw a sinkhole the size of the hood of a truck, but he could not see the bottom of it. Again, his family has lived here a long time. He knows the area. He has seen squirrels and fox squirrels, which are federally protected. He has seen two species of bobcats, wild turkeys, and wild hogs at his fence line. Since this area is not developed, he assumed it was the breeding ground. Referring to the aerial, he pointed to a heavily wooded area which used to be an old orange grove. The road to the landfill is asphalt, but it is a narrow asphalt road. The landfill is a class three construction landfill. He was told that they were going to reopen that landfill. With two hundred plus acres and five hundred and eighteen

homes, that means there will be more than one thousand people condensed into that two hundred acres and the houses will be ten feet apart. The trucks that travel this road will go right through the heart of this development and there will be a lot of children there. When they open the landfill back up, the children will want to play there and that will put the children in danger. With the sinkholes and the ground being unstable, no one knows when or how sinkholes happen, because it happened in The Villages. If they put houses that close together with that magnitude of weight on the earth, when it already shows the history of sinkholes, they are asking for a problem. People will be swallowed up. **Commissioner Reisman** politely asked him to finish since he was well over his three minutes.

Karen Robertson of 2344 County Road 33 Groveland said her attorney advised them that it was unfair to have this liability pushed on to them. They went to seek guidance from a real estate attorney because their house was their wealth. That was all they had. She was concerned about their sixty-six-foot driveway, because they would have to look at the back of all the homes when they drove in and out of their home. The builders representative at the planning and zoning meeting mentioned he did not know the price range of the homes, but when she spoke with the planning and zoning director she was told the low 300's. She assumed the range would be about \$325,000. If they take \$325,000 and multiply that by 518 homes, that totals \$168,350,000, so they can afford a concrete wall.

Mayor Burry asked if there were any other public comments. There were none. He asked if there was a thought process for building a wall. **Mr. Snyder** answered that in their neighborhoods they do not generally put up walls. They have never been asked to put up a wall. When asked, they were told that the landscape buffer was a requirement, and that has been well received by the city in their other developments. They do not see the need to incorporate a wall at this time. **Commissioner Pederson** mentioned that he was not crazy about walls and if he was there he would want a landscape buffer. He was not sure how the public felt, and he did not want to speak on their behalf. However, was there a way to make the surrounding owners happy with a wider buffer or heavy landscaping? **Mr. Snyder** replied that it was already heavily landscaped. **Commissioner Pederson** pointed out that he was looking to block their view of this development entirely with landscaping. Is there a way to block it with landscaping versus a wall? He was not asking him to commit tonight, because there will be a second reading, but it was something to think about. **Commissioner Connell** wanted to recap because, based on the present zoning of the county, this piece of property would only be allowed 43 units, and they are asking for 518. That is a tremendous difference between what the county would allow and what they are asking the city for. This will go back onto a two-lane road that will be funneled down to the worst intersection in Leesburg at County Road 33, County Road 48 and County Road 470. They want to add another 518 units to that intersection. That is craziness. To make matters worse, it butts up to a landfill and our planning and zoning committee voted against it six to one. He knows they are not voting tonight, but he would like everyone to look at the facts before considering this. Forty-three to five hundred and eighteen, with a landfill, two-lane roads, terrible intersections, and the planning and zoning committee recommended denial.

Commissioner Reisman made a motion to transmit this to the state for review, and Commissioner Pederson seconded the motion.

The roll call vote was:

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

Three yeas, one nay, the Commission approved the transmittal to the state.

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 208.5 +/- acres from Lake County Rural to City of Leesburg Estate Residential, for a property generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane, lying in Section 3, Township 21 South, Range 24 East, Lake County, Florida; and providing an effective date. (Lake Bright/Brighurst LSCP)**
3. **An Ordinance of the City of Leesburg, Florida, changing the zoning of approximately 208.5 +/- acres from Lake County A (Agriculture) to City of Leesburg PUD (Planned Unit Development), for a property generally located east of County Road 33 and south of Lake Brite Street, and west of County Road 33 and south of Desert Lane as legally described in Section 3, Township 21 south, Range 24 east, Lake County, Florida; and providing an effective date. (Lake Bright/Brighurst PUD)**
4. **An Ordinance of the City of Leesburg, Florida, annexing certain real property consisting of approximately 10.02 +/- acres; and being generally located west of U.S. Highway 27 and north of El Presidente Boulevard lying in Section 25, Township 20 South, Range 24 East, Lake County, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said city; providing that such annexed property shall be subject to all laws and ordinances of said city as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be placed in City Commission District 3; and providing an effective date. (Blue Ridge Storage ANNX)**

Commissioner Reisman introduced ordinances 6.B.4, 6.B.5, and 6.B.6 to be read by title only. CC Purvis read the ordinances by title only.

