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

1. CALL TO ORDER

The City of Leesburg Commission held a regular meeting on Monday, December 9, 2024, at Leesburg City Hall. Mayor Burry called the meeting to order at 5:31 p.m. with the following members present:

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

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

INVOCATION

Mayor Burry 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. <u>Employee Service Award Recognitions:</u>

Five Years: Joseph Pongratz, Fire
Ten Years: Travis Rima, Recreation
Fifteen Years: Scott Suminski, Police
Thirty Years: Joseph Iozzi, Police
Forty Years: Darrel Rankin, Electric

Human Resources Director (HRD) Melissa Arriaga and **CM Minner** recognized and presented each employee with their employee service award.

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

There were no public comments offered.

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

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

The roll call vote was:

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

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

A. CITY COMMISSION MEETING MINUTES:

1. Regular meeting held November 25, 2024

B. PURCHASING ITEMS:

1. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment Two to an existing contract with Prime Electric, LLC; and providing an effective date.

ADOPTED RESOLUTION 11,940

2. Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment Two to an existing contract with Lakeside Electrical Services, LLC; and providing an effective date.

ADOPTED RESOLUTION 11,941

3. **Purchase request to purchase Marina Grade Non-Ethanol Rec 90 Octane gasoline and off-road Diesel fuel from Lynch Oil Company.**

4. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment Three to an existing Agreement for Lift Station Rehabilitation Services with Danus Utilities, Inc.; and providing an effective date.**

ADOPTED RESOLUTION 11,942

5. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the approval to amend the existing contract with CareATC to provide Physical Therapy and Musculoskeletal Services at the City of Leesburg's Employee Wellness Center; and providing an effective date.**

ADOPTED RESOLUTION 11,943

C. RESOLUTIONS:

1. **Resolution of the City Commission of the City of Leesburg, Florida authorizing agreement 448739-1 between the City of Leesburg and the Florida Department of Transportation (FDOT), regarding execution of the RISA (Roadway Illumination Services Agreement) for the capital costs associated with the purchase and installation of the lighting; and providing an effective date.**

ADOPTED RESOLUTION 11,944

2. **Resolution of the City Commission of the City of Leesburg, Florida, accepting a Mutual Aid Agreement for Fire Protection and other Emergency Services between The Villages Public Safety Department (Fire) and the City of Leesburg and more particularly described in the document; and providing an effective date.**

ADOPTED RESOLUTION 11,945

3. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an Electric Service Agreement between the City of Leesburg and KB Home Orlando, LLC, regarding electric service to the development known as Silver Lakes Estates, Phase 1; and providing an effective date.**

ADOPTED RESOLUTION 11,946

4. **Resolution of the City Commission of the City of Leesburg, Florida, accepting a Utility Easement to the City of Leesburg from Wal-Mart Stores East, LP for the purpose of granting the City an Easement over the property described therein; and providing an effective date.**

ADOPTED RESOLUTION 11,947

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

ADOPTED RESOLUTION 11,948

6. **Resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an agreement to issue a Special Event Permit for Alcohol Sales at Bikefest 2025; and providing an effective date.**

ADOPTED RESOLUTION 11,949

6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:

A. SECOND READING OF ORDINANCES

1. **None**

B. FIRST READING OF ORDINANCES

1. **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 131.5 +/- acres from General Commercial, Transitional, Institutional, Recreation, and Low Density Residential to Downtown Mixed-Use, for properties generally located south of the Leesburg-Wildwood Trail and West Line Street; east of Perkins Street, Euclid Avenue and South 9th Street; north of West Dixie Avenue, East Dixie Avenue and that portion of Pine Street lying east of Childs Street and west of Rambo Street; properties lying west of Rambo Street; south of a portion of East Main Street that lies west of Rambo Street and east of North Canal Street; and properties lying west of that portion of**

North Canal Street north of East Main Street and south of the Leesburg-Wildwood Trail; as legally described in Sections 23, 25, and 26, Township 19 South, Range 24 East; lying in Lake County, Florida; and providing an effective date. (DT MXU LSCP)

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

Mayor Burry requested comments from the Commission and the audience.

CA Watson wanted to verify that this item along with the next item needed to be sent to the state. **Planning and Zoning Deputy Director (PZDD) Kandi Harper** agreed. They both need to be transmitted to the state for review because we are going from 26 acres to 131.5 acres, and that makes it a large-scale map amendment. The next item on the agenda covers the text amendment and that also needs to be sent to the state. **CA Watson** informed the commission that they would need to make two separate motions to approve the transmittal to the state.

PZDD Harper started her presentation by saying the expansion of the downtown mixed-use future land use district arose out of administration as well as public inquiries about properties that could be better developed within the downtown area while increasing the density downtown, thereby increasing communication with the public, the city, and flowing through the businesses in the downtown area. This is the latest example of Leesburg's encouragement of redevelopment. The expansion would create additional methods of bringing investment into the community. Planning staff was asked to go from the small core downtown area to about seventy-six acres. Then the planning commission said they wanted to go larger and that is why they are at 131.5 acres.

Referring to maps, she explained the referenced area was outlined in black. She showed a zoning map, but they were not talking about that tonight. This item was strictly for future land use. The zoning amendment was for a central business district, so people could come in under the mixed-use future land use and ask for a central business district zoning, which allows for greater density. They want people to look at it, think about it, and invest. Another map showed the current future land uses, which includes the central business district, but it would include future land use/mixed-use. It would open up the city to a lot of investment downtown. Referring to another map, she said it was interesting to take the geography being proposed to see what a mile walk would get you. They used the mathematics inside our geographic information system and found the centroid of that polygon, which was the black outline. They went out half a mile, and that was represented by purple and one mile out was represented in blue. People could easily walk around Leesburg. She showed a map of the different zones and the area being referenced is in historic preservation. It also covers two city commission districts. There are two trails that are quite extensive, the Leesburg Wildwood Trail to the north and the Magnolia Trail that runs through the area. It creates a loop for walking around and through the city. Doing this will provide an opportunity for different housing types. It could be single-family residential homes all the way up to apartments. The area is also located within a Community Redevelopment Area (CRA), so this would add more income to that CRA. The state is looking for a future land use designation, which shows going from what to what and how many acres. **Mayor Burry** asked if there were any questions or comments from the commission or the public. There were none. The second reading is scheduled for January 27, 2025.

Commissioner Reisman made a motion to transmit the information to the State reviewing agencies, and Commissioner Berry seconded the motion.

The roll call vote was:

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

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

2. An Ordinance of the City of Leesburg, Florida, amending the City's Comprehensive Plan Future Land Use Element, Goal 1, Objective 1.1, Item h. "Downtown mixed use," to allow the expansion of the existing Downtown Mixed Use Future Land Use designation, providing for conflicts, severability, and an effective date. (Downtown Mixed-Use Expansion Area CPTA).

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.

PZDD Harper stated this item covered the text amendment inside the comprehensive plan. The text had to be changed to say this vicinity was compatible with the existing downtown fabric. If we change the map, we have to change the language in order to have this expansion. We had to add that language to the text. **Mayor Burry** asked if there were any comments from the commission or the public. There were none. He stated this item is scheduled for a second reading on January 27, 2025.

Commissioner Reisman made a motion to transmit the information to the State for review, and Commissioner Berry seconded the motion.

The roll call vote was:

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

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

C. NON-ROUTINE ITEMS

1. Resolution of the City Commission of the City of Leesburg, Florida requesting approval to proceed with the special event permitting process for the Shamrockin' Fest event on March 14-15, 2025; and providing an effective date.

ADOPTED RESOLUTION 11,950

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 ordinance and Commissioner Pederson seconded the motion.

Mayor Burry requested comments from the Commission and the audience.

Recreation Director (RD) Travis Rima stated this would be the second Shamrockin' event held downtown. The event ran last year at about the same time. The reason it came before the commission is that it covers a big footprint of the downtown, and it closes down some streets for a while on Friday and all day Saturday. The dates are March 14th and 15th, 2025. They wanted to make sure the commission was okay with them moving forward in the special event's committee process. Mr. Gamble, the applicant, was in attendance to answer any questions. **Mayor Burry** asked if there were any questions or comments from the commission or the public. There were none.