Mayor Burry requested comments from the Commission and the audience.

PZD Miller said this proposal was an annexation, comp plan, and a rezoning for a much smaller project consisting of 10.02 acres. It is generally located on the west side of US 27, south of town and north of El Presidente Boulevard, which is near the Spanish Village neighborhood. If you were heading south on US 27, it would be on the right side before the Plantation subdivision. This request would allow for mini-warehouse and storage uses. It is a small scale comp plan request to change the future land use designation from County Urban Low to City of Leesburg General Commercial. The rezoning would change from County Planned Unit Development (PUD) to City Small Planned Unit Development (SPUD). Under the requirements of the SPUD, there would be indoor self-storage and outdoor self-storage. It does allow for one apartment for a manager/security officer. Under the SPUD requirements, where it is not governed by SPUD, we would simply use the C-3 Highway Commercial standards for the property. They require dark sky lighting and there are large setbacks of fifty feet on the front and rear, and twenty feet on the sides. They have plenty of open space requirements, 35% landscape buffer, and a non-opaque fence is required. There is a fence currently on the property, and that would be fine. There is a three floor maximum height and architectural standards are required. Site access would be along US 27

and Lake County did not indicate if any specific road improvements would be necessary. It would be on city water and wastewater. Attorney Joseph Bricklemeyer was in attendance to represent the project if there were any further questions. **Mayor Burry** wanted to know how much concrete parking there would be on these ten acres. **PZD Miller** replied the development would be located in the southeastern area of the property and a large portion of the property to the west is wetlands. It will create a natural buffer in the back along with some buffering to the south. The only true developable area is right along the US 27 roadway. As to the specific acreage of the ten, it is only a couple of acres. It is not that much and almost the entire treed area is wetlands.

Joseph Bricklemeyer of 17032 Johns Lake Drive, Winter Garden said they did not have a lot to add unless the commission had questions. The building would be about an acre, and there would be about twenty-five feet around the building for parking and access. They are talking about 1.4 acres and, as the planning and zoning director said, the majority of the parcel is wetlands. They only have a portion of the upland property and that is offset by power line easements that they cannot use on the northern side. They have not had estimates on the building costs, but they expect the building cost to be somewhere between \$40 and \$70 per square foot, which puts them somewhere between the \$5 and \$9 million dollar range. The anticipated employee count is between three and five, depending on maintenance and those types of things. **Mayor Burry** said he was concerned about the wetlands. Was there any mitigation needed? **Mr. Bricklemeyer** responded that they were not impacting the wetlands at all. The only thing they have that is even potentially close to that are the drainage ponds, and those are not in the wetlands. This would be away from the wetland barrier since they have a setback of fifteen feet. **Mayor Burry** asked for any other questions from the commission and public. There were none. He stated this item would lay over.

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 10.02 +/- acres from Lake County Urban Low Density to Leesburg General Commercial, for a property generally located west of U.S. Highway 27 and north of El Presidente Boulevard lying in Section 25, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Blue Ridge Storage SSCP)**
6. **An Ordinance of the City of Leesburg, Florida, changing the zoning on approximately 10.02 +/- acres from Lake County PUD (Planned Unit Development) to Leesburg PUD (Planned Unit Development) to allow a self-service storage facility, for a property generally located west of U.S. Highway 27 and north of El Presidente Boulevard lying in Section 25, Township 20 South, Range 24 East, Lake County, Florida; and providing an effective date. (Blue Ridge Storage PUD)**
7. **An Ordinance of the City of Leesburg, Florida; creating Section 2-8 of the City's Code of Ordinances; entitled control of access to City-Owned, controlled, and leased property; establishing a process to designate facilities as public forums, limited public forums or non-public forums; establishing trespass notice for public property; providing for severability; providing for conflicts; providing for codification; and providing for an**

effective date.

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

Mayor Burry requested comments from the Commission and the audience.