The roll call vote was:

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

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

2. Discussion Item - Commission Meeting that falls on an Observed Holiday in 2025

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

Mayor Burry stated there was one city commission meeting date that fell on Memorial Day, so that needed to be rescheduled. He asked for commission comments and if they were in agreement to have the meeting on the Tuesday following the holiday. **Commissioner Berry** wondered if they could have it the week before Memorial Day, but either way, she was okay. **Commissioner Pederson** said he was fine with moving it back or forward. **Commissioner Reisman** stated he was fine with either. **Mayor Burry** explained that he preferred the meeting to be scheduled for the Tuesday following the holiday. Otherwise, they would have meetings one week apart in May. **Commissioner Berry** wanted to confirm that the meeting would be held the Tuesday after Memorial Day. **Mayor Burry** agreed. That meeting will be scheduled for Tuesday, May 27, 2025.

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 explained that the Frostinburg contract for the parcel across from the gas department was scheduled to close on Friday and everything is falling in line for that to work out. He will be in touch with the closing documents that will need to be signed. This was a $50,000 contract, and everything looked good. It should be sold by the weekend.

9. CITY MANAGER ITEMS:

CM Minner had no items to address.

10. ROLL CALL:

Commissioner Connell stated by now everyone should have seen the Florida state surgeon general's opinion about fluoride being put in the water. At this point, we had not started the process of actually installing the equipment. We purchased the equipment, but it has not been installed. We need to put this project on pause until we see what shakes out with the surgeon general coming out and making that statement, which was a pretty bold statement. The City of Tavares is also looking at their fluoride and possibly putting a hold on it or doing something with it. He believes that would come back in a vote. We should put this on pause and hold it for a future date before spending any more money. **Commissioner Pederson** questioned the amount of money spent on the equipment. **CM Minner** answered the contract was for $600,000, and we are at $300,000 for equipment. **Commissioner Berry** wanted to know what would be done with the equipment if they were to decide not to move forward. **CM Minner** was unsure if that equipment could be sold. **PWD Kelsey** commented that the probability of selling that equipment and getting our money back would be low. **CM Minner** confirmed that there would be a low probability of a return on the equipment already purchased. **Commissioner Connell** remarked we had already spent $300,000 on equipment, but to have it installed would cost another $300,000. This should be put on hold for a while until we can decide what to do. With the surgeon general coming out saying he does not recommend it, and since we have not started the installation process, we should wait for installation. **Commissioner Berry** wanted to know if the City of Tavares had made any decisions. **Commissioner Pederson** added that the City of Tavares currently has fluoride in their water. **CM Minner** explained that the City of Tavares had not made a decision yet. He spoke with their city manager today, and they have gone through a little inverse of the process that we did. Their city manager is hearing arguments from both sides, and there will be a presentation to the commission, and they will ultimately vote on it. **Commissioner Berry** asked if there would be several dentists at that meeting or if they would send information. **CM Minner** said there was a discussion between him and the City of Tavares city manager, but essentially it is the exact same issue. They had the same discussions and the same folks are making presentations to their commission. **Commissioner Berry** inquired if Commissioner Connell's comments were based on comments made by the Surgeon General and if that was why he wanted to hold off on the installation. **Commissioner Connell** said yes. We already purchased the equipment, but we have not installed it. At this point, we should put it on hold and not spend any more money on this project until we receive more information/data about it. We should wait to see what other jurisdictions who currently have fluoride in their water will do. We should wait to see if they cease putting fluoride in their water. Yes, we are $300,000 in, but we may be able to liquidate the equipment somehow if we decide not to move forward. We may not get dollar for dollar, but we should not throw another $300,000 into it until we hear more information. We should take the surgeon general's opinion strongly because he would not just come out and say that if he did not feel strongly about it. He was prepared to make a motion to put this project on hold for the time being.