Dena Simpson of Renew Day Spa, 214 West Main Street said this was not the first time she has spoken about things happening in the city. They have owned a business for seven years and since the day they opened they have had problems with homeless people on their front porch. Originally, it was Jay Scott's building, and he had a big barrier in the front. It was strongly suggested for them to take that down. She regrets the fact that she had taken that down because it helped protect the front of that building and the property. A couple of years ago, she pulled up to her business around 7:30 in the morning and found a homeless man sleeping in the back half clothed. She did not feel safe, so she called the police and locked herself inside her business. She asked the police not to tell the homeless person who called. Two police officers showed up, one at the front of her business and one at the back. They proceeded to radio back and forth with one another, which she was sure they had to do only to find out the homeless man had a handwritten note giving him permission to be there. There were no trespass signs on the buildings for that entire block for well over three or four years. He was then warned that he needed to put clothes on. She was concerned about staff members, herself, as well as Beacon students who walked up the street to get to school. What were this man's intentions, and why was he only half clothed from his waist up? She did not feel safe, so she applied for her concealed weapons permit. To this day, she continues to keep her concealed weapons. She goes target shooting for her own safety, but she does not want to use it. Approximately six months later, after that incident, she had a problem entering the back door of her business. She did not understand why she was having a problem, because the property owner had not done anything to her lock. After hiring a locksmith, she found out that her back door had been superglued. They put up cameras at her cost and a security light and within 24 to 48 hours the lights and cameras were ripped down. That same gentleman was found in the town square with her cameras as he tried to ditch his backpack that had drugs. He was arrested, and he went to court. She was notified less than 24 hours before the court date and was told they did not want her at his court date. He was released and he continually walks the streets. She continues to have problems at her business. She has an order of protection against this man for her business and family. Her daughter worked at the city pool, and she could not walk or ride her bike to the pool because he knew who she was, who she was linked to and what business she was linked to. He would constantly harass and say rude comments. This was not something that was unheard of in the downtown. This man is still downtown, and she will continue to carry. She does not know if he is the one that continually vandalizes her property, because they have had many people on multiple occasions vandalize their property. They had defecated on her front porch. She had a homeless man during the day pass out on her front porch. This should not be a problem that business owners have to deal with. It is hard enough to make money and to get staff to come in to make money. A lot of her clients now go to her property in The Villages because they do not want to deal with this nonsense.

Tim Simpson of Renew New Day Spa said they clearly have a problem. They continually talk to their staff because they are in a problem-solving business. He applauded the city for looking at this to try and find an answer. He does not know all the details legally from the local level up to state level, but there is a problem. Former Chief Hicks and Chief Iozzi have been very instrumental in helping them navigate some of the muddy waters. On March 25, 2017, they opened their business, and it has been a pleasant experience being here. However, in those seven and a half years, he had a woman urinate on his front porch, someone stole a chair and three cameras were stolen. He is now looking at a more secure solution that will cost him upwards of \$1,500. He was sure the city would not give him money to do that. It is

very frustrating that he cannot go buy an \$80 camera and link it to his phone because it keeps getting stolen. Some of these people continue to vandalize the streets. He gets that homelessness is a problem, but his daughter formerly lived in Delray Beach, and they could go out on Atlantic Avenue where they could go out and not worry about a major homeless problem. They could go out to dinner and not worry. Delray Beach has found a way to get it done, and we need to find a solution to this problem. Some of these people need to be expelled from the city. He understands Life Stream is here, and that a lot of people who are baker-acted end up being dumped here. One of our famous ladies that walks up and down the street, who speaks at very high volumes, continues to live here. She has been shipped out and shipped back. He feels like he should live at the Mexican border because there is not much difference. He would love to hear from the city about what they can do about this problem. Chief Hicks personally answered a lot of his calls when they had issues. Why can't we have police patrol the streets in a timely manner? If they are doing it in other neighborhoods, why are they neglecting the downtown? There should be a police officer that comes downtown periodically to patrol the streets. When the phone buzzes, he looks at his cameras, and he calls the city because he has a no-trespass order. However, by the time the police arrive, the person that was on the front step was gone. It is a waste of time on their part and the police officers' part. They hear about developers wanting to do great things for the city, but if businesses cannot survive and thrive, it does not matter what they want to do, because people will not come down

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Penny Castano of 2225 Angelfish Loop said she was new to the area. If they are trying to get new businesses and people to come in, why are they worried about parking? People do not want to come here if they are being approached by homeless people. They want to bring people in here while people are sitting in the parks. The parks smell like urine. She was from the Philadelphia area, and she could see exactly what was happening. They need to address homeless people who may have mental health issues. They need to get them help and get them where they need to be rather than sleeping in the streets. She does not want to go to Blue Island or the Day Spa because when she walks by she smells urine, and that is not appealing. How about putting money towards power washing where the homeless people are because the smell and everything lingers? Get them help rather than worrying about parking. With the area that is for sale, why would they not offer that to Beacon College for a student housing development?

Felicia Stewart of Hope to Restoration 2501 West Main Street, Suite 106, said she was from the Groveland area, and she appreciated everything the city was doing. She understands what all the business owners are saying. She is a former homeless individual because, about twenty years ago, she moved to Orlando, as a homeless person. She left a violent domestic relationship where she was shot, stabbed and left to die in North Carolina. She moved to Orlando, Florida, where she was homeless. She was a working parent, but she lived in her car. She was stereotyped because every time she walked into a facility she was looked at as a homeless lady, so she must have been on drugs or an alcoholic. Sometimes, homelessness gets a bad name. She wrote a book called Homelessness Through The Eyes. Her father was homeless. He died on the streets of Philadelphia as an absolute genius. He ran for mayor in two different states. She was there to find out what they could do as a city. She wants to give hope to people and help acclimate them back into society, because not everyone wants to be homeless. Some people do not want to be on drugs. She walked into a facility and said she was homeless with four children, and she was stereotyped. She was an animal lover, but a couple of years ago, when her organization was in Tavares, she was told that \$7.4 million dollars had been spent on an animal shelter, yet we have no shelters or transitional facilities for these people to help themselves get them back up on their feet. What are we doing to help instead of criticizing? Instead of saying they are urinating, or we put them in Life Stream. What are we doing to take the steps to help them get back up on their feet? She has statistics and a plan that she has been working on and right now her statistics of success is 32%. Her website shows they are actually becoming successful. She had a gentleman walk into her office who did

not know how to tie a tie. He is now a homeowner and he owns a car. So, what are we as a city doing? Are we standing back and just saying get away from my property, not in my backyard, not on my front porch, or are we getting together with organizations to find some type of building to put them in? Organizations like hers do not have funding to do it, because they cannot get grants, but she would love to have a facility to help these people.

James Hopkins said he met with the police chief, the deputy city manager, and the city manager a week ago about this issue. Yes, there are homeless people who want to get help through private entities and some state-funded things like Life Stream, the First Baptist Church, and the Salvation Army. There are a lot of opportunities for people who do not want to be homeless. The business owners are concerned about the perpetual people who live on the streets in downtown Leesburg. They are dealing with it too, because a purse was stolen from one of their servers and the second week they were open, a homeless guy came in, sat down and refused to leave. He was at a meeting when he got a call from his wife saying he had to come back because she could not get the guy to leave. By the time he got there, they had a line outside the door, and he was spitting on people as he left. He is known as a perpetual downtown homeless person who has been trespassed from just about everywhere downtown. They also have a trespass order as part of the solution. As business owners, they need to come to these meetings to keep this at the forefront of the commissioner's mind. There are a lot of legalities that go into this. They will have to put some order to what the state and governor have allowed them to do. He asked that they approve that next ordinance at second reading. So, come October 1st, we can give the police as much ability as they can within the law to enforce this in the downtown area.

Elliot Ward of 712 West Main Street said he tries to bring solutions to the commission. First, we need more officers in the downtown. We need more funding to keep them in the downtown. It may help to push/move the homeless people along. He has worked with some of the homeless people at his end of town, so he knows the game. They just need to move along to someplace else. He knows it is difficult because they do not have a facility to send them to. It is a bit of a conundrum, but his solution would be to have more law enforcement downtown. We need to find the funding to have more officers in the downtown. When they are there, there are no problems. Activity breeds activity, and having support from the police department is the solution.

Mayor Burry asked if there were any further comments from the commission and the public. There were none. This item would lay over.

8. An Ordinance of the City of Leesburg, Florida; Amending Chapter 15, Article I "General Offenses" to create Section 15-7 Entitled "Public Camping or Sleeping" prohibiting unauthorized camping at any time within the City; providing for severability; providing for conflicts; providing for codification; and providing for an effective date.