Commissioner Connell made a motion to put the fluoride project on hold until more information was provided.

Commissioner Berry wanted to confirm that he was talking about one person's opinion. **Mayor Burry** questioned whether Commissioner Connell made a motion. **Commissioner Pederson** said he understood the comments. He would agree to put it on hold, but we have already spent money on this. If we move forward with this, he would ask that the motion be amended to a timeline. He does not want this getting lost in the shuffle. Right now, we have equipment sitting idle, and he does not want this sitting for three to six months. He would like to see a shorter term. **Commissioner Connell** said he could go along with a six-month moratorium. **Commissioner Reisman** asked if they could have a staff presentation at the next commission meeting that includes the ramifications if we do pause this project. Do contracts still need to be paid? There are a lot of unanswered questions. He would not disagree with discussions, but we need more information from staff on the pros and cons. **Commissioner Pederson** mentioned that when he read the article, he thought we were further along in the process. However, when he heard Commissioner Connell's motion, he hoped the city had not purchased anything yet. We could hold off on this until the next commission meeting for a presentation. **Commissioner Connell** said he would withdraw his motion if the commission was more comfortable getting a staff recommendation. If we want to hold off and put a pause on this until we receive a staff report, he would be okay with that. However, we should move forward and spend no more money until we receive a report and make a decision. **Mayor Burry** wanted to know what the staff report would be based on. **Commissioner Connell** said it would be based on Commissioner Pederson's comments regarding the legalities that we are looking at if we stop this. **Mayor Burry** questioned what he meant by legality because this was the surgeon general's opinion. **Commissioner Connell** said Commissioner Pederson was referring to the contracts already out there, and what we can do with the equipment. **Commissioner Pederson** said the next commission meeting is next Monday due to the Christmas holiday. It would only push it back one week if staff could get that report done quickly. **CM Minner** affirmed that they would be able to get that information by next week. **Mayor Burry** said he figured this would come up after the comment from the surgeon general, but nothing has changed with the American Academy of Pediatrics, American Pediatrics Dentists, Dental Academy, or local dentists. No one else has changed their opinion about fluoride not being good in the water. This was one individual that changed his mind, so it did not weigh heavily on him to follow that direction. He was not in favor of slowing up the project. **Commissioner Connell** said he did not dispute what he was saying. However, he has concerns about other things that fluoride may cause. **Commissioner Pederson** added that with the incoming presidential administration, one cabinet member was talking about trying to do something at the federal level, but he did not think that would get any attraction. He was not too concerned about that, but that tugged at him more than the state surgeon general. He would like to wait another week, so he can fully understand the contract.

Commissioner Connell amended his motion to hold off on the fluoride project for one week pending a report from staff, and Commissioner Pederson seconded the motion.

Mayor Burry said there was an amended motion to wait one week. He asked if there was any other discussion on that motion. There were none.

The roll call vote was:

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

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

CM Minner stated this would be an agenda item under non-routine on the next agenda. **Commissioner Berry** wanted to know what their decision would be based on. Would it be from the gathered information and what is being anticipated? **CM Minner** explained the direction would be from the commission. This is a legislative decision, it is not a staff decision and there will be no staff recommendation. They will receive the information from staff, and we will reach out to the contractor and talk with the city attorney to find out what the options are for the exodus of the contract and the financial impact on the city. That report will be to them by Monday and their decision will be to either move forward with the project, not to move forward with the project, or delay the project.

Commissioner Reisman thanked the electric department, the public works department and all the employees for getting the city Christmas ready. He then thanked the special events department for putting on a successful Christmas Parade and Christmas activities downtown along with all the departments that participated and/or helped get it ready. He hoped to see everyone on December 19th at the Chamber Breakfast for the State of the City Address by our city manager.

Commissioner Pederson had no comment.

Commissioner Berry had no comment this evening.

Mayor Burry had nothing to comment on.

11. ADJOURN:

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

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

With a motion by Commissioner Reisman and a second by Commissioner Berry, the meeting adjourned at 5:59 pm.