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

Mayor Burry informed the public that the State of Florida has a new law. He was not sure if everyone was aware of it, and it goes into effect on October 1st. They can find more information about it in Florida Statute 125.0231. It deals with public camping and basically addresses the homeless issue. He asked the city attorney to give a quick synopsis of the state statute and what the city must do.

CA Watson explained that the law will prohibit a city or a county from allowing any person to regularly engage in public camping or public sleeping. It covers private property, sidewalks, and parks. The statute

is pretty vague, but if somebody were to regularly engage in public camping or sleeping, such as sleeping on a park bench at three in the morning, that would be considered public sleeping. Now, whether they regularly sleep in public is unclear. There are some questions about the mechanics, but the general theme is that cities and counties cannot allow public camping or public sleeping. The only way they could allow that to happen would be to establish a public campground site. It would be a joint operation between the city and the county. The city would have to approve it, but the county would have to set up the campsite. It would require approval by the Department of Children and Families (DCF). They would have to apply with the state to get a certificate, since we do not have enough beds in the county. They would set up a campsite somewhere in town. The campsite would require regular patrolling, restroom facilities, and structures. It would be expensive to set that up. Long story short, the statute says that cities and counties will not be allowed to permit public camping or sleeping anymore. If it does occur, the city could be sued. That is essentially the mechanism that was put into place. The state did not exactly outlaw public camping or public sleeping, they just outlawed cities and counties from allowing it to happen. They also subjected the cities and counties to civil lawsuit if it does happen. We now have an ordinance that mirrors the state statute in terms of prohibiting public camping and sleeping. The ordinance prior to this one covered public facilities and trespassing. This would essentially set up a process for law enforcement to address the situation and ensure that the city is compliant with state law. This gives law enforcement some tools, because currently there is nothing on the books in the city that addresses this issue. This would set up a prohibition on that type of activity in the city, and give law enforcement tools to ensure that the code is being followed. **A gentleman from the audience** asked about the time and duration for what would be considered public camping. **CA Watson** answered the statute just says regularly and at this time that is all we have. **Mayor Burry** commented that if anyone wanted to speak, they needed to come to the microphone. However, the rule says regularly, which is defined as somewhere along sometimes. It is a very vague interpretation. **CA Watson** stated there was some discretion given to law enforcement to an extent to determine what regularly would be in their eyes, but what a judge determines as regularly we do not have that answer at this point. It would all be fleshed out down the road if somebody is trespassed and arrested after two times of sleeping on a bench, and if they challenge it a court will decide if that was regular. At this time, we do not know what that means without further definition or interpretation from the courts. **Mayor Burry** continued to say the ruling says we have to fill up the homeless beds that are available in the county, but Lake County has zero beds. So, we cannot ship them to a facility that accepts the homeless because the county has no beds available. If a campground was established, the campground could not be contiguous with a piece of property that is used for residential purposes, and it could not be zoned for residential purposes. It also says that the homeless camp cannot decrease the property values surrounding that camp. Functionally, in a city like ours we have no property available that meets the criteria to establish a camp. There is nothing that meets that criteria, so for us and just about everybody else, it is impossible. Even if we were able to set up a camp, we would be required to provide mental health services, clean restrooms, and we would have to make sure that people are safe. The list goes on and on, and it makes it very difficult for us to meet the needs that are out there with the way the law was written. We have to enforce the law and the law says we cannot allow people to regularly camp on public property and that is what they are trying to address.

Dina Simpson of Renew Day Spa questioned the two groups of religious people who sit in the same seats just about every day. They are there all day long, so is that considered camping? **Mayor Burry** replied no. **Ms. Simpson** said they sit in the same place in the park, and they sit on the park bench all day long. They are taking up space, but that is okay. **Mayor Burry** stated they were talking about sleeping. The ruling refers to tents, cardboard boxes, and things like that. **Ms. Simpson** said she was not comfortable with the individuals sitting in that spot all the time. **Mayor Burry** agreed, but camping in this statute is defined as tents, sleeping apparel, sleeping bags, or anything that indicates to an officer that the person intends on sleeping there. **CA Watson** concurred. If they look in the agenda packet, the ordinance definition says public camping and sleeping and that was pulled directly from the statute. It

talks about the evidence of sleeping bags, tents, or any material that indicates more of a permanent camp.

Tim Simpson of Renew Day Spa said they did not know the legal side of this, and not to put Chief Iozzi on the spot, but is there something the police can do to help business owners with this problem in the short, medium, and long term? He does not know what to do at this point, besides calling the police to say he has a no trespass order. He has little legal background, so what can the business owners do to work with the city so they can get this problem solved? **Police Chief (PC) Iozzi** explained that anytime there is criminal activity they need to call them. They have been pretty responsive to those issues as they occur throughout the city. This problem is not unique to downtown, but obviously, the businesses in the downtown see it more than other areas in the city. They will respond to calls and they can write trespass authorization letters. As this statue is being described, there is not a lot that will change, and that is the fact of the matter. There are abundant resources for people in bad shape, and there tends to be a disproportionate number of people in this town as a result of that. They will continue to provide the same level of service that they are allowed to by law constitutionally to keep the city from lawsuits by the ACLU and other entities because they watch out for people that might be harshly treated by law enforcement.

Felicia Stewart of Hope to Restoration asked if it was safe to say that this problem was not solvable in the city or the County. **Mayor Burry** explained that he did not say it was not solvable. The way this law was written, it says the county could establish a camp because there are no beds in this county. The beds do not exist, so the county can establish a camp or the county and city together can establish a camp. However, that camp would have to look like a state park, with showers, and regular patrolling. We would have to offer mental health services and some other types of services. **Commissioner Pederson** added that it would have to be fenced all the way around. **Mayor Burry** continued to say that all of it would be regulated by the Department of Children and Families. It has to meet all the criteria. He has read the statute many times, but in our case, the way the law is written, we can be held responsible for not doing this. This is not personal, but it is their job to follow the law and this law starts October 1st, and we are establishing how the city will follow the law. **Ms. Stewart** said she was a business owner outside of her nonprofit organization, but she wanted to get a solution to the problem. We have so many buildings that are being purchased for other things. She did not want the Humane Society to come after her because she was an animal lover, but she noticed so many abandoned hotels on US 27 and US 441, and if governed properly, could be used, so she was going to try and go after them. **Mayor Burry** stated the private industry can do that, but the city cannot put a camp in or near a residential community. Nor can we have a camp in an area where a residential community is being planned. We are limited in property and there is nowhere in the city that meets the criteria to address a camp. **Ms. Stewart** replied that she understood. She said she wanted to respect the business owners because there are some people who are not so nice, and they do crazy things, so they should be trespassed against. However, there are some people who sleep in their cars that want help. **Mayor Burry** responded that as long as the car is properly registered, the car is an exception. **CA Watson** agreed. If someone is in a vehicle that is properly registered and parked in an appropriate spot, they can still sleep in that car. **Ms. Stewart** wanted to confirm that in order to get something done about this she would need to contact DCF and the Mid-Florida Homeless Coalition. **CA Watson** agreed and DCF is the certifying agency. **Ms. Stewart** indicated that she had already met with Mid-Florida Homeless Coalition and Kirby Smith, but she wanted to take the proper channels because she believes this problem can be solved.

Ms. Simpson asked if Sumter County had any open beds or homeless facilities. **Mayor Burry** answered they did not have that information. **Ms. Simpson** said she owns two businesses in The Villages and whenever they have a problem with the homeless in The Villages, the Sumter County Sheriff's Department comes out, and they take care of it. There has been one person in the last four years and that one person was probably about two months ago. For those who frequent The Villages, they do not see

homeless people in the downtown or Sumter Landing or Brownwood. **Mayor Burry** pointed out that they do not know the laws for Sumter County regarding that, we know Lake County and Leesburg's laws. He stated this item would lay over. He advised everyone to read Florida Statutes 125.0231, because it explains everything.

D. 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 this evening.

9. CITY MANAGER ITEMS:

CM Minner had nothing to report on.

10. ROLL CALL:

Commissioner Pederson had nothing to comment on.

Commissioner Connell had no comment.

Commissioner Reisman thanked the Leesburg Police Department and the Leesburg Blue Foundation, including Sergeant Walsh, for a successful Second Annual Leesburg Blue Foundation 5K. It was presented by Sun Air Aviation. He thanked Commissioner Pederson for coming out. It was a successful event, and they had a lot of runners. They are excited about announcing what they will be doing next year because they have some tricks up their sleeves.

Mayor Burry had no comment.

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 8:11 p.m